

10 April 2019

His Worship the Mayor & Councillors

**Notice of Ordinary Meeting of Bathurst Regional Council - Wednesday,
17 April 2019**

I have to advise that an **Ordinary Meeting** of Bathurst Regional Council will be held in the Council Chambers on Wednesday, 17 April 2019 commencing at 6.00 pm.

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



D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

TO BE HELD ON WEDNESDAY, 17 APRIL 2019

1. 6:00 PM - MEETING COMMENCES

2. PUBLIC FORUM

3. PRAYER

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

4. APOLOGIES

5. MINUTES

- * MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 MARCH 2019
- * MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 3 APRIL 2019

6. DECLARATION OF INTEREST

To assist the Councillors and committee members in their correct consideration of business before them at the meeting, please give consideration to Section 451 of the Local Government Act, in relation to Declaration of Interest at meetings.

7. MAYORAL MINUTE - Nil

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

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

9. REPORTS OF OTHER COMMITTEES

- * MINUTES - POLICY COMMITTEE MEETING - 3 APRIL 2019
- * MINUTES - TRAFFIC COMMITTEE MEETING - 2 APRIL 2019

10. NOTICES OF MOTION

1 NOTICE OF MOTION - CR FRY - WATER INITIATIVES

Moved Cr Fry:

That Bathurst Regional Council declare our Local Government Area (LGA) a "Water Smart Region"

11. RESCISSION MOTIONS - Nil

12. COUNCILLORS/ DELEGATES REPORTS

- * CENTROC BOARD MEETING 28 FEBRUARY 2019 (DPI-ORANGE)
- * MINUTES - AUSTRALIA DAY WORKING PARTY - 19 FEBRUARY 2019
- * COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 13 MARCH 2019
- * COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 27 MARCH 2019
- * MINUTES - BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE - 28 MARCH 2019

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

Recommendation: That:

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

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

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

*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RURAL LICENCE AGREEMENT - LOT 5 DP586023 AND LOT 11 DP717095 AND PART LOT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the

	12 DP717095 KNOWN AS 117 - 131 COLLEGE ROAD, BATHURST	commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	SALE OF LAND AT LOT 1004 DP1129907 KNOWN AS 49 HAMPDEN PARK ROAD, KELSO	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
3	MANAGING AGENCY AGREEMENT - LOTS 4, 5, 8 & 9 DP232111 KNOWN AS 98 MOUNTAIN STRAIGHT, MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	EXPRESSION OF INTEREST - CONVEYANCING SERVICES 2019 - 2022	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.

*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR PROPOSED EGLINTON SEWER RISING MAIN	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on

		balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	12 MONTH EXTENSION - PROVISION OF LABOUR & EQUIPMENT - MOWING MAINTENANCE CONTRACT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

14. RESOLVE INTO OPEN COUNCIL

15. ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

16. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 PUBLIC FORUM

L Sargent - Neighbour - Re 261 Lambert Street - DA2018/103 - objecting to Development Application on behalf of self and other neighbours in Lambert and Stewart Street and expressed the following concerns:

- The two storey dwelling is close to backyard, and the overshadowing that will result
- Impact on two trees
- The two storey development is not appropriate in this heritage area of Bathurst

C O'Rourke - Ratepayer - Re 261 Lambert Street - DA2018/103 - made the following comments regarding :

- Applicant has essentially submitted the same application
- Believes that there are significant errors in application
- Doesn't meet or comply with DCP - setback - privacy - shadowing
- Open space areas are concreted

D O'Keefe - Owner of 251 Lambert Street - Re 261 Lambert Street - DA2018/103 - spoke on the following:

- Impact the Development Application will have on adjoining old trees - referenced DCP as it relates to environmental amenity protection
- Cannot keep chopping down old trees
- Development Application will require trees to be reduced, including 50% of the branches on one side
- Objects to approval of Development Application

J Kellett - Ratepayer - spoke regarding the Clinical Services Plan Report and made personal observations:

- What can Council do to ensure services meet the ongoing needs of the fastest growing regional centre? In particular in the area of health infrastructure and specialist services.
- Welcomed the review
- Prompt and proactive action required by Council and Community to participate in review

G Crisp - Ratepayer - tabled questions and made the following comments regarding water charges:

- a reliable source informed him that the General Manager claimed that Mr Crisp's objections regarding water charges over the last 13 years have cost \$2.1 million
- Want issue to be taken to court

B Trimming - Ratepayer -

- Water restriction - asked will there be a public discussion forum before altering restrictions?
- New roundabout is easier to get across

B Trimming - Chairman - Bathurst Regional Access Committee -

- Howick Street footpath now unblocked
- DA2018/52 - Conrod Straight - Access Committee confirms that committee unanimously supported compromise as reached.

D McNab - Ratepayer - Mitre / Suttor / Lambert Street - asked for current status of roundabout project.

The Director Engineering Services advised water service plans received; currently being reviewed; Tenders to be called shortly.

D McNab asked about the other services

The Director Engineering Services advised no delays expected.

I Hancock - Bathurst Regional Access Committee - compliment staff on timely response to NRMA matter

K McNab - Ratepayer - Draft Code of Meeting Practice in regards to Public Forum

- 4.1 - Members will be denied 'free speech'
- 4.5 - time should be increased by one minute, not reduced or at least stay the same
- 4.1.5 - end of 'free speech' and democracy at Bathurst Regional Council

Dr L Hopes - Citizen -

- spoke in support of J Kellet
- spoke of the reduced, and ongoing reduction in specialist services in Bathurst

MINUTE

3 APOLOGIES

Nil

MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 MARCH 2019 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 March 2019 be adopted.

Report: The Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 March 2019, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

MINUTE

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 MARCH 2019 (11.00005)

MOVED: Cr B Bourke SECONDED: Cr W Aubin

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 March 2019 be adopted with the following amendment to the Director of Corporate Services Confidential Report Item #7: Tender for Joomla Website technical support and maintenance

amend amount of \$157,357 to \$157,375 (incl. GST).

2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 3 APRIL 2019 (11.00005)

Recommendation: That the Minutes of the Ordinary Meeting of Council following Policy held on 3 April 2019 be adopted.

Report: The Minutes of the Ordinary Meeting of Council following Policy held on 3 April 2019, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

MINUTE

5 Item 2 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
- 3 APRIL 2019 (11.00005)

MOVED: Cr I North SECONDED: Cr M Morse

RESOLVED: That the Minutes of the Ordinary Meeting of Council following Policy held on 3 April 2019 be adopted.

**MINUTES OF THE ORDINARY MEETING OF BATHURST REGIONAL COUNCIL
HELD ON 20 MARCH 2019**

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

PUBLIC FORUM

2 PUBLIC FORUM

M Griffiths – 48 Havannah Street - noted warning and construction signs have been removed. Noted Housing Plus is the new owner and understands there is a new development proposal. Has spoken to the group about the acquisition and issues of toxin levels. Housing Plus' consultant has said the site is toxin free. Raised concerns about the site and also that access is readily available to members of the public, this is not safe. Has gone to ICAC and the Ombudsman.

Then spoke to operations structure of Housing Plus, turnover levels, grant incomes, they are a registered charity.

P Simmons – Friends of Centennial Park - spoke to recent history of the site. In favour of the Plan for the Park, have been told most efficient to do all in one go (costs \$4.4 million). Spoke about breaking the project up into parts. Request Councillors to lead on the future for the park and get project to proceed; in particular trees and watering systems.

G Burke – Bathurst Aerodrome Land Leases - DCSF Confidential Item #3 - understands a report goes to council tonight. The dispute has gone on for 6 years. Referred to what has occurred at the Aerodrome over recent years and the loss of businesses. Also noted level of service from REX and what is the future of this service. Further spoke to movement numbers at the Aerodrome. Then noted agreement for handover of Aerodrome from Federal Government. Why has council been led up the garden path about \$12 m² leasing, when valuer said \$5 m²? Feels staff are wasting money on this exercise, reputation of this Aerodrome is in tatters.

B Wood – Friends of Centennial Park - asks council to continue its commitment to the Park. Please provide funding, it is a great investment, there are a number of trees being lost. Could we do something to preserve what we have got.

C O'Rourke (Resident) – Planning of City - Member of Sustainable Australia - spoke to a number of issues.

- Junk Mail
- Dogs left on their own
- The number of green lawns around the area
- There is a lack of footpaths, often have to walk on the road, noted connectivity issues.

G Crisp – Customer Water Supply Service - noted he is an elder and is covered by those statutes in terms of 'elder abuse'. Then spoke to roles of businesses and their responsibilities in regards to this area. Then referred to strata court case he was involved with council and results of that case. Then referred to minutes of previous meeting and allegations of stolen money from the water fund. He will take up elder abuse case against council. Made further allegations concerning pecuniary interest against a councillor whose partner was an auditor.

P Dowling

Lambert / Peel Street Safety - raised concern about safety issues last time, and clarified location is not near the school, but near a stop sign.

The Director Engineering Services will investigate this matter.

Plumbing Department - thanked staff for prompt service received recently.

B Triming – Bathurst Region Access Committee (BRAC) Chair - supports comments re footpaths in new subdivisions. The developers should be putting these in. Thanked council for the upgraded toilets in the Administration Building. Then spoke to footpaths that were blocked and noted work of council to address these problems. In regards to budgets, there are 4 buildings that need attention. Can councillors look at this and allocate funds.

M Bignell – Youth Council - spoke to reports to Council from the Youth Council in tonight's business paper.

I Hancock – Bathurst Region Access Committee (BRAC) - supporting Bob Triming in his representations. Noted problems in getting into the Senior Citizens Centre, the doorway is too narrow. Could this be looked at?

K McNab – Mitre / Suttor / Lambert Streets Intersection - spoke to need for roundabout and safety issues. Noted report on compulsory acquisition in tonight's business paper for land at the Scout Hall. Requests council commence the work as soon as possible. Seeks update on service matters. Then spoke to opening up of parking on the Clancy's site and perhaps council should look at purchasing the tarred section of the site.

The Director Engineering Services advised most of lighting, Telstra design is coming to conclusion, hoping to call tenders at the end of April 2019.

D McNab – Mitre / Suttor / Lambert Streets Intersection - pleasing to see tonight's report on easements. Spoke to council's ability to complete works, why not do the works in-house, rather than use contractors?

The Director Engineering Services spoke to works required, scale of the works and service levels needed. Staffing levels are not available to do these works.

APOLOGIES

3 APOLOGIES

Nil

MINUTES

4 Item 1 MINUTES - ORDINARY MEETING OF BATHURST REGIONAL COUNCIL - 20 FEBRUARY 2019 (11.00005)

MOVED Cr B Bourke and **SECONDED** Cr M Morse

RESOLVED: That the Minutes of the Ordinary Meeting of Bathurst Regional Council held on 20 February 2019 be adopted.

DECLARATION OF INTEREST

5 DECLARATION OF INTEREST 11.00002

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

RESOLVED: That the following Declarations of Interest be noted.

Cr Aubin

Item #8 of the Director Corporate Services & Finance's report

Cr Morse

Item #3 of the Director Environmental, Planning & Building Services' report

Cr Rudge

Item #1 of the Director Engineering Services' report

Item #4 of the Director Corporate Services & Finance's Confidential report

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

Director Environmental Planning & Building Services' Report

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

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

RESOLVED: That the information be noted.

7 Item 2 GENERAL REPORT (03.00053)

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

RESOLVED: That the information be noted.

8 Item 3 DEVELOPMENT APPLICATION NO. 2018/484 – DEMOLITION OF EXISTING DWELLING AND OUTBUILDINGS AND CONSTRUCTION OF SINGLE STOREY REPLACEMENT DWELLING AND SEPARATE GARAGE AT 5 LORD STREET, BATHURST. APPLICANT: ROBYN WHITE DESIGNS. OWNER: MRS M GAAL (DA/2018/484)
MOVED Cr I North and SECONDED Cr B Bourke

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

Reason: Applicant is a close friend

RESOLVED: That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/484, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended and including conditions to the effect that:
 - (i) No demolition shall occur until a Construction Certificate for the replacement building has been approved;
 - (ii) No demolition shall occur until a photographic record of the existing dwelling has been submitted to Council; and
- (b) call a division.

On being PUT to the VOTE the MOTION was CARRIED

The result of the division was:

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

Against the motion - Nil

Absent - Cr M Morse,

Abstain - Nil

9 Item 4 DEVELOPMENT APPLICATION NO. 2019/20 – DEMOLITION OF DWELLING, CONSTRUCTION OF SINGLE STOREY DWELLING AND SHED AT 298 HOWICK STREET, BATHURST. APPLICANT: INTEGRATED DESIGN GROUP. OWNER: MR RS AND MRS JE SIEDE (DA/2019/20)
MOVED Cr B Bourke and SECONDED Cr J Rudge

RESOLVED: That Council:

- (a) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2019/20, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979; as amended and including a condition to the effect that:
 - (i) No demolition shall occur until a Construction Certificate for the

replacement building has been approved; and

- (b) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

10 **Item 5 MODIFICATION TO DEVELOPMENT APPLICATION 2015/196 – RECREATION FACILITY (GO KART TRACK) AT MCPHILLAMY PARK, BROCKS SKYLINE, MOUNT PANORAMA. APPLICANT AND OWNER: BATHURST REGIONAL COUNCIL (DA/2015/196)**

MOVED Cr W Aubin

and **SECONDED** Cr B Bourke

RESOLVED: That Council:

- (a) as consent authority, modify condition 3 of the Development Application 2015/196 pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979 to read as follows:
- (3) No work is to be undertaken within the area subject to listing #44-3-0193 and #44-3-0195 until such time as the AHIMS Register has been updated to reflect the fact that they are not Aboriginal sites or that an appropriate Aboriginal Heritage Impact Permit AHIP (if required) is granted for any works that may impact upon them; and
- (b) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

11 **Item 6 BATHURST REGION HERITAGE REFERENCE GROUP (20.00123)**

MOVED Cr I North

and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

- 12** **Item 7 HERITAGE CONSERVATION AREA REVIEW 2018 (20.00129)**
MOVED Cr J Jennings and **SECONDED** Cr J Rudge

RESOLVED: That Council place the Heritage Conservation Area Review 2018 on public exhibition for 28 days.

- 13** **Item 8 ECONOMIC DEVELOPMENT END-OF-YEAR REPORT 2018 (20.00071)**
MOVED Cr M Morse and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

- 14** **Item 9 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE (11.00005 & 20.00316)**
MOVED Cr J Jennings and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

Director Corporate Services & Finance's Report

- 15** **Item 1 STATEMENT OF INVESTMENTS (16.00001)**
MOVED Cr B Bourke and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

- 16** **Item 2 MONTHLY REVIEW - 2018/2022 DELIVERY PLAN AND OPERATIONAL PLAN 2018-2019 (16.00155)**
MOVED Cr W Aubin and **SECONDED** Cr A Christian

RESOLVED: That the information be noted.

- 17** **Item 3 SUNDRY SECTION 356 DONATIONS, BATHURST MEMORIAL ENTERTAINMENT CENTRE COMMUNITY USE SUBSIDY AND MOUNT PANORAMA FEE SUBSIDY (18.00004)**
MOVED Cr W Aubin and **SECONDED** Cr J Rudge

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

- 18** **Item 4 POWER OF ATTORNEY (11.00007)**
MOVED Cr B Bourke and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

- (b) Pay all reasonable legal costs for the proprietor of Lot 12 DP857116 and pay reasonable compensation, estimated to be less than \$10,000.

27 **Item 4 HOWARDS BRIDGE WINBURNDALE RIVULET REPLACEMENT (25.00283)**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That Council resolve to call tenders for the replacement of Howards Bridge, located on the Bridle Track crossing the Winburndale Rivulet.

Director Cultural & Community Services' Report

28 **Item 1 BATHURST REGIONAL YOUTH COUNCIL - FOOD & FLIX, 22 FEBRUARY 2019 (11.00020)**
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

29 **Item 2 NSW SENIORS FESTIVAL, 13 - 24 FEBRUARY 2019 "LOVE YOUR LIFE" (07.00016)**
MOVED Cr M Morse and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

30 **Item 3 DESTINATION BRAND IMPLEMENTATION - PROGRESS REPORT (20.00299)**
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

31 **Item 4 BATHURST VISITOR INFORMATION CENTRE - 2019 TOYO HIGH SCHOOL VISIT (23.00025)**
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

RESOLVED: That the information be noted.

32 **Item 5 BATHURST REGION TOURISM REFERENCE GROUP - MEETING 4 MARCH 2019 (07.00116)**
MOVED Cr B Bourke and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

- 33** **Item 6 ARTSTATE BATHURST 2018 - FINAL REPORT (21.00117)**
MOVED Cr M Morse and **SECONDED** Cr J Jennings

RESOLVED: That the information be noted.

REPORTS OF OTHER COMMITTEES

Policy Committee Meeting

- 34** **Item 1 MINUTES - POLICY COMMITTEE MEETING - 6 MARCH 2019 (07.00064)**
MOVED Cr B Bourke and **SECONDED** Cr W Aubin

RESOLVED: That the recommendations of the Policy Committee Meeting held on 6 March 2019 be adopted.

Traffic Committee Meeting

- 35** **Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 5 MARCH 2019 (07.00006)**
MOVED Cr W Aubin and **SECONDED** Cr J Rudge

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 5 March 2019 be adopted.

COUNCILLORS/ DELEGATES REPORTS

- 36** **Item 1 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 13 FEBRUARY 2019 (11.00019)**
MOVED Cr I North and **SECONDED** Cr J Rudge

RESOLVED: That the information be noted.

- 37** **Item 2 MINUTES - BATHURST REGIONAL YOUTH COUNCIL 12 FEBRUARY 2019 (11.00020)**
MOVED Cr W Aubin and **SECONDED** Cr A Christian

RESOLVED: That the information be noted.

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

RESOLVE INTO CONFIDENTIAL COMMITTEE OF THE WHOLE TO DEAL WITH CONFIDENTIAL REPORTS**MOVED** Cr I Northand **SECONDED** Cr M Morse

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

There were no representations from the public.

RESOLVED: That:

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

*** DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT**

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

*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	POSSIBLE PURCHASE OF PROPERTY, LOT 202 DP1200345 KNOWN AS 448 LIMEKILNS ROAD, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	PURCHASE OF PROPERTY, LOT 7002 DP1019903 KNOWN AS 68 DEMPSEY STREET, PEEL	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be

		contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
3	BATHURST AERODROME LAND LEASES	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
4	COMMUNITY LEASE - PART LOT 193 DP821845 KNOWN AS OLD RAGLAN SCHOOL HALL AT 58 CHRISTIE STREET, RAGLAN	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
5	RURAL LICENCE AGREEMENT - LOT 1 DP995205 AND LOT 1 DP1007963 KNOWN AS CORNER OF PATNA & COMMONWEALTH STREETS BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
6	RURAL LICENCE AGREEMENT - LOT 6 DP1142438 KNOWN AS CHURCH LANE, KELSO	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
7	TENDER FOR JOOMLA WEBSITE TECHNICAL SUPPORT AND MAINTENANCE	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
8	SPORTING LICENCE AGREEMENT - LOT 7305 DP 1153071, 48 DURHAM STREET, BATHURST KNOWN AS CARRINGTON PARK LOT 92 DP	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in

820990, 42 DURHAM STREET, BATHURST KNOWN AS BATHURST SPORTSGROUND TO BATHURST PANTHERS RUGBY LEAGUE FOOTBALL CLUB	open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
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Director Environmental Planning & Building Services' Report

a **Item 1 STEWART AND DURHAM STREET INTERSECTION TREATMENT STUDY (20.00316)**

MOVED Cr B Bourke

and **SECONDED** Cr W Aubin

That Council:

- (a) adopt the Stewart Street / Durham Street Intersection Treatment Study as a Strategic Document; and
- (b) commence an amendment to the Roadworks - New Residential Subdivisions Developer Contributions Plan.

Director Corporate Services & Finance's Report

b **Item 1 POSSIBLE PURCHASE OF PROPERTY, LOT 202 DP1200345 KNOWN AS 448 LIMEKILNS ROAD, KELSO (22.10284)**

MOVED Cr W Aubin

and **SECONDED** Cr J Rudge

That Council, if successful in its negotiations:

- (a) purchase the property at Lot 202 DP1200345 known as 448 Limekilns Road, Kelso;
- (b) delegate the authority to the General Manager to negotiate the purchase as detailed in the report;
- (c) permit occupancy up to 12 months to allow for improvements to be sold off as per report;
- (d) classify the land as operational under the provisions of Section 31(2) of the Local Government Act 1993.

c **Item 2 PURCHASE OF PROPERTY, LOT 7002 DP1019903 KNOWN AS 68 DEMPSEY STREET, PEEL (22.11139)**

MOVED Cr B Bourke

and **SECONDED** Cr W Aubin

That Council:

Not purchase the property at Lot 7002 DP1019903 known as 68 Dempsey Street, Peel.

- d** **Item 3 BATHURST AERODROME LAND LEASES (21.00147)**
MOVED Cr W Aubin and **SECONDED** Cr J Jennings

That Council

- (a) note the current market rate of \$7.00 per m² (plus gst) effective 1 January 2019 for the Bathurst Aerodrome land leases that are currently under dispute as detailed within this report;
- (b) adopt the financial schedules for each disputed lease, as attached to this report, as Council's offer to resolve the disputes;
- (c) authorise the General Manager to amend and execute each respective lease upon acceptance of Council's offer;
- (d) authorise the General Manager to seek the nomination of a valuer, in accordance with clause 5.16.1, for each disputed lease where Council's offer has not been accepted, or where an appropriate negotiated resolution has not been able to be reached;
- (e) cease applying the additional commercial rate as each lease is renewed or option activated.

- e** **Item 4 COMMUNITY LEASE - PART LOT 193 DP821845 KNOWN AS OLD RAGLAN SCHOOL HALL AT 58 CHRISTIE STREET, RAGLAN (22.00876)**

Cr Rudge declared a pecuniary interest in this item and remained in the Chamber, as the item was withdrawn.

Reason: One of the applicants for the Lease

The item was WITHDRAWN.

- f** **Item 5 RURAL LICENCE AGREEMENT - LOT 1 DP995205 AND LOT 1 DP1007963 KNOWN AS CORNER OF PATNA & COMMONWEALTH STREETS BATHURST (22.00654)**
MOVED Cr W Aubin and **SECONDED** Cr J Rudge

That Council approves entering into a rural licence agreement for Lot 1 in DP 995205 and Lot 1 DP1007963, known as corner of Patna and Commonwealth Streets, Bathurst for a period of 12 months and a 12 month option period at Council's discretion, as detailed in the report and subject to Council's Land Management Guidelines and insurance requirements.

- g** Item 6 RURAL LICENCE AGREEMENT - LOT 6 DP1142438 KNOWN AS CHURCH LANE, KELSO (22.09614)
MOVED Cr I North and SECONDED Cr J Rudge

That Council approves entering into a rural licence agreement for Lot 6 DP1142438 known as Church Lane, Kelso for a period of 3 years as detailed in the report and subject to Council's Land Management Guidelines and insurance requirements.

- h** Item 7 TENDER FOR JOOMLA WEBSITE TECHNICAL SUPPORT AND MAINTENANCE (36.00689)
MOVED Cr B Bourke and SECONDED Cr J Rudge

That the tender from Dialog Information Technology be accepted in the amount of \$157,357 (incl. GST) for the provision of Joomla website technical support and maintenance for three (3) years.

- i** Item 8 SPORTING LICENCE AGREEMENT - LOT 7305 DP 1153071, 48 DURHAM STREET, BATHURST KNOWN AS CARRINGTON PARK LOT 92 DP 820990, 42 DURHAM STREET, BATHURST KNOWN AS BATHURST SPORTSGROUND TO BATHURST PANTHERS RUGBY LEAGUE FOOTBALL CLUB (04.00008)
MOVED Cr B Bourke and SECONDED Cr J Jennings

That Council approves entering into a sporting organisation lease agreement for Lot 7305 DP 1153071, 48 Durham Street, Bathurst known as Carrington Park, Lot 92 DP 820990, 42 Durham Street, Bathurst known as Bathurst Sportsground with Bathurst Panthers Rugby League Football Club for a period of 5 years as detailed in the report.

RESOLVE INTO OPEN COUNCIL

- 39** RESOLVE INTO OPEN COUNCIL
MOVED Cr I North and SECONDED Cr J Rudge

RESOLVED: That Council resume Open Council.

ADOPT REPORT OF THE COMMITTEE OF THE WHOLE

- 40** ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED Cr B Bourke and SECONDED Cr I North

RESOLVED: That the Report of the Committee of the Whole, Items (a) to (i) be adopted.

MEETING CLOSE

41 **MEETING CLOSE**

The Meeting closed at 8.39 pm.

CHAIRMAN: _____

**MINUTES OF THE ORDINARY MEETING OF COUNCIL FOLLOWING POLICY
COMMITTEE
HELD ON 3 APRIL 2019**

MEETING COMMENCES

1 MEETING COMMENCES 7:15 PM

Present: Councillors Hanger (Chair), Aubin, Bourke, Christian, Fry, Jennings, Morse, North.

APOLOGIES

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

RESOLVED: That the apology from Cr Rudge be accepted and leave of absence granted.

DECLARATION OF INTEREST

3 DECLARATION OF INTEREST 11.00002
MOVED Cr I North and **SECONDED** Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

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

Director Environmental Planning & Building Services' Report

**4 Item 1 BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014
AMENDMENT – VEGETATION MANAGEMENT AND BIODIVERSITY (20.00334)**
MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That Council:

(a) place the draft DCP amendment - Vegetation Management and Biodiversity on public exhibition for 28 days in accordance with the statutory requirements of the Environmental Planning and Assessment Act; and

(b) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Cr J Rudge,

Abstain - Nil

MEETING CLOSE

5 MEETING CLOSE

The Meeting closed at 7.22 pm.

CHAIRMAN: _____

MINUTE

6 DECLARATION OF INTEREST 11.00002 **MOVED: Cr B Bourke SECONDED: Cr I North**

RESOLVED: That the following Declarations of Interest be noted.

Cr Christian

Item #6 of the Director Corporate Services & Finance's report

Manager, Corporate Governance

Item #5 of the Director Corporate Services & Finance's report

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES'
REPORT AND MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

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

Recommendation: That the information be noted.

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

4.15 Evaluation (cf previous s 79C)

(1) Matters for consideration—general

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

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

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

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

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

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

(3) If an environmental planning instrument or a regulation contains

non-discretionary development standards and development the subject of a development application does not comply with those standards:

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

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

(3A) **Development control plans**

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

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

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

(4) **Consent where an accreditation is in force**

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

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

(6) **Definitions**

In this section:

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

Financial Implications: Nil

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

MINUTE

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

MOVED: Cr J Jennings SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

2 GENERAL REPORT (03.00053)

Recommendation: That the information be noted.

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

- (a) Applications approved using authority delegated to the Director Environmental Planning & Building Services during March 2019 (**attachment 1**).
- (b) Applications refused during March 2019 (**attachment 2**).
- (c) Applications under assessment as at the date of compilation of this report (**attachment 3**).
- (d) Applications pending determination for greater than 40 days as at the date of compilation of this report (**attachment 4**).
- (e) Applications with variations to development standards under State Environmental Planning Policy No. 1 or Clause 4.6 of Bathurst Regional LEP 2014 approved in March 2019 (**attachment 5**).
- (f) No political disclosure statements have been received in relation to any "planning applications" being considered at this meeting.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

MINUTE

- 8 Item 2 GENERAL REPORT (03.00053)
MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

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

Recommendation: That Council:

- (a) having undertaken a review of the application pursuant to Section 8.2 of the Environmental Planning and Assessment Act 1979, change its decision and grant consent to Development Application 2018/303 for demolition of existing shed, dual occupancy (two storey second dwelling with attached carport), carport and a two lot residential subdivision at 261 Lambert Street, Bathurst, subject to conditions able to be imposed pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979, as amended; and
- (b) notify those that made submissions of its decision; and
- (c) call a division.

Report: Council has received a request to review its previous decision to refuse the abovementioned Development Application pursuant to Section 8.2 of the Environmental Planning and Assessment Act 1979.

A copy of the request for review is at **attachment 1**.

The Site

The subject site is 261 Lambert Street, Bathurst, described as Lot B, DP 161951.

See location plan and aerial photo at **attachment 2**.

The site currently contains a single storey semi-detached dwelling with detached shed.

The site has an area of 682.9m².

Adjoining properties contain single storey dwellings and associated outbuildings. The BP service station adjoins part of the eastern boundary of the property.

Previous consideration

This Development Application was considered by Council at its Ordinary Meeting held on 12 December 2018. At this meeting Council resolved to refuse the Development Application for the following reasons:

- (i) No on-site visitor car parking has been provided and insufficient justification has been provided for the variation to this Development Standard;
- (ii) The development will have an adverse impact on the amenity on the adjoining properties in Stewart Street in terms of visual impact, overshadowing and privacy.

The report to the 12 December 2018 Council Meeting is at **attachment 3**.

The revised proposal

In response to the initial determination by Council the applicant has prepared amended plans.

The revised proposal involves:

- Reduction in the overall size of the dwelling with the removal of one first floor bedroom;
- Increasing the ground floor side setback from 0.2 metres to 0.9 metres;
- Increasing the first floor side setback from 1.5 metres to 3.4 metres;
- Introduction of a shared visitor car parking space;
- Replacement of standard first floor windows with highlight first floor windows with privacy screens;
- Removal of an attached garage and replacement with an attached carport.

See plans of the revised proposal at **attachment 4** and revised shadow diagrams at **attachment 5**.

Notification

In accordance with Section 2.6 *Review of Determined Applications (Section 82A Application)* in the Bathurst Regional Development Control Plan 2014, the application for review was notified to those who had previously made submissions for a period of 10 days between 18 February 2019 and 28 February 2019.

New submissions

During the notification period two (2) new submissions were received. See submissions at **attachment 6**.

A Discussion Forum was convened by the Director Environmental Planning & Building Services on 18 March 2019 (see minutes of discussion forum at **attachment 7**). Issues raised in the submissions and at the Discussion Forum included:

Issue	Comment
Overshadowing	<p>Section 4.4 of the DCP provides the following:</p> <p><i>New development should not significantly affect access to sunlight of existing or likely future development on other property between 9.00am and 3.00pm, particularly living areas and usable open space. At least two hours sunlight to indoor and outdoor living areas of adjoining properties is to be maintained between 9.00am and 3.00pm on June 21.</i></p> <p>The revised proposal incorporates an increase in the first floor side setback from 1.5 metres to 3.4 metres as a result of the removal of a 5th bedroom and reconfiguration of the internal rooms. This change has resulted in reduced shadowing of the adjoining properties at 249 and 251 Stewart Street. Revised shadow diagrams have been provided in 1 hour intervals for the period 9.00am and 3.00pm on 21 June.</p> <p>It should be noted that the revised shadow diagrams have included standard 1.8 metre high fences which cast their own significant shadows onto the adjoining properties. Despite the existing boundary fences being around 1.5 metres high, the assumption of a 1.8 metre high fence is reasonable given that side and rear fences can be constructed to a height of 1.8 metres as exempt development (i.e. without development consent).</p> <p><u>251 Stewart Street</u></p>

- Shadows will be cast into the rear yard of 251 Stewart Street over and above the boundary fence from 10.00am onwards on 21 June.
- At 10.00am the shadow extends less than a 1 metre beyond the shadow cast by the fence.
- At 11.00am the shadow extends approximately 1 metre beyond the shadow cast by the fence.
- At 12.00pm the shadow extends approximately 2 metres beyond the shadow cast by the fence.
- At 1.00pm the shadow extends approximately 3 metres beyond the shadow cast by the fence.
- At 2.00pm the shadow extends approximately 5 metres beyond the shadow cast by the fence.
- At 3.00pm the shadow extends approximately 9 metres beyond the shadow cast by the fence.
- While shadows will not affect the internal living areas of the dwelling they will impact on the private open space area used for passive recreation, gardening and clothes drying.

249 Stewart Street

- Shadows will be cast into the rear yard of 249 Stewart Street over and above the boundary fence from 11.00am onwards on 21 June.
- At 11.00am the shadow extends less than 1 metre beyond the shadow cast by the fence.
- At 12.00pm the shadow extends approximately 1 metre beyond the shadow cast by the fence.
- At 1.00pm the shadow extends approximately 3 metres beyond the shadow cast by the fence.
- At 2.00pm the shadow extends approximately 5 metres beyond the shadow cast by the fence.
- At 3.00pm the shadow extends approximately 9 metres beyond the shadow cast by the fence.
- While shadows will not affect the internal living areas of the dwelling they will impact on the private open space area used for passive recreation, gardening and clothes drying.

247 Stewart Street

- 247 Stewart Street will not be impacted by shadowing on 21 June between the hours of 9.00am and 3.00pm.

Summary

Whilst the development will have some impact on the usable open space areas of 251 and 249 Stewart Street, the development as proposed complies with the numerical standards contained in Council's DCP.

Privacy/overlooking

The proposal will be located directly adjacent to the rear yards containing the private open space areas for 249 and 251 Stewart.

The windows on the first floor closest to 249 and 251 Stewart Street are in a hallway linking the three first floor bedrooms. The windows are approximately 1.5 metres above the floor level and are primarily provided for light and ventilation. Despite being highlight windows, they will be fitted with privacy screens. The three windows in the rear elevation of the first floor are for a bedroom and its ensuite.

The location of the proposal remains "behind" and above the properties in Stewart Street and nonetheless results in an impact that the adjoining residents considered to be severe. The amended proposal has however sought to

	<p>address these concerns by increasing the setback of the first floor and treating the windows along this façade.</p> <p>The proximity of the building to the boundary, the height of the building and the relative position of the Stewart Street properties “below” the subject property, means that the adjoining residents consider the impact of the development as being high. The proximity to the boundary and the relative levels of the properties means that the extent of change will be large and when viewed from the lower properties would be said to be significant. Whilst this is ultimately a subjective opinion (as the development otherwise complies), it needs to be acknowledged that the applicant has made positive steps towards addressing these concerns. Whilst it continues to be a concern to the residents, it is nonetheless consistent with the overall planning provisions adopted by Council in its planning instruments.</p>
Visual impact	While small parts of the proposed new dwelling will be visible from both Lambert Street and Stewart Street, it will be setback a minimum of 40 metres from both street frontages and will therefore not directly impact on the streetscape.
Out of character	The Bathurst Heritage Conservation area is characterised by a variety of double and single storey dwellings. The design and scale of the proposed dwelling is not inconsistent with other two storey dwellings, both old and new, in the Bathurst Heritage Conservation Area.
Impact on established trees	<p>Within the rear yard of 251 Stewart are a number of established trees located close to the common boundary. In some areas the trees overhang the common boundary.</p> <p>As previously noted, due to the proximity of the trees to the boundary fence, tree roots are likely to be damaged through excavation works during construction and there is also likelihood of some impact being caused to the future growth of the trees following the building construction, due to possible reduced sunlight in the winter. However, the revised proposal incorporates an increase in the ground floor side setback from 0.2 metres to 0.9 metres which will reduce the impact on the root system. The revised proposal also incorporates an increase in the first floor side setback from 1.5 metres to 3.4 metres which will reduce the impact of overshadowing.</p> <p>It is somewhat difficult for Council to accurately determine what the level of impact will ultimately be on the trees of the neighbouring property. Certainly it would not be unreasonable to remove those parts of the tree which overhang and extend beyond the boundary (roots etc.). This however may lead to long term impacts on the health of those trees. On such a narrow site, to achieve no impact on neighbouring trees would mean sterilising the entire site. It should also be noted that a variety of exempt developments (e.g. garages) could be undertaken in close proximity to the boundary without consent or neighbour consultation and that these would likely have the same impact on the neighbouring trees.</p>

Planning Context

The subject site is zoned R1 under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A dual occupancy (detached) is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

Clause 4.1B Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

The *Minimum Lot Size – Dual Occupancy Map* for this locality indicates a minimum lot size of 600m². The subject site has an area of 682.9m² and therefore a dual occupancy is

permissible.

Clause 4.3 Height of buildings

The *Height of Buildings Map* for this locality indicates a maximum overall building height of 9 metres. The proposed two storey dwelling will have an overall height of 6.7 metres which therefore complies.

Clause 5.10 Heritage conservation

The subject site is within the Bathurst Heritage Conservation Area. The subject site does not contain a Heritage Item.

The Bathurst Heritage Conservation area is characterised by a variety of double and single storey dwellings. The scale of the proposed dwelling is not inconsistent with other two storey dwellings, both old and new, in the Bathurst Heritage Conservation Area. The materials to be used are generally consistent with those in the locality (i.e. face brick and Colorbond).

While parts of the proposed new dwelling will be visible from both Lambert Street and Stewart Street, it will be setback a minimum of 40 metres from both street frontages and will therefore have limited direct impact on the streetscape of the respective streets.

Bathurst Regional Development Control Plan 2014

Bathurst Regional Development Control Plan 2014 – Chapter 4 Residential Development

The site is contained within Precinct 1 pursuant to the *Bathurst Regional Development Control Plan 2014* (DCP). Dual occupancies are permissible with consent in the precinct. The proposal complies with the objectives of the Precinct and the development standards for dual occupancies:

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	682.9m ²	600m ²	Yes
Site Coverage	43.7%	Max. 50% coverage	Yes
Height	Two storey	Two- storey maximum	Yes
Setback - Front	N/A	Complement existing	Yes
Setback - Rear	1.1m	In accordance with NCC	Yes
Setback - Side	0.9m	In accordance with NCC	Yes
Car parking - Resident	1 per dwelling	1 per dwelling	Yes
Car parking - Visitor	1	1 per 2 dwellings	Yes
Accessway Width	3.5m	3-6m wide	Yes
Open space area - Existing dwelling (4 bed)	50.8m ²	50m ²	Yes
Open space area - Proposed dwelling (4 bed)	50m ²	50m ²	Yes
Open space width - Existing dwelling (4 bed)	Min 6.5m wide	4m wide	Yes
Open space width - Proposed dwelling (4 bed)	Min 4.0m wide	4m wide	Yes

Parking

It is noted that the applicant has amended the plans to provide for a single carport for each dwelling and 1 shared visitor space. The development now complies with the numerical standards in Council's DCP.

Conclusion

Council has received a request to review its decision to refuse Development Application 2018/303 for demolition of existing shed, dual occupancy (two storey second dwelling with attached carport), carport and a two lot residential subdivision at 261 Lambert Street, Bathurst, pursuant to Section 8.2 of the Environmental Planning and Assessment Act 1979. In response to the initial determination by Council the applicant has prepared amended plans. The amended plans aim to address the original concerns surrounding parking, privacy, amenity and overshadowing. For the reasons outlined in this report it is recommended that Council, having undertaken a review of the application pursuant to Section 8.2 of the Environmental Planning and Assessment Act 1979, change its decision and grant consent to Development Application 2018/303.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.6

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

MINUTE

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

MOVED: Cr M Morse SECONDED: Cr B Bourke

RESOLVED: That Council:

- (a) having undertaken a review of the application pursuant to Section 8.2 of the Environmental Planning and Assessment Act 1979, reaffirm its decision to refuse Development Application 2018/303 for the following reasons:
 - (i) The development will have an adverse impact on the amenity on the adjoining properties in Stewart Street in terms of visual impact, overshadowing and privacy.
- (b) notify those that made submissions of its decision; and
- (c) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

4 DEVELOPMENT APPLICATION NO. 2018/404 – SINGLE STOREY DWELLING WITH ATTACHED GARAGE ON LOTS 25 AND 38 DP755798 AT 690 THE BRIDLE TRACK. APPLICANT: GL & SM HILL. OWNER: MRS SM & MR GL HILL (DA/2018/404)

Recommendation: That Council:

- (a) support the variation to Clause 4.2B(3) development standard prescribed in the Bathurst Regional Local Environmental Plan 2014;
- (b) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/215, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended; and
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for the erection of a single storey dwelling with attached garage on lots 25 and 38 DP 755798 being part of 690 The Bridle Track, Duramana.

Lot 25 DP755798 comprises an area of 16.19 ha.

Lot 38 DP755798 comprises an area of 80.94 ha.

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

The combined area of both lots is 97.13 ha.

The subject site is currently vacant rural land utilised for grazing and agriculture. 690 The Bridle Track also presently includes lot 1 DP744268 comprising an area of 19.6 ha on which the existing residence and out buildings are located. This additional land does not form part of this current application.

The proposal

The proposal is to erect a new single storey dwelling with attached garage on the lots combined. See plan of proposed development at **attachment 2** and Statement of Environmental Effects at **attachment 3**.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned RU1 Primary Production under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A dwelling is permissible with consent in the RU1 Primary Production zone. The proposal is consistent with the objectives of the zone.

Clause 4.2B Erection of dwelling houses on land in certain rural zones

Clause 4.2B applies to the erection of a dwelling house on this land

(1) The objectives of this clause are as follows:

- (a) to minimise unplanned rural residential development,
- (b) to enable the replacement of lawfully erected dwelling houses in rural zones.

The land is zoned RU1 Primary Production and is subject to a minimum lot size of 100 ha.

The development proposes the erection of a dwelling on the combined area of lots 25 and 38 DP755798 comprising 97.13 hectares only. If Council approves the application, it will be a condition of consent these lots be consolidated.

In this case the subject land forms part of a larger compliant holding under the same ownership which already contains a dwelling house on the adjoining Lot 1. It could be argued that allowing the dwelling on part of the property is by default fragmenting a primary production holding by creating a defacto concessional lot (being Lot 1 DP744268) which contains the existing residence as a residue. The approach could be seen as being inconsistent with the intent of the BRLEP.

Notwithstanding this argument it must be acknowledged that the property comprises a number of individual lots which could be sold by the current owners. This scenario is not something Council has control over.

Council in its consideration of the application must have regard to the suitability of the land to which the application is made which in this case comprises an area of 97.13 ha where the minimum lot size is 100 ha.

The proposed development is therefore seeking consent to vary Clause 4.2B(3) of Bathurst Regional LEP 2014 to permit the dwelling development and in so doing requests a variation of the development standard in accordance with Clause 4.6 of the BRLEP.

Clause 4.6 Exceptions to development Standards

(1) *The objectives of this clause are as follows:*

- (a) *to provide an appropriate degree of flexibility in applying certain development standards to particular development,*
- (b) *to achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

(2) *Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.*

(3) *Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:*

- (a) *that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and*
- (b) *that there are sufficient environmental planning grounds to justify contravening the development standard.*

A Clause 4.6 Variation proposal has been submitted with the Development Application. The Clause 4.6 Variation can be found in the Statement of Environmental Effects at **attachment 3** and in **attachment 4**. The applicant has made the following case as to why the development standard is unreasonable or unnecessary in the circumstances of the case:

A variation to the minimum lot size for a dwelling house development in the RU1 Primary Production zone is sought for this proposal (i.e. 100ha development standard – the subject land has an area of 97 ha or 3% variation).

Following provides justification for the support of the proposed variation to the development standard.

The objectives of Clause 4.6 'Exceptions to Development Standards' are as follows:

- (a) *To provide an appropriate degree of flexibility in applying certain development standards to particular development; and*
- (b) *To achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

Clause 4.6 allows for the contravention of a development standard with approval of the consent authority.

Subclause (3) requires the consent authority to consider a written request from the applicant that demonstrates:

- a) *That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and*
- b) *That there are sufficient environmental planning grounds to justify contravening the development standard.*

Subclause (4) requires the consent authority to be satisfied that:

- i) *The applicants written request has adequately addressed the matters required to be demonstrated by subclause (3); and*
- ii) *The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.*

What is the underlying object or purpose of the standard?

- (1) *The objectives of this clause are as follows:*
 - (a) *to minimise unplanned rural residential development,*
 - (b) *to enable the replacement of lawfully erected dwelling houses in rural zones.*

Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

The development standard is considered unreasonable in the circumstances due to the following reasons:

- The variation is very small (only 3%).
- The development remains consistent with the objectives of the zone.
- The development is consistent with the provisions of the Bathurst Development Control Plan 2014 (there are no other non-compliances being sought).
- There will be no impact on the agricultural viability of the subject land or neighbouring lands.
- The development will not impact on surrounding land uses.
- The site of the dwelling will have negligible impact on the production capacity of the property.
- The dwelling can be sited so as to not have any negative environmental outcomes (no tree removal is necessary).

Are there sufficient environmental planning grounds to justify contravening the standard?

Following on from the points above, there are no environmental issues that would have an impact on the use of the site as a dwelling.

On the basis of the discussion in this report and the points above, there are sufficient environmental planning grounds to justify the variation to the development standard.

Will the proposed development be in the public interest because it is consistent with objectives of the particular standard and the objectives for development within the zone in which the development proposed is to be carried out?

As detailed throughout this report, the proposed dwelling can generally be shown to be consistent with the relevant objectives of the RU1 zone.

The neighbouring lands are generally used for grazing and residential purposes and it is highly unlikely that there would be any aerial spraying undertaken. No other conflict with neighbouring land uses have been identified if the site was utilised for residential purposes.

There are no known mineral resources in close proximity of the subject land.

Therefore it is considered that the proposed dwelling house will not have a negative impact on neighbouring agricultural enterprises.

Whether or not non-compliance with the development standard raises any matter of significance for State or Regional environmental planning?

The variation to the lot size for the proposed development will not raise any matter of significance for State or regional environmental planning.

The public benefit of maintaining the development standard

There is no public benefit of maintaining the development standard in this instance – the variation request is only 3%. The surrounding area is characterised by dwellings located on smaller holdings. A dwelling on the subject land will have no negative impact on any surrounding properties.

This report has determined that the variation to the planning control will result in an outcome that is acceptable on this site.

Any other matters required to be taken into consideration by the Director General

before granting concurrence?

There are no other matters that are required to be taken into consideration.

Concurrence

The variation to the development standard does not require concurrence of the Department of Planning and Environment as the variation is not greater than 10%.

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

Setbacks

The proposed positioning of the dwelling in the land is compliant with the 50 metre required front rear and side setbacks.

Access, Entrances

A condition will be imposed to ensure that the proposed accesses and entrances are constructed in accordance with Council's Guidelines for Engineering Works and with Planning for Bushfire Protection.

Fencing

There is no new fencing proposed.

Driveways and property access roads

Provision of new driveway and internal access road will be conditioned to comply with suitable standards and Planning for Bushfire Protection.

Onsite Effluent Disposal

The proposed effluent disposal system for the dwelling will be wholly contained within the proposed Lot.

Water Supply Requirements

Suitable conditions will be included to ensure adequate supply for fire protection and domestic use purposes.

Building Form and Design

The proposal is compliant with the objectives requiring that the design of the building and other structures are in keeping and sympathetic to the rural character of the area.

Bathurst Regional Development Control Plan 2014 – Chapter 9 Environmental Considerations

Sensitive Land Areas – DCP Map No. 29 Land Resources		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
Land Capability Class 7	NO	<i>Plans and documentation submitted with the Development Application indicate that the</i>
Land Capability Class 8	NO	
Karst Extent	NO	

Salting	NO	<i>proposed development will not result in significant disruption to sensitive land areas.</i>
Sever or Extreme Sheet or Rill Erosion	NO	
Sensitive Waterways – DCP Map No. 30 Riparian Land & Waterways		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
Sensitive Waterways	NO	<i>Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to sensitive waterways.</i>
High or Moderate Biodiversity – DCP Map No. 31 Biodiversity		
Environmentally Sensitive Area	Identified on Subject Site?	Comment
DECC Estate	NO	<i>Plans and documentation submitted with the Development Application indicate that the proposed development will not result in significant disruption to areas of high or moderate biodiversity sensitivity.</i>
High Biodiversity Sensitivity	NO	
Moderate Biodiversity Sensitivity	NO	

Conclusion

Council has received a Development Application (DA) for the erection of a single storey dwelling with attached garage on lots 25 and 38 DP 755798 being part of 690 The Bridle Track Duramana.

The combined area of both lots is 97.13 ha.

The proposed development is seeking consent to vary Clause 4.2B(3) of Bathurst Regional LEP 2014 to enable the erection of a dwelling on a lot that is less than the minimum lot size.

Notwithstanding the non-compliance the development is considered acceptable for the reasons outlined within this report. Approval is therefore recommended.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.6

Community Engagement

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

MINUTE

10 Item 4 DEVELOPMENT APPLICATION NO. 2018/404 – SINGLE STOREY DWELLING WITH ATTACHED GARAGE ON LOTS 25 AND 38 DP755798 AT 690 THE BRIDLE TRACK. APPLICANT: GL & SM HILL. OWNER: MRS SM & MR GL HILL (DA/2018/404)

MOVED: Cr B Bourke SECONDED: Cr A Christian

RESOLVED: That Council:

- (a) support the variation to Clause 4.2B(3) development standard prescribed in the Bathurst Regional Local Environmental Plan 2014;
- (b) as the consent authority, grant consent pursuant to Section 4.16 of the Environmental Planning and Assessment Act 1979 to Development Application No. 2018/215, subject to conditions able to be imposed pursuant to Section 4.17 of the Environmental Planning and Assessment Act 1979, as amended; and

(c) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

5 MODIFICATION TO DEVELOPMENT APPLICATION NO. 2018/52 – TOURIST & VISITOR ACCOMMODATION AT 453 CONROD STRAIGHT, MOUNT PANORAMA. APPLICANT: MRS J BAUMBERGER. OWNER: MRS J BAUMBERGER (DA/2018/52)

Recommendation: That Council:

- (a) as the consent authority, modify the existing consent granted to Development Application 2018/52 pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979 by:
 - i. Approving the amended plans;
 - ii. Waiving Condition 3; and
- (b) not support the waiver of Condition 1; and
- (c) call a division.

Report: Council, at its Ordinary Meeting held 20 February 2019, considered a proposed modification to Development Application 2018/52 for tourist and visitor accommodation at 453 Conrod Straight, Mount Panorama, described as Lot 2, DP 1180626.

The proposed modification sought three changes to the consent as granted as follows:

- i. Approval for amended plans;
- ii. Waiver of Condition 1 of the consent which reads as follows:

Prior to the issue of a Construction Certificate the applicant is to submit to Council for approval amended plans demonstrating compliance with the performance requirements DP1, DP2 and FP2.1 of the National Construction Code (NCC) 2016 Volume One.

- iii. Waiver of Condition 3 of the consent which reads as follows:

The water service is to be of adequate size and of a design adequate to serve the development in accordance with the requirements of AS/NZS 3500 and The Plumbing Code of Australia. Any necessary upgrading of the existing service is to be at full cost to the applicant.

NOTE 1: Application form for water is attached. This form is to be returned to Council with payment.

NOTE 2: The service will be a 25mm short service at \$1,330.00 at full cost to the applicant.

NOTE 3: The applicant is to advise Council to remove the existing service upon connection to the new service.

The first and third point (approving the amended plans and waiving the condition regarding the water service upgrade) are acceptable and do not require further detailed consideration.

This report principally relates to whether the building should be made accessible, which is the intent of Condition 1.

Previous Consideration

At the 20 February 2019 Ordinary Meeting of Council, it was resolved:

That Council:

- (a) defer consideration of DA2018/52*
- (b) undertake a site visit of the proposed development*
- (c) call a division*

The report to the 20 February 2018 meeting is at **attachment 1**.

Subsequent to the above resolution, a site visit was undertaken with the applicant, Councillors and Senior Staff in attendance. This meeting occurred on 21 March 2019.

Further amended plans

Following Council's earlier consideration of the proposal the applicant has, separately and independent of Council, held discussions with representatives of the Bathurst Regional Access Committee (BRAC) on site. This meeting occurred on Saturday 16 March 2019. During the meeting with BRAC a number of design amendments were discussed. The proposed amendments were subsequently discussed and voted on at a BRAC meeting on Monday 18 March 2019. BRAC voted unanimously in favour of the suggested design amendments.

A copy of the letter from BRAC to the applicant will be provided to Councillors under separate cover.

The applicant submitted amended plans to Council identifying the following elements:

- Doorway widths increased to 920mm;
- Removal of the front step;
- Provision of an ambulant sanitary facility.

While not shown on the amended plans, it is noted that the applicant discussed with Councillors the intention to provide vehicle access to the proposed building inclusive of a drop-off area near the entrance. Due to the topography of the land, provision of designated accessible parking spaces in the immediate vicinity of the unit would be difficult.

The design changes incorporated into the proposal goes some way to satisfying the current condition imposed on the consent (Condition 1) but does not achieve complete compliance with the accessibility standards.

Typically access for persons with disability is taken to be:

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

For ease of reference, the accessible requirement, the applicant's proposal and compliance is summarised in the table below.

Accessible requirement	Proposal	Compliance
<i>Continuous accessible paths from the main pedestrian entries into the site</i>	A designated drop off area is to be provided which provides access to the building at an appropriate grade.	Complies generally with the requirements of the standard.
<i>An accessible car parking space (where on-site parking is provided)</i>	No designated accessible parking space provided due to slope of the land. A designated drop off area is to be provided which provides access to the building at an appropriate grade.	Complies generally with the requirements of the standard.
<i>A continuous accessible path from the car park to the entrance</i>	A designated drop off area is to be provided which provides access to the building at an appropriate grade.	Complies generally with the requirements of the standard.
<i>An accessible entrance into the building via the principal entrance doorway</i>	The amended plans indicate that a 920mm entrance door into the property is to be provided.	The main entry door complies generally with AS1428.1 <i>Design for access and mobility General requirements for access - New building work</i> in terms of widths and circulation space. Other elements of AS 1428 such as doorway hardware, luminance contrast and signage are not provided or detailed.
<i>Access to and within at least one bedroom and associated accessible bathroom facilities</i>	The amended plans indicate a 920mm doorway is provided into the bathroom, WC and adjoining bedroom.	Whilst the door widths into the bathroom, WC and adjoining bedroom comply with AS1428.1 <i>Design for access and mobility General requirements for access - New building work</i> the solution does not achieve full compliance as noted below: <ul style="list-style-type: none"> ● Hinge and latch side clearance not provided to door into hallway for bedroom. ● Clear opening length circulation and hinge side clearance to bedroom 2 door not provided. ● Width Latch clearance not provided to Bathroom servicing bedroom 2. ● Sliding door to the proposed facility does not provide latch side clearance. ● Other elements of 1428 such as doorway hardware, luminance contrast and signage are not provided or detailed.
	The amended plans indicate that an ambulant toilet is to be provided, a 920 mm door is	What would usually be required by this standard would be a fully compliant accessible facility.

	provided into the bathroom and no shower screen/door.	What is being proposed would fall short of a fully compliant facility however does include certain elements which make it more suitable for persons with a disability.
<i>Access to at least one of each type of common room/facility (e.g. kitchen, laundry, lounge, dining room, gym, swimming pool, patio area, games room, etc.)</i>	Access to each part of the building is available.	Development complies with provisions.

Whilst Council acknowledges the agreement reached between the Access Committee and the applicant, it should be aware of the following:

- The Access Committee is not a statutory body and is not charged with providing advice to Council or developers as to compliance or otherwise with development standards.
- The agreement does not remove the potential for complaint to the Human Rights and Equal Opportunity Commission (HREOC) regarding the adequacy of access.
- The building does not provide a fully compliant solution.

That said, it is acknowledged that the applicant has been proactive in incorporating degrees of accessibility in the building over and above those that would normally be required in a Class 1a building. In this respect it can be said that positive steps have been taken to address the overriding public interest test that applies in this case.

Options available to Council

In regard to the current modification Council has two options available to it:

1. Firstly, it could resolve to waive Condition 1 of the consent noting instead that the building is to be constructed in accordance with the amended plans with the additional inclusion of a suitable driveway access to the building. Council should note that this would mean that the building will not be required to be fully accessible but has been generally “accepted” by the Access Committee; or
2. Secondly, resolve not to waive Condition 1 of the consent and therefore maintain the requirement for the building to be fully accessible.

Council staff consistently require any development to be fully compliant with access standards and are therefore not in a position to recommend other than full compliance.

Conclusion

On 22 May 2018 Council approved, under Delegated Authority, Development Application 2018/52 for “Tourist & Visitor Accommodation” at 453 Conrod Straight, Mount Panorama, described as Lot 2, DP 1180626. Condition 1 of the consent required the submission of amended plans demonstrating that the building is “accessible” pursuant to the National Construction Code (NCC) 2016 Volume One.

Council has received an application to modify Development Application 2018/52.

The applicant seeks approval for amended plans, waiver of Condition 1 of the consent and waiver of Condition 3 of the consent. For the reasoning put forward in this report and in the previous report regarding this issue, staff continue to recommend that the building be made

fully accessible, that is, not waive Condition 1, whilst acknowledging that the applicant has made some steps toward access compliance in the amended plans. Council staff support the waiving of Condition 3.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.6

Community Engagement

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

MINUTE

11 Item 5 MODIFICATION TO DEVELOPMENT APPLICATION NO. 2018/52 – TOURIST & VISITOR ACCOMMODATION AT 453 CONROD STRAIGHT, MOUNT PANORAMA. APPLICANT: MRS J BAUMBERGER. OWNER: MRS J BAUMBERGER (DA/2018/52)

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED: That Council:

- (a) as the consent authority, modify the existing consent granted to Development Application 2018/52 pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979 by:
- i. Approving the amended plans;
 - ii. Waiving Conditions 1 and 3; and

- (b) call a division

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

6 BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014 AMENDMENT (20.00328)

Recommendation: That Council:

- (a) adopt the Bathurst Regional Development Control Plan amendment as outlined in this report;
- (b) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act;
- (c) advise all property owners of Council's decision; and
- (d) call a division.

Report: Background

At its meeting held 21 November 2018, Council resolved to prepare an amendment to the Bathurst Regional Development Control Plan (DCP) 2014. The amendment proposes:

1. Chapter 10 – Urban Design and Heritage Management

Update Chapter 10 to include provisions for the former Milltown Cemetery. This will include an amendment to the existing Map No. 35 Bathurst Early Government Settlement (1815-1840) Sensitive Lands Map Archaeological Sensitive Lands to include the Milltown Cemetery area.

2. Chapter 10 – Urban Design and Heritage Management

Update Chapter 10 to include provisions for the Wattle Flat Mining Areas as a result of the Archaeological Management Plan prepared by Bowen Heritage Management in 2017. This will include an additional map.

The amendment will indicate on the DCP maps the areas identified as archaeologically high sensitivity in relation to the former Milltown Cemetery and the Wattle Flat Mining Areas. The aim of the amendment is to identify these areas and minimise the potential for the disturbance of archeological relics possibly located on the site and/or ensure that the potential for archaeology is considered should redevelopment of land occur into the future. The DCP provisions are at **attachment 1**.

Public Exhibition

Council exhibited the DCP amendment for a period of 28 days between 21 January 2019 to 20 February 2019. Council received one submission during the exhibition period (refer to **attachment 2**).

In summary, the submission argues that the land has been used for residential purposes for decades, and to map the area now as archeologically sensitive is inappropriate and will devalue the affected properties.

As a result of that submission, Council held an internal discussion forum on 13 March 2019 and the minutes from that meeting are provided at **attachment 3**.

Whilst the matters raised in the submission are appreciated, there is the potential for archaeology to be present on all lands within the LGA. Under the Heritage Act 1977 it is an offence to disturb or destroy archaeology without the relevant permit. The aim of the DCP amendment and the archaeological sensitivity mapping in the DCP is to:

- Minimise the potential for disturbance to archaeology; and
- Ensure that archaeology is considered as part of future development proposals on those sites that Council has knowledge may contain archaeology. This knowledge now extends to the former Milltown Cemetery site and the Wattle Flat Mining Areas.

Conclusion

There are no environmental or planning grounds to prevent the DCP amendment from proceeding. It is recommended that Council adopt the amendment to the DCP.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.2
- Objective 4: Enabling sustainable growth Strategy 4.6

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

MINUTE

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

MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED: That Council:

- (a) adopt the Bathurst Regional Development Control Plan amendment as outlined in this report;
- (b) give public notice of Council's decision in accordance with the requirements of the Environmental Planning and Assessment Act;
- (c) advise all property owners of Council's decision; and
- (d) call a division.

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

The result of the division was:

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

Against the motion - Nil

Absent - Nil

Abstain - Nil

7 NAMING OF PUBLIC ROADS – BOLTON STREET – SUNNYBRIGHT SUBDIVISION OFF LIMEKILNS ROAD AND MARSDEN LANE, KELSO (20.00024)

Recommendation: That Council:

- (a) give notice of its intention to adopt the name Bolton Street for a new road created by the subdivision of Lot 3, DP 833295 and Lot 5, DP 847225; and
- (b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

Report: Council, at its Ordinary Meeting held 20 February 2019, resolved to adopt eleven new road names for the Sunnybright Subdivision off Limekilns Road and Marsden Lane in Kelso. Amongst those names adopted was the name Stevenson Street. The Geographic Names Board (GNB) have since rejected the name Stevenson Street because of its similarity to the road name Stephens Lane which is also in Kelso.

In light of the above it is proposed to replace the name Stevenson Street with the name **Bolton Street**. The name Bolton, like the other names adopted for the Sunnybright Subdivision, comes from a list recently given to Council of local residents who enlisted in World War 1.

A location map and aerial photo are provided at **attachment 1** and plan of subdivision at **attachment 2**.

Richard Bolton	
Regimental number	4381
Place of birth	Bathurst, New South Wales
Religion	Presbyterian
Occupation	Farrier
Address	Trunkey via Newbridge, New South Wales
Marital status	Single
Age at embarkation	21
Next of kin	Father, G Bolton, Trunkey via Newbridge, New South Wales
Enlistment date	15 December 1915
Date of enlistment from Nominal Roll	15 January 1916
Rank on enlistment	Private
Unit name	17th Battalion, 11th Reinforcement
AWM Embarkation roll number	23/34/2
Embarkation details	Unit embarked from Sydney, New South Wales, on board HMAT A71 <i>Nestor</i> on 9 April 1916
Rank from Nominal Roll	Private
Unit from Nominal Roll	17th Battalion
Fate	Returned to Australia 10 March 1918

The name complies with Bathurst Regional Council's *Guidelines for the Naming of Roads*.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.2
- Objective 4: Enabling sustainable growth Strategy 4.1, 4.2, 4.3, 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4, 6.5

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

MINUTE

**13 Item 7 NAMING OF PUBLIC ROADS – BOLTON STREET – SUNNYBRIGHT
SUBDIVISION OFF LIMEKILNS ROAD AND MARSDEN LANE, KELSO (20.00024)**
MOVED: Cr M Morse SECONDED: Cr G Hanger

That Council:

- (a) give notice of its intention to adopt the name Richard Bolton Street for a new road created by the subdivision of Lot 3, DP 833295 and Lot 5, DP 847225; and
- (b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.
- (c) enter into discussions with the Geographical Names Board regarding the need to give first names and surnames when naming roads in a city which has generations of families bearing the same name

The MOTION was PUT and LOST.

MINUTE

14 Item 7.01 NAMING OF PUBLIC ROADS – BOLTON STREET – SUNNYBRIGHT SUBDIVISION OFF LIMEKILNS ROAD AND MARSDEN LANE, KELSO (20.00024) MOVED: Cr B Bourke SECONDED: Cr J Rudge

RESOLVED: That Council

- (a) give notice of its intention to adopt the name Bolton Street for a new road created by the subdivision of Lot 3, DP 833295 and Lot 5, DP 847225; and
- (b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

8 NAMING OF PUBLIC ROADS – HYACINTH WAY & MEAGHER STREET (20.00024)

Recommendation: That Council:

- (a) give notice of its intention to adopt the name Hyacinth Way and Meagher Street for the new roads created by the subdivision of Lot 1, DP 1234553, off Westbourne Drive in the suburb of Llanarth; and
- (b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

Report: A recently approved subdivision of Lot 1, DP 1234553, off Westbourne Drive in the suburb of Llanarth will see the creation of two new streets.

The developer, the Catholic Diocese of Bathurst, has nominated the names Hyacinth Way and Meagher Street for the new streets created by the subdivision.

See location map at **attachment 1** and plan of subdivision at **attachment 2**.

Hyacinth Way

In recognition of Sister Hyacinth Quinlan.

Born of Irish immigrant parents at Clare, South Australia, on 22nd August 1850, Sr Hyacinth Quinlan was the only Australian-born member of the Josephite Sisters to arrive at The Vale in 1872.

On joining the Adelaide Sisters on 16th August 1868, Sr Hyacinth was the 33rd entrant into the new Congregation. From early religious life, Sr Hyacinth was disturbed by "spiritual troubles" but was instructed in that life by Father Woods and Mother Mary and was professed on 25th December 1869.

Bishop Quinn appointed her Sister Guardian to the Perthville Sisters in 1876. During her time in the Bathurst diocese, there are records of Sr Hyacinth's teaching at Borenore and at Evans Plains, and of her compassionate care for the people.

In 1880 Sr Hyacinth left Perthville for New Zealand where she remained till 1891 when she transferred to Tasmania where she died in 1933.

Sr Hyacinth was pivotal in sharing the spirit of Father Woods and Mother Mary with Sisters of the diocesan Josephite Congregations.

It should be noted that the name Quinlan was originally proposed however it was rejected because of the close proximity to and similarity to Quinn Court.

Meagher Street

In recognition of John Meagher.

John Meagher, Bathurst resident, storekeeper and politician, was born on 8 December 1836 at Kilrush, Clare, Ireland, son of Roger Meagher, fisherman and coastguard, and his wife Catherine, née Mahoney. He arrived in Sydney about 1863 and at St Mary's Cathedral married Mary Ann Byrne (d.1895), housekeeper, on 19 September 1864.

Aside from his business interests, Mr Meagher was active in local politics as a Protectionist. In 1896 he was a vice-president of the committee that sponsored the People's Federal Convention at Bathurst and entertained in his home many leading Federationists. Nominated to the Legislative Council in 1900, Mr Meagher proposed the building of the Temora-Wyalong railway line and was a vocal advocate of state aid for Catholic schools. He identified himself closely with the Irish Home Rule movement and frequently visited Ireland, making his last visit in 1919-20.

Mr Meagher was a devout Catholic, a daily communicant throughout his life, a generous donor to Catholic Orders and organizations, notably to the Sisters of Mercy when they were building their novitiate and establishing an orphanage at Bathurst, and to St Stanislaus' College. The "Logan Brae" mansion in Bathurst was bought in 1909 by Mr Meagher and was donated to the Sisters of Mercy for use as a formation house and teacher training facility for young Mercy novices.

In December 1903 he was appointed knight commander in the papal Order of St Gregory the Great. A 'sterling, big-hearted Irishman', he continued to champion Irish-Catholic causes through years when sectarianism was a familiar tension.

Mr Meagher died on 26 August 1920 in St Vincent's Hospital, Sydney, and was buried in the family vault in the Bathurst cemetery.

The proposed names comply with Bathurst Regional Council's *Guidelines for the Naming of Roads*.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.2
- Objective 4: Enabling sustainable growth Strategy 4.1, 4.2, 4.3, 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4, 6.5

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

MINUTE

15 Item 8 NAMING OF PUBLIC ROADS – HYACINTH WAY & MEAGHER STREET **(20.00024)**

MOVED: Cr M Morse SECONDED: Cr G Hanger

That Council:

- (a) give notice of its intention to adopt the name Hyacinth Quinton Way and John Meagher Street for the new roads created by the subdivision of Lot 1, DP 1234553, off Westbourne Drive in the suburb of Llanarth; and
- (b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.
- (c) Enter into discussions with the Geographical Names Board regarding the need to give first names and surnames when naming roads in a city which has generations of families bearing the same name

The MOTION was PUT and LOST.

MINUTE

16 Item 8.01 NAMING OF PUBLIC ROADS – HYACINTH WAY & MEAGHER STREET (20.00024)

MOVED: Cr B Bourke SECONDED: Cr J Rudge

RESOLVED: That Council

- (a) give notice of its intention to adopt the name Hyacinth Way and Meagher Street for the new roads created by the subdivision of Lot 1, DP1234553, off Westbourne Drive in the suburb of Llanarth; and
- (b) direct the General Manager to undertake procedures pursuant to the requirements of the Roads Act 1993, to have the name gazetted, should no objections be received.

9 MOBILE BLACK SPOTS PROGRAM ROUND 4 RESULTS (20.00315)

Recommendation: That the information be noted.

Report: In recent years, Council has partnered with Regional Development Australia Central West (RDACW) and major telecommunication providers Telstra, Optus and Vodafone, to attract funding to the Bathurst Region for the development of new mobile phone towers under the Federal Government's Mobile Black Spots Program (MBSP). This involves Council providing detailed submissions to Telstra, Optus and Vodafone to inform their grant applications for the MBSP. The MBSP provides the opportunity for telecommunication providers to construct towers outside of major city areas and fringes that would not otherwise be commercially viable.

Council therefore plays a critical role in advising telecommunication providers of priority black spots and directly assists them with their funding applications.

In 2017 Council appointed telecommunications consultant Optimi Digital to complete an in-depth assessment of major black spots in the Bathurst Regional LGA. This detailed assessment was provided to the 3 major telcos to support their applications under Round 4 of the MBSP. As a direct result, 3 new Optus mobile towers will be built, at Limekilns, Sunny Corner and Rock Forrest. Additionally, Wattle Flat and Sofala will receive Telstra Small Cell Towers. Round 4 included a \$25M pool of funds to be spent nationally, of which the Bathurst Regional LGA received slightly over \$3M. The construction of this infrastructure will eliminate several priority mobile back spots.

Across the 4 Rounds of the Mobile Black Spot Program Council, in partnership with the major telecommunications providers and Federal Government, has secured 6 new mobile towers and 2 Small Cell Towers which have been listed below:

Location	Funded Infrastructure	MBSP Round	Provider	Construction
Rockley	Mobile Tower	Round 1	Telstra	Completed
Trunkey Creek	Mobile Tower	Round 1	Telstra	Completed
Napoleon Reef	Mobile Tower	Round 2	Optus	Under construction
Limekilns	Mobile Tower	Round 4	Optus	Funding announced
Sunny Corner	Mobile Tower	Round 4	Optus	Funding announced
Rock Forrest	Mobile Tower	Round 4	Optus	Funding announced
Wattle Flat	Small Cell Tower	Round 4	Telstra	Funding announced
Sofala	Small Cell Tower	Round 4	Telstra	Funding announced

Conclusion

Through the Mobile Black Spot Program conducted over a 5 year period, Council has been able to address all of the critical black spots that were identified in the initial Audit completed by Council in 2014. This represents very significant improvements in mobile/data coverage in the Bathurst Regional LGA.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 2: A smart and vibrant economy Strategy 2.3

Community Engagement

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

MINUTE

- 17 Item 9 MOBILE BLACK SPOTS PROGRAM ROUND 4 RESULTS (20.00315)
MOVED: Cr I North SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

10 RIPPER GROUP DRONE DEMONSTRATION (20.00315)

Recommendation: That the information be noted.

Report: Council is providing leadership for Bathurst to become a Smart Community of national prominence. Several Smart Community projects have been launched or are currently under development, including the CBD Wi-Fi network, CBD CCTV, electric vehicle charging hubs and smart street lighting.

Part of Council's plan to become a Smart Community includes the attraction of research and development (R & D) initiatives which will build upon the existing strong education footprint in the Bathurst Region. Council has therefore been working with The Ripper Group, a provider of training and deployment services for drones and remotely piloted aircraft systems.

Council recently partnered with The Ripper Group and Charles Sturt University to host a Drone and Unmanned Aerial Vehicle (UAV) demonstration at the CSU Engineering School, the first event of its kind in the Central West. The event successfully showcased the latest drone technology to more than 60 attendees, including organisations who are exploring the use of drones in agriculture, photography, town planning, monitoring and 3D mapping. Attendees included local businesses, schools, councils and NSW Government departments.

Conclusion

Events of this nature place Bathurst at the forefront of emerging technology and will showcase the LGA as a platform for the exploration of new research and development.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 2: A smart and vibrant economy Strategy 2.3

Community Engagement

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

MINUTE

- 18 Item 10 RIPPER GROUP DRONE DEMONSTRATION (20.00315)
MOVED: Cr I North SECONDED: Cr B Bourke

RESOLVED: That the information be noted.

11 NSW HEALTH BATHURST COMMUNITY AND REGION INTEGRATED CLINICAL SERVICES PLAN 2019 - 2029 (18.00035)

Recommendation: The information be noted with a view to Bathurst Regional Council preparing a submission and facilitating community input to the NSW Health Bathurst Community and Region Integrated Clinical Services Plan 2019 - 2029

Report: Council's attention is drawn to the imminent preparation of the Bathurst Community and Region Clinical Services Plan 2019 - 2029 to be undertaken by NSW Health. According to information provided to Council, the plan will be designed to:

- address the health needs of the catchment population and anticipated demand for services
- articulate the role of Bathurst Health Service as a 'hub' in a network of services
- identify the priorities and directions for Bathurst Health Service into the future

The development of the Plan is important and timely. There has been growing concern about a perceived disparity in health services between Bathurst and Orange, with the State government seeming to prioritise investment into Orange as a single hub for health services in the region, resulting in a continuing need for citizens of Bathurst travelling to Orange (or Sydney) for services that might be better provided in Bathurst. At the same time, services provided in Bathurst are on occasions at capacity, with the strong population growth of Bathurst region expected to exacerbate this issue. Adequate health services are a high priority for residents and in attracting people to live in the region, and a source of economic activity in their own right. Providing state of the art medical services is more likely to attract medical professionals to Bathurst.

If more hospital beds and a wider range of services are to be provided to meet this demand, expanded facilities need to be planned. Alternative models of service delivery are likely to be considered.

Council has been advised that a Planning Advisory Group has been established and community consultation will commence in the next few months. It would be appropriate for Council to partner with NSW Health in ensuring the views of the Bathurst region community are heard, and to liaise with the relevant Agencies in much the same way that Council has worked with the education department and providers in ensuring education services are adequate to meet the future needs of the region. Further, in anticipation of growth in health services centred on the Bathurst Base Hospital, Council staff have commenced a review of planning controls in the precinct to ensure there are no planning impediments to expanded facilities, consistent with one of the objectives of the Central West and Orana Regional Plan of the NSW Government.

Councillors will be updated as further information is made available.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.3

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

MINUTE

19 Item 11 NSW HEALTH BATHURST COMMUNITY AND REGION INTEGRATED CLINICAL SERVICES PLAN 2019 - 2029 (18.00035)

MOVED: Cr J Jennings SECONDED: Cr M Morse

RESOLVED: The information be noted with a view to Bathurst Regional Council preparing a submission and facilitating community input to the NSW Health Bathurst Community and Region Integrated Clinical Services Plan 2019 - 2029

Yours faithfully

A handwritten signature in black ink, appearing to read 'N Southorn', with a long horizontal flourish extending to the right.

N Southorn
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT AND
MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

1 STATEMENT OF INVESTMENTS (16.00001)

Recommendation: That the information be noted.

Report: \$73,780,000 was invested at 31 March 2019 in accordance with Council's investment policies, the Minister's Investment Order dated 12 January 2011, the Local Government Act 1993 and associated regulations. All investments have been reconciled with Council's general ledger and are listed below:

	<u>Rating</u>	<u>Balance</u>	<u>Average Return</u>
<u>Short Term 1 – 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Certificates of Deposits):			
National Australia Bank Limited	A1+	\$13,500,000.00	2.71%
Bankwest	A1+	\$7,500,000.00	2.77%
CBA	A1+	\$4,500,000.00	2.71%
Westpac	A1+	\$1,500,000.00	2.81%
Bank of Queensland Limited	A2	\$3,000,000.00	2.68%
IMB	A2	\$1,500,000.00	2.69%
Auswide Bank	A2	\$1,500,000.00	2.72%
Maritime, Mining & Power Credit Union Ltd	ADI	<u>\$4,500,000.00</u>	<u>2.70%</u>
		\$37,500,000.00	2.72%
<u>Long Term > 365 Days</u> (comprising Commercial Bills, Term Deposits, Debentures and Bonds):			
<u>Floating Rate Term Deposits</u>			
CBA Deposit Plus	AA-	\$1,500,000.00	2.66%
CBA Deposit Plus 1	AA-	\$1,500,000.00	2.83%
CBA Deposit Plus 2	AA-	\$1,500,000.00	3.07%
Westpac Coupon Select	AA-	\$2,000,000.00	3.01%
Westpac Coupon Select 1	AA-	\$3,000,000.00	3.13%
Westpac Coupon Select 2	AA-	\$1,500,000.00	2.95%
Westpac Coupon Select 3	AA-	\$1,500,000.00	2.75%
Maritime Mining & Power Credit Union Ltd	ADI	<u>\$1,630,000.00</u>	<u>1.70%</u>
		\$14,130,000.00	2.80%
<u>Fixed, Negotiable & Tradeable Certificates of Deposits</u>			
AMP Fixed Rate	A-	\$1,000,000.00	2.99%
Greater Bank Ltd	BBB	\$1,000,000.00	3.27%
Greater Bank Ltd	BBB	<u>\$2,000,000.00</u>	<u>3.42%</u>
		\$4,000,000.00	3.27%
<u>Floating Rate Notes</u>			
Commonwealth Bank of Aust.	AA-	\$1,000,000.00	2.96%
CBA Climate Bond	AA-	\$1,000,000.00	2.69%
Commonwealth Bank of Australia 2	AA-	\$500,000.00	2.88%
Suncorp Metway	A+	\$1,000,000.00	3.32%

Rabobank	A+	\$1,000,000.00	3.38%
AMP	A-	\$1,000,000.00	2.82%
AMP	A-	\$800,000.00	2.96%
AMP	A-	\$1,000,000.00	3.24%
AMP	A-	\$1,100,000.00	2.94%
Macquarie Bank	A	\$1,000,000.00	2.98%
Bank of Queensland 1	BBB+	\$2,000,000.00	2.91%
Bank of Queensland 2	BBB+	\$1,000,000.00	3.04%
Bendigo & Adelaide Bank 2	BBB+	\$1,000,000.00	2.77%
Bendigo & Adelaide Bank 3	BBB+	\$1,000,000.00	3.05%
Members Equity 3	BBB	\$750,000.00	3.24%
Credit Union Australia 3	BBB	\$1,000,000.00	3.68%
Newcastle Permanent	BBB	\$1,000,000.00	3.41%
Newcastle Permanent 3	BBB	<u>\$1,000,000.00</u>	<u>3.73%</u>
		\$18,150,000.00	3.11%

Total Investments **\$73,780,000.00** **2.86%**

These funds were held as follows:

Reserves Total (includes unexpended loan funds)	\$21,530,157.00
Grants held for specific purposes	\$11,072,220.00
Section 7.11 Funds held for specific purposes	\$40,713,723.00
Unrestricted Investments	\$ 463,900.00

Total Investments **\$73,780,000.00**

Total Interest Revenue to 31 March 2019 **\$1,813,878.90** **2.86%**

A Jones
Responsible Accounting Officer

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

MINUTE

- 20 Item 1 STATEMENT OF INVESTMENTS (16.00001)
MOVED: Cr B Bourke SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

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

Recommendation: That the information be noted.

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

At **attachment 1** is an update of the strategies for the 2040 Community Strategic Plan.

Clause 203(1) of the *Local Government (General) Regulation 2005* (the Regulation) requires a council's responsible accounting officer to prepare and submit a quarterly budget review statement to the governing body of council. The quarterly budget review statement must show, by reference to the estimated income and expenditure that is set out in the management plan or operational plan adopted by council for the relevant year, a revised estimate of income and expenditure for that year. It also requires the budget review statement to include a report by the responsible accounting officer as to whether or not they consider the statement indicates council to be in a satisfactory financial position (with regard to its original budget) and if not, to include recommendations for remedial action.

The Division of Local Government has now set a prescribed format for the Quarterly Budget Review Statement (QBRs). The new statement is in the same format as the requirements for the new Annual Operational Plan that replaced the Management Plan from 1 July 2012. The Report shown at **attachment 2** is in the format of a commercial Income and Expenditure Statement as per the Office of Local Government Guidelines.

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

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

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

MINUTE

21 Item 2 QUARTERLY REVIEW - 2018/2022 DELIVERY PLAN AND OPERATIONAL PLAN 2018-2019 (16.00155)

MOVED: Cr J Rudge SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

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

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

Report: At **attachment 1** is a list of Sundry Section 356 Donations, Bathurst Memorial Entertainment Centre Community Use Subsidies and Mount Panorama Fee Subsidies granted by Council for the period ending 31 March 2019, including a report on annual Rental Subsidies granted by Council.

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

Section 356:	\$Nil
BMEC Community use:	\$786.36
Mount Panorama:	\$Nil

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 5: Community health, safety and well being Strategy 5.3
- Objective 6: Community leadership and collaboration Strategy 6.5

Community Engagement

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

MINUTE

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

MOVED: Cr J Rudge SECONDED: Cr B Bourke

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

4 POWER OF ATTORNEY (11.00007)

Recommendation: That the information be noted.

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

- C Hotham - Lots 134, 137, 138, 144, 145, DP750357; Lot 1, DP784476; Lot 100, DP1108903 - Vale Road, Bathurst - Rural Licence
- C Grimmer & D Rankine - Lot 18, DP1011780 - 162 Mountain Straight, Bathurst - Lease
- Macquarie Lions Bathurst Club Inc - Lot 291, DP185073 - 8 Stanley Street, Bathurst - Licence
- Pete Graham Contracting Pty Ltd - Proposed Lot 1012, Part Lot 806, DP1169443 - Bathurst Trade Centre - Contract
- R Howard - Lot 6, DP1142438 - Church Lane, Kelso - Licence

Linen Plan Release

- Mrs CP Stait - Stage 2 - 49 lot subdivision & 1 residual lot, 180 lot residential subdivision - Lot 169, DP 1245624 - Graham Drive, Kelso
- Mr R N & Mrs P G Day - Two lot rural residential subdivision - Lot 2, DP865763 & Lot 1, DP1237564 - 171 Howards Drive, Mount Rankin
- Gico Pty Ltd - 160 lot residential subdivision - Stage 7 - 8 residential and one residual lot - Lot 611, DP 231645 - Wheatfield Drive, Kelso
- Mr R G Morris - 36 lot rural residential subdivision - Stage 2 - 3 lot rural residential and 1 residual lot subdivision - Lot 35, DP1224327 & Lot 16 DP125293 - Samuel Way, The Lagoon

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

MINUTE

- 23 Item 4 POWER OF ATTORNEY (11.00007)
MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

5 REQUEST FOR FINANCIAL ASSISTANCE - EGLINTON DISTRICT TENNIS CLUB (22.02252)

Recommendation: That the interest rate of the loan to the Eglinton District Tennis Club be reset to 4.27% per annum, commencing with the repayment due on 1 April 2019.

Report: At Council's meeting of 20 July 2011, Council resolved to provide the Eglinton District Tennis Club (EDTC) with a \$30,000, 10 year, loan to assist with the refurbishment of two courts at the Eglinton Tennis Club complex. The effective interest rate at that time was 8.08% per annum.

The loan was drawn on 13 July 2013 with the effective interest rate at that time of 7.84% per annum being applied.

The EDTC have written to Council seeking a review of the interest rate for the remaining term of the loan.

Based on current interest rates, if Council was to issue a new loan today, the effective rate of 4.27% per annum would be applied.

The EDTC have an excellent rating in the repayment of this loan, to date and, as such, it is recommended that Council approves their request.

Financial Implications: Should Council resolve in accordance with the recommendation of this report, the interest that Council will receive from this loan will be reduced by \$2,821.97.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.1, 4.3
- Objective 5: Community health, safety and well being Strategy 5.1

Community Engagement

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

MINUTE

**24 Item 5 REQUEST FOR FINANCIAL ASSISTANCE - EGLINTON DISTRICT
TENNIS CLUB (22.02252)**
MOVED: Cr I North SECONDED: Cr J Rudge

Manager Corporate Governance declared a non-pecuniary interest in this item, left the Chamber.

Reason: Life Member of Eglinton District Tennis Club

RESOLVED: That the interest rate of the loan to the Eglinton District Tennis Club be reset to 4.27% per annum, commencing with the repayment due on 1 April 2019.

6 REQUEST FOR FINANCIAL ASSISTANCE - WHITE RIBBON EVENT AT MOUNT PANORAMA (04.00085)

Recommendation: That Council waives the costs of approximately \$2,000 associated with traffic management for the closure of Pit Straight, Mount Panorama from Murray's Corner to Hell Corner, for the White Ribbon Day event on 22 November 2019.

Report: Council has received a request from the NSW Police Force, Domestic Violence Liaison Division in relation to a White Ribbon Day event to be held at Mount Panorama on 22 November 2019, copy of request at **attachment 1**.

The closure will apply from approximately 10 am to 2 pm and will involve the closure of Pit Straight from Murray's Corner to Hell Corner. The estimated cost for traffic management control would be \$2,000.

The White Ribbon Campaign works to raise awareness of violence against women, encouraging men to support women's groups and raise awareness of violence against women.

Financial Implications: There is sufficient funds available within Council's Section 356 Mount Panorama Fee Waiver allocation.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 2: A smart and vibrant economy Strategy 2.1

Community Engagement

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

MINUTE

25 Item 6 REQUEST FOR FINANCIAL ASSISTANCE - WHITE RIBBON EVENT AT MOUNT PANORAMA (04.00085)

MOVED: Cr I North SECONDED: Cr J Rudge

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

Reason: Current serving NSW Police Officer

RESOLVED: That Council waives the costs of approximately \$2,000 associated with traffic management for the closure of Pit Straight, Mount Panorama from Murray's Corner to Hell Corner, for the White Ribbon Day event on 22 November 2019.

**7 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 22.07535, 22.07536, 22.16153, 22.03772, 10.00009)**

Recommendation: That the information be noted.

**Report: 1 RURAL LICENCE AGREEMENT - LOT 5 DP586023 AND LOT 11
DP717095 AND PART LOT 12 DP717095 KNOWN AS 117 - 131 COLLEGE ROAD,
BATHURST (22.07535,22.07536)**

This report relates to a proposal to enter into a rural licence agreement for Lot 5 DP586023 and Lot 11 DP717095 and part Lot 12 DP717095, known as 117 - 131 College Road, Bathurst for a period of 10 year with a 10 year option period.

**2 SALE OF LAND AT LOT 1004 DP1129907 KNOWN AS 49 HAMPDEN PARK ROAD,
KELSO (22.16153)**

This report relates to the proposed sale of Lot 1004 in DP1129907, 49 Hampden Park Road, Kelso.

**3 MANAGING AGENCY AGREEMENT - LOTS 4,5,8 & 9 DP232111 KNOWN AS 98
MOUNTAIN STRAIGHT, MT PANORAMA (22.03772)**

This report relates to a proposal to enter into a managing agency agreement for Lots 4,5,8 & 9 DP232111 known as 98 Mountain Straight, Mt Panorama.

4 EXPRESSION OF INTEREST - CONVEYANCING SERVICES 2019 - 2022 (10.00009)

This report relates to the Expression of Interest for Conveyancing Services submitted by legal representatives for a period of three (3) years commencing on 17 May 2019 and concluding on 16 May 2022.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

MINUTE

26 Item 7 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 22.07535, 22.07536, 22.16153, 22.03772, 10.00009
MOVED: Cr J Rudge SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink, appearing to read 'A Jones', written over a large, light-colored oval shape.

A Jones
DIRECTOR
CORPORATE SERVICES & FINANCE

DIRECTOR ENGINEERING SERVICES' REPORT AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

1 WATER SECURITY (DROUGHT) (13.00031)

Recommendation: That Council:

- (a) note the information in the report.
- (b) hold a Councillor Working Party to further discuss water restrictions.

Report: The High Level 3 water restrictions have been in effect for 4 months at the time of writing this report, with the dam being at 57.6% on 27 November 2018, and 45.5% on 26 March 2019. The weekly dam level graph at **attachment 1** shows the weekly details. This is better than the average case prediction of 35.5% without any form of restrictions being in place, as the restrictions and cooperation by irrigators have reduced demand and a number of rainfall events have added some water into the dam to boost the supply. Rainfall is expected over the remainder of Autumn, Winter and into Spring, though there is no clear guidance on how much rain is likely, or how much inflow can be anticipated.

The absence of the usual large inflows over Winter in 2018 was the first time this had been observed since dam level records were kept in the early 1970's. At **attachment 2** is a graph showing the variation in dam levels from 2015 to 2019. Council needs to continue further planning in advance for the management of worsening storage levels. These include but are not limited to details around how Council will or will not comply with the restrictions in all locations including sporting fields, implementation of an enforcement plan, developing details on how exemptions will be managed, and identification of further opportunities to reduce demand from irrigation that will necessitate further discussions with irrigators.

Regular monitoring of the dam level, water released, water used in Bathurst, rainfall, and inflows will continue. Relevant actions will take place as necessary, including updates to the NSW Department of Industry Water. It is noted that the Director Engineering Services has delegated authority to implement water restrictions, to select the level, to amend the level, and remove the restrictions without seeking a Council resolution. These restrictions can be implemented in times of drought, or other shortage of supply such as a major breakdown or loss of power. These actions are taken with due consideration of the circumstances, and are not taken lightly. The current High Level 3 water restrictions limit outdoor watering of lawns, gardens, cars, pools and other items, which are predominately used in the period around Summer. Over Winter there is little outdoor water used in Bathurst, however given the current dam level and absence of any inflow it is considered prudent to continue applying High Level 3 water restrictions through Winter until further notice.

It should be noted that the next level of restrictions are Extreme, and combine the existing Drought Management Plan Level 4 and Level 5 restrictions that are triggered at 25% and 22% water level respectively, or only 3% apart. As there have been periods where the dam has dropped consistently 2% per week, the use of separate Level 4 and Level 5 restrictions is not practical noting lead times for communication with the public.

The Extreme restrictions require in part:

- that there be NO watering of lawns
- that garden watering be limited to bucket or watering can, and only on Wednesday and Sunday from 6pm to 9pm
- that car washing at home is not permitted
- that pools, garden features and child pools not be filled or topped up

Further details are provided at **attachment 3**.

Council records indicate that since construction was completed in the 1950's, the lowest level seen in Chifley Dam was in May 1980 at about 18% of the current (raised) dam, and the lowest level seen since the dam was raised is 41% in June 2003. Level 6 Critical restrictions commence at 15%, and at that time one of the two outlet pipes ceases to be able to operate as the water level is too low. The Drought Management Plan identifies that the last 10% is dead volume which cannot be accessed. The second outlet pipe theoretically ceases to operate at 5%, however Council cannot confirm at what level the release of water is no longer possible.

Council will continue to identify, prepare and implement as many actions as possible to ensure the water supply lasts for as long as possible.

A further Councillor Working Party will be held later this year to discuss future directions regarding water restrictions, prior to calling of expressions of interest for the review of Council's current Drought Management Plan.

Financial Implications: Nil at this time.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 3: Environmental stewardship Strategy 3.2, 3.3
- Objective 6: Community leadership and collaboration Strategy 6.6

Community Engagement

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

MINUTE

- 27 **Item 1 WATER SECURITY (DROUGHT) (13.00031)**
MOVED: Cr J Jennings SECONDED: Cr B Bourke

RESOLVED: That Council:

- (a) note the information in the report.
- (b) hold a Councillor Working Party to further discuss water restrictions.

2 PROPOSED ROAD OPENING AND PARTIAL CLOSURE AFFECTING LOTS 45, 57 & 58 IN DP753040 - COLO ROAD, COLO (25.00292)

Recommendation: That Council approve the acquisition of land for the purposes of the Roads Act 1993, affecting Lots 45, 57 & 58 in DP753040 and the partial closure of Colo Road, Colo and classify the land as operational, as detailed in the Director Engineering Services' report.

Report: Council in partnership with Forestry Corporation of NSW and Infrastructure NSW has recently completed an upgrade to Colo Road, Colo, to provide a suitable standard of road for heavy vehicle movements. It was identified during the design phase of the project that the physical road alignment does not consistently align with the 'paper' road alignment.

To rectify this situation it is proposed to survey the physical road alignment and adopt existing roadside fencing as the boundary for the road reserve. The area to be surveyed is between points A and B as shown in **attachment 1**. Following completion of the survey, it will be necessary to close sections of the 'paper' road and acquire land for the purposes of the Roads Act 1993.

Preliminary discussions have been held with the owners of Lots 45, 57 & 58 in DP753040 that will be affected by the proposal. For the acquisition to be completed it is recommended that Council approve the following.

That Council:

1. Approve the acquisition of land for the purposes of the Roads Act 1993 and the partial closure of Colo Road.
2. Classify the acquired land and road closure land as operational under Section 31(2) of the LGA 1993.
3. Compensate landowners for land lost, pursuant to the requirements of the Land Acquisition (Just Terms Compensation) Act 1991.
4. Pay the landowner's reasonable legal costs and bank fees.

Financial Implications: The cost of acquiring the land including survey, legal and compensation costs is estimated at \$30,000 and will be funded from the unsealed rural roads capital works budget.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.2

Community Engagement

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

MINUTE

28 Item 2 PROPOSED ROAD OPENING AND PARTIAL CLOSURE AFFECTING LOTS 45, 57 & 58 IN DP753040 - COLO ROAD, COLO (25.00292)
MOVED: Cr B Bourke SECONDED: Cr W Aubin

RESOLVED: That Council approve the acquisition of land for the purposes of the Roads Act 1993, affecting Lots 45, 57 & 58 in DP753040 and the partial closure of Colo Road, Colo and classify the land as operational, as detailed in the Director Engineering Services' report.

3 PROPOSED ROAD WIDENING - LOT 52 IN DP756878 CRUDINE ROAD, CRUDINE (25.00550)

Recommendation: That Council:

1. approve the proposed road widening affecting part of Lot 52 in DP756878 on the Crudine Road at Crudine, and dedicate the road to the public;
2. approve the terms proposed as detailed in the Director Engineering Services' report.

Report:

Whilst planning maintenance work to the Crudine Road at Crudine it was identified that Council has an opportunity to straighten a section of the road to improve driver safety. In acquiring the land necessary to straighten the road, Council will have the added benefit of having access to road base material suitable for future road works in the area.

attachment 1 indicates part of Lot 52 in DP756878, an area of approximately 5,500m² in size that will need to be acquired for road widening purposes.

The landowner has been approached regarding the proposal and has provided consent to proceed with the acquisition, subject to Council's approval of the following terms.

That Council:

1. Will engage a registered surveyor to undertake a formal survey and prepare a suitable plan for registration at NSW Land Registry Services.
2. Negotiate a compensation agreement with the landowner for land lost, pursuant to the Land Acquisition (Just Terms Compensation) Act 1991.
3. Arrange for fencing along the new property boundary similar to existing fencing.
4. Pay the landowner's reasonable legal costs and bank fees.

Financial Implications: The cost of acquiring the land including survey, legal and compensation costs is estimated at \$20,000.00 and will be funded from the Rural Roads budget.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.2

Community Engagement

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

MINUTE

29 Item 3 PROPOSED ROAD WIDENING - LOT 52 IN DP756878 CRUDINE ROAD, CRUDINE (25.00550)

MOVED: Cr W Aubin SECONDED: Cr B Bourke

RESOLVED: That Council:

1. approve the proposed road widening affecting part of Lot 52 in DP756878 on the Crudine Road at Crudine, and dedicate the road to the public;
2. approve the terms proposed as detailed in the Director Engineering Services' report.

4 PROPOSED ROAD WIDENING - LOT 3 DP252350 THE BRIDLE TRACK, BRUINBUN (25.00283)

Recommendation: That Council:

1. Proceed with the compulsory acquisition of land described as part of Lot 3 in DP252350 on The Bridle Track at Bruinbun for the purpose of road widening in accordance with the provisions of the Roads Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991; and
2. Make application to the Minister and/or Governor for approval to acquire part of Lot 3 in DP252350 by compulsory process under section 177(1) of the Roads Act 1993.

as detailed in the Director Engineering Services' report.

Report: Council would be aware of the proposal to reinstate alternative 4 wheel drive access to Hill End via The Bridle Track by realigning the road around Monaghan's Bluff, a section of road that was closed in August 2010 due to a rock fall.

A preliminary design for the realignment has been undertaken and for the proposal to proceed, the acquisition of land will be required. **Attachment 1** shows 3 separate properties that will be affected by the proposal. Lot 3 in DP252350 (orange shading) is the subject of this report. Lot 15 in DP755761 (green shading) and Lot 4 in DP252350 (blue shading) will be the subject of a separate report.

The owner of Lot 3 in DP252350 passed away in December 2016 intestate (without a Will). After liaising with the legal firm acting on behalf of the Estate for a period exceeding 6 months, it is clear that settlement of the estate is not imminent and the only feasible option to acquire the land is by compulsory process. It is recommended that Council:

1. Engage a registered surveyor to undertake a formal survey and prepare a plan of acquisition for registration at NSW Land Registry Services.
2. Make application to the Minister and/or Governor for approval to acquire part of Lot 3 in DP252350 by compulsory process under section 177(1) of the Roads Act 1993.
3. Arrange for fencing along the newly acquired property boundary similar to existing fencing
4. Pay all legal and valuation costs and bank fees if applicable.

Financial Implications: The cost of acquiring the land including survey, fencing, legal and compensation costs is estimated at \$30,000. A \$2,000,000 grant has been provided by the State Government to assist with funding the proposed works.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.2

Community Engagement

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

MINUTE

30 Item 4 PROPOSED ROAD WIDENING - LOT 3 DP252350 THE BRIDLE TRACK, BRUINBUN (25.00283)

MOVED: Cr B Bourke SECONDED: Cr J Rudge

RESOLVED: That Council:

1. Proceed with the compulsory acquisition of land described as part of Lot 3 in DP252350 on The Bridle Track at Bruinbun for the purpose of road widening in accordance with the provisions of the Roads Act 1993 and the Land Acquisition (Just Terms Compensation) Act 1991; and
2. Make application to the Minister and/or Governor for approval to acquire part of Lot 3 in DP252350 by compulsory process under section 177(1) of the Roads Act 1993.

as detailed in the Director Engineering Services' report.

5 PROPOSED ROAD WIDENING - LOT 15 DP755761 AND LOT 4 DP252350 THE BRIDLE TRACK, BRUINBUN (25.00283)

Recommendation: That Council:

1. Approve the acquisition of land for the purposes of the Roads Act 1993 affecting Lot 15 in DP755761 and Lot 4 in DP252350 on The Bridle Track at Bruinbun; and
2. Approve the terms proposed as detailed in the Director Engineering Services' report.

Report: Council would be aware of the proposal to reinstate alternative 4 wheel drive access to Hill End via The Bridle Track by realigning the road around Monaghan's Bluff, a section of road that was closed in August 2010 due to a rock fall.

A preliminary design for the realignment has been undertaken and for the proposal to proceed, the acquisition of land will be required. **Attachment 1** shows 3 separate properties that will be affected by the proposal. Lot 15 in DP755761 (green shading) and Lot 4 in DP252350 (blue shading) are the subject of this report. Lot 3 in DP252350 (orange shading) will be the subject of a separate report.

The owners of Lots 4 and 15 have been approached regarding the proposal and have provided their written consent to proceed with the acquisition, subject to Council's approval of the following terms.

That Council:

1. Will engage a registered surveyor to undertake a formal survey and prepare a suitable plan for registration at NSW Land Registry Services.
2. Negotiate compensation by agreement with the landowner for land lost, pursuant to the provisions in the Land Acquisition (Just Terms Compensation) Act 1991.
3. Arrange for fencing along the new property boundary similar to existing fencing.
4. Pay the landowner's reasonable legal costs and bank fees.

Financial Implications: The cost of acquiring the land including survey, fencing, legal and compensation costs is estimated at \$50,000. A \$2,000,000 grant has been provided by the State Government to assist with funding the proposed works.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.2

Community Engagement

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

MINUTE

31 Item 5 PROPOSED ROAD WIDENING - LOT 15 DP755761 AND LOT 4 DP252350 THE BRIDLE TRACK, BRUINBUN (25.00283)
MOVED: Cr A Christian SECONDED: Cr M Morse

RESOLVED: That Council:

1. Approve the acquisition of land for the purposes of the Roads Act 1993 affecting Lot 15 in DP755761 and Lot 4 in DP252350 on The Bridle Track at Bruinbun; and
2. Approve the terms proposed as detailed in the Director Engineering Services' report.

**6 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 36.00700 & 36.00585)**

Recommendation: That the information be noted.

Report: 1 TENDER FOR PROPOSED EGLINTON SEWER RISING MAIN (36.00700)

This report considers the proposed tender for the construction of the Eglinton Sewer Rising Main.

**2 12 MONTH EXTENSION - PROVISION OF LABOUR & EQUIPMENT - MOWING
MAINTENANCE CONTRACT (36.00585)**

This report considers a proposal for a 12 month extension of the mowing maintenance contract.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

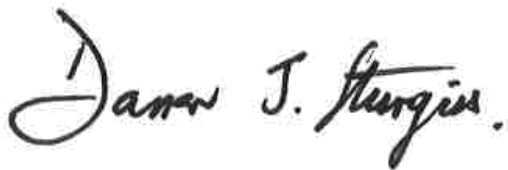
MINUTE

32 Item 6 ITEMS INCLUDED IN CONFIDENTIAL COMMITTEE OF THE WHOLE
(11.00005, 36.00700 & 36.00585)

MOVED: Cr W Aubin SECONDED: Cr I North

RESOLVED: That the information be noted.

Yours faithfully

A handwritten signature in black ink that reads "Darren J. Sturgiss." The signature is written in a cursive style with a large initial 'D'.

Darren Sturgiss
DIRECTOR
ENGINEERING SERVICES

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT AND
MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

1 GREAT WESTERN WALK (GWW) (20.00020)

Recommendation: That Council:

- (a) Approve, in principle, Council's participation in the Great Western Walk Implementation Committee and the development of the project as it evolves.
- (b) Nominate the Mayor and General Manager, or their delegate, as Council's representatives on the Great Western Walk Implementation Committee.

Report: Council has been requested to participate on the Great Western Walk Implementation Committee (GWWIC). The role of this committee will be to implement the development of the proposed walking track in a timely manner. The first meeting of this Committee was held on Thursday 21 February 2019 in the Lithgow City Council Chambers. Stakeholders from Department of Premier and Cabinet, Lithgow City Council, Oberon Council, Blue Mountains City Council, NSW National Parks and Wildlife Service, Crown Lands also attended the meeting. The next meeting of the GWWIC will be held in May 2019.

Background

The Great Western Walk (GWW) is a 160 km route that runs from Emu Plains on the Nepean River to the Flag Staff at Bathurst on the banks of the Macquarie largely following the line of Australia's first inland road built by William Cox and a convict team in 1814-15 and that this route traverses the lands of the Darug, Gundungurra and Wiradjuri nations and their ancient Dreaming tracks with a history of at least 22,000 years.

The route offers a rich experience of cultural and natural heritage including of the Greater Blue Mountains World Heritage Area with the 70 kilometre stretch in the Blue Mountains passing through the Blue Mountains in close proximity to town centres and transport thereby offering great potential for healthy and mind expanding recreation and tourism that will bring considerable economic benefits.

The GWWIC is currently seeking input and approvals from the Gundungurra, Darug and Wiradjuri elders on the Great Western Walk project. The Committee is also engaging with other levels of government to seek support for the proposal.

Benefit

The proposed iconic tourism project is likely to bring considerable economic and cultural benefits to the five Local Government Areas it will traverse and beyond.

Conclusion

An appropriately developed, branded and delivered iconic walk across the Blue Mountains to the Bathurst Region has the potential to support key directions in the Community Strategic Plan, the Bathurst Region Destination Management Plan, Destination Country and Outback NSW Destination Management Plan 2018-2020, and to enhance the natural and cultural tourism product of the Bathurst Region.

The GWW has the potential to be such an iconic walk, and the GWWIC has acknowledged that further work is required to mature the proposition, in particular in relation to Aboriginal community engagement, key approvals, occupation of land, permissibility, asset management and branding.

Further reports will be provided to Council as the project progresses.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.1
- Objective 2: A smart and vibrant economy Strategy 2.6

Community Engagement

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

MINUTE

33 Item 1 GREAT WESTERN WALK (GWW) (20.00020)
MOVED: Cr I North SECONDED: Cr J Rudge

RESOLVED: That Council:

- (a) Approve, in principle, Council's participation in the Great Western Walk Implementation Committee and the development of the project as it evolves.
- (b) Nominate the Mayor and General Manager, or their delegate, as Council's representatives on the Great Western Walk Implementation Committee.

2 VILLAGE EVENT FUNDNG PROGRAM PROCESS (16.00163)

Recommendation: That Council:

- (a) Endorse the Village Events Funding Program.
- (b) In year one of the Program consult with each Village to develop a Strategic Plan to guide the approach to the relevant village.
- (c) Receive a further report after the audit of Village event proposals and completion of a draft Strategic Plan during 2019 to inform the roll out of the program.

Report: At Council's Policy Committee meeting held 6 June 2018, a request was made to investigate a funding program for village events (Minute 23, Item 18).

A report was provided to Council on 15 August 2018 (DCCS Report #4, copy of report at **attachment 1**) for consideration with the following resolution:

That Council:

- (a) *Support, in principle, the establishment of the Village Event Funding Program.*
- (b) *Receive a further report on the process for the proposed Village Event Funding Program.*
- (c) *Refer funding for the Village Event Funding Program of \$40,000 per annum to the 2019/2020 draft budget for consideration.*

Objective

The overall objective of a Village Event Funding Program will be to assist, build and grow local events and aid in creating a robust and sustainable events and tourism industry and improved visitor experiences which leads to repeat visitation and economic development.

There are a number of ways in which Council could distribute and administer the distribution of a Village Event Funding Program and these are outlined below:

The fund could:

- Support the establishment of a strategic plan which would guide the appropriate tactical distribution of funds to support the development of proven flagship events as drivers of tourism in each village (eg, The End Festival, Hill End, Rebellion on the Turon, Sofala).
- Support the establishment of new events.
- Support the marketing of emerging events which will contribute to an improved visitor experience, grow the profile of the village and encourage visitation.
- Be reviewed every three (3) years.

The Village Event Fund could act as an 'incubation fund' where not-for-profit entities who run events can apply for funding assistance during the emerging and growth stages of the local event activation. Council will determine the program funding allocation and include in the annual budget process.

For the purpose of the Village Event Fund, a not-for-profit entity is an organisation that does

not operate for profit or direct/indirect gains of its individual members, but with the primary purpose of providing services to the community.

Certain criteria will need to be met including:

- All events receiving funding under the Village Event Fund will be asked to complete a survey following the event.
- The event positively promotes the Local Government Area (LGA) and has the potential to contribute to the social, cultural and economic well-being of the LGA.
- Budget/Outline of income and expenses is provided.
- The organising committee has a sound governance structure and appointed roles.

Next Steps

It is proposed, in the first year of the program, that Council engage a suitably qualified consultant to work with each Village to assist the Village in developing a sustainable business model for each event.

Financial Implications: Should Council approve the establishment of a Village Event Funding Program, an amount of \$40,000 will need to be allocated in the 2019/2020 draft budget for consideration. Grant funding, such as the Drought Communities funding or other grants, could be considered for this project.

Bathurst Community Strategic Plan - Objectives and Strategies

- | | |
|--|--------------|
| • Objective 1: Our sense of place and identity | Strategy 1.3 |
| • Objective 2: A smart and vibrant economy | Strategy 2.6 |
| • Objective 5: Community health, safety and well being | Strategy 5.2 |

Community Engagement

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

34 Item 2 VILLAGE EVENT FUNDNG PROGRAM PROCESS (16.00163)
MOVED: Cr B Bourke SECONDED: Cr J Jennings

RESOLVED: That Council:

- (a) Endorse the Village Events Funding Program.
- (b) In year one of the Program consult with each Village to develop a Strategic Plan to guide the approach to the relevant village.
- (c) Receive a further report after the audit of Village event proposals and completion of a draft Strategic Plan during 2019 to inform the roll out of the program.

3 BATHURST REGION TOURISM REFERENCE GROUP - MEETING 1 APRIL 2019 (07.00116)

Recommendation: That the information be noted.

Report: Included in the Destination Management Plan, adopted by Council on 20 May 2015, the establishment of a Tourism Reference Group (TRG) has been undertaken, with the membership of the Group endorsed by Council on 9 December 2015.

The role of the Group is to provide strategic advice, review plans and provide recommendations to Council for the implementation of the Destination Management Plan.

The Bathurst Region Tourism Reference Group met at BVIC on 1 April 2019. The Minutes of the Group's Meeting are provided at **attachment 1.**

Councillors should note that the Minutes of each meeting of the Tourism Reference Group are formally adopted at the next meeting.

The following items were discussed at the Meeting held on Monday 1 April 2019:

- Frequency of TRG Meetings was discussed and a consensus agreed to reduce the number of regular scheduled meetings to 4 annually, being March, June, September and December. The Terms of Reference indicated a minimum of 3 meetings be held annually. The TRG will continue to communicate between meetings by Drop Box, emails and extra-ordinary meetings, as necessary.
- New Bathurst Region Destination Management Plan development process.
- Local Government NSW Tourism Conference, current tourism trends.
- Successful Australian Visitor Information Centres (AVIC) & Australian Tourism Accreditation Program (ATAP) Accreditation inspections at Bathurst Visitor's Information Centre.
- Launch of Autumn Colours Program.
- PR Activity and media engagement.
- Reports from Tourism Industry sectors.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- | | |
|--|--------------|
| ● Objective 1: Our sense of place and identity | Strategy 1.2 |
| ● Objective 2: A smart and vibrant economy | Strategy 2.1 |
| ● Objective 5: Community health, safety and well being | Strategy 5.2 |
| ● Objective 6: Community leadership and collaboration | Strategy 6.1 |

Community Engagement

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

MINUTE

35 Item 3 BATHURST REGION TOURISM REFERENCE GROUP - MEETING 1
APRIL 2019 (07.00116)

MOVED: Cr J Rudge SECONDED: Cr A Christian

RESOLVED: That the information be noted.

4 2019 INTERNATIONAL WOMEN'S DAY EVENTS (23.00026)

Recommendation: That the information be noted.

Report: International Women's Day is celebrated across the globe on 8 March annually. In Bathurst each year Council leads celebrations to acknowledge and celebrate achievements of women locally, regionally and internationally. The international Theme for 2019 was: #Balanceforbetter.

The International Women's Day banner was displayed across William Street in celebration of the event.

In 2019, Bathurst Regional Council held two events to celebrate International Women's Day. These events were promoted through social media, Council's website, Council News, local radio and newspaper. Promotional posters and corflute signs were also displayed throughout the city.

Balance with Bubbles – Friday 8 March 2019

International Women's Day was celebrated with a free event *Balance with Bubbles*, held in Machattie Park (opposite Begonia House) from 5pm – 7pm. The event provided women with an opportunity to relax and enjoy share platters with a glass of bubbles (alcoholic or non-alcoholic), while listening to music from two young local musicians in the beautiful surroundings of Machattie Park. The event was a celebration of women and the importance of balance in everyday life.

Balance with Bubbles featured guest speaker Dr Georgina Learmonth. Dr Learmonth is an Anaesthetic Registrar at Bathurst Base Hospital. Dr Learmonth spoke about the objectives of International Women's Day, gender balance and the importance of balance in everyday life. Dr Learmonth also made reference to her own life pathways and the value of strong, supportive women.

An information table that contained pamphlets and fact sheets about services available for women in the Bathurst region was also displayed.

Approximately 170 people attended Balance with Bubbles, making it one of the most successful International Women's Day events in recent times. Anecdotally, many people in attendance had not previously attended an International Women's Day event.

All About Women – Sunday 10 March 2019

All About Women event was held at Bathurst Memorial Entertainment Centre on Sunday 10 March 2019 from 1pm – 5.30pm. This event was a livestreaming of three sessions from *All About Women* from Sydney Opera House. 106 people attended this event. All three sessions were free to attend.

Session 1 – *#MeToo, Year Two*, featuring Emily Steel, Sohaila Abdulali, Tina Tchen, this session was hosted by Lenore Taylor

Session 2 – Feminism in the Arab world, featuring Aya Chebbi, Dima Matta and Randa Abdel Fattah. This session was hosted by Sarah Saleh.

Session 3 – leading while female, featuring Julia Banks, Julie Bishop, Linda Burney and Sarah Hanson-Young. This session was hosted by Jacqueline Maley.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 5: Community health, safety and well being Strategy 5.1, 5.3, 5.5

Community Engagement

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

MINUTE

- 36 Item 4 2019 INTERNATIONAL WOMEN'S DAY EVENTS (23.00026)
MOVED: Cr J Rudge SECONDED: Cr M Morse

RESOLVED: That the information be noted.

5 2019 HARMONY DAY EVENT - SATURDAY 23 MARCH 2019 (09.00032)

Recommendation: That the information be noted.

Report: Bathurst Regional Council coordinated a free community event at the Bathurst Library/Art Gallery forecourt on Saturday 23 March 2019, from 10am to 12noon to celebrate Harmony Day. The event featured food, coffee, live acts and entertainment, with a key theme that “Everyone Belongs”.

Over 350 people from a range of cultural backgrounds celebrated the rich diversity of cultures in the Bathurst Region and the importance of inclusiveness, respect and acceptance.

A Warming to Country was provided by Aunty Gloria Rogers, a local Wiradjuri Elder.

The community was entertained by Varis Punjab De Canberra, Bathurst Drumming Group, Filipiniana Friends Group of Bathurst, Promenade Dance School, Bagpipes, Madison Pincott and Olive Watch.

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 1: Our sense of place and identity Strategy 1.3
- Objective 5: Community health, safety and well being Strategy 5.1, 5.3, 5.4

Community Engagement

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

MINUTE

- 37 Item 5 2019 HARMONY DAY EVENT - SATURDAY 23 MARCH 2019 (09.00032)
MOVED: Cr B Bourke SECONDED: Cr W Aubin

RESOLVED: That the information be noted.

6 BATHURST PUBLIC ART POLICY (11.00038)

Recommendation: That Council:

- (a) Note the submissions received during the public exhibition period.
- (b) Provide a letter to the groups and individuals who provided a submission thanking them for their contribution to the Bathurst Public Art Policy.
- (c) Adopt the Bathurst Public Art Policy with change to Clause 4.3.v. as noted in this report.
- (d) Select a Councillor delegate to be a member of the Public Art Program Committee

Report: At the ordinary meeting of Council held on 12 December 2018, Council resolved that the Bathurst Public Art Policy be placed on public exhibition for 28 days. A copy of the draft Bathurst Public Art Policy document was provided at the meeting held 12 December 2018, Director Cultural & Community Services Report #2.

The draft plan was placed on public exhibition from Thursday 13 December 2018 until Thursday 21 February 2019. The draft plan was made available to members of the public at the following locations during this period encouraging review and comment:

- Council's YourSay Bathurst website;
- Council's Civic Centre (ground floor and first floor);
- Bathurst Library;
- Council's Cultural Facilities (Art Gallery, BMEC, Australian Fossil & Mineral Museum, Chifley Home & Education Centre, National Motor Racing Museum)

Advertisements were placed in the Council notices section and classified section of the Western Advocate on each Saturday during this period. The draft plan was also provided to those who participated in the consultation process.

As at the closing date for submissions, 8 responses had been received from individuals and organisations from the Bathurst region. All respondents were highly supportive of the document and its vision to develop a Public Art Policy which will invigorate the region and provide a platform for the realisation of the key strategies of the Bathurst Cultural Vision 2036. Respondents praised the Bathurst Regional Council for its initiative.

A summary of the submissions is provided at **attachment 1** for Council's consideration. Many of the submissions contained useful information regarding the implementation of actions. All submissions included positive comments, and the information and ideas contained in the submissions will guide future endeavours.

Examples of some comments received are provided below:

- **Sandy Bathgate, Bathurst Heritage Network** - "Together with The Cultural Plan, we believe new spirit can be injected into Bathurst's public spaces to great effect, and to the advancement of tourism, and of social enrichment."
- **Pauline Barker, Convenor, Bathurst Town Square Group** - "Bathurst Regional Council is to be congratulated on creating a policy to develop further a vibrant and stimulating visual environment and an ongoing community conversation."
- **Julia Blackwood, Member, Bathurst Regional Art Gallery Society Committee** - "It is to be hoped that funds will be contributed on an annual basis to enable the aims outlined

in this draft policy to be realised.”

- **Ingrid Pearson** - “I applaud Council for developing this Draft Public Art Policy and agree with the 3 Strategies outlined.”

An item of concern was raised by two respondents in relation to sign-off authority for non-Council public art (Clause 4.3.v.). On review, it is recommended that this clause be amended to read: Non-Council public art proposals – Director Cultural & Community Services / Art Gallery Director.

To assist in the implementation of the Policy, the formation of a Public Art Technical Review Panel (PATRP) and a Public Art Program Committee (PAPC) will be undertaken.

The PATRP is made up of relevant staff from across Council to assess public risk and safety measures associated with creating assets in the public realm.

The PAPC is tasked with ensuring the right conceptual and aesthetic decisions are made in relation to Council initiated projects. Membership will include BRAG, a Councillor and augmented with local art and built environment professional expertise. They would only meet when there is a relevant project to deliver. An expression of interest program will follow.

Financial Implications: Should the Bathurst Public Art Policy be adopted, this Policy will guide future budget and resource allocation.

Bathurst Community Strategic Plan - Objectives and Strategies

- | | |
|---|----------------------------------|
| ● Objective 1: Our sense of place and identity | Strategy 1.1, 1.2, 1.3, 1.4, 1.5 |
| ● Objective 2: A smart and vibrant economy | Strategy 2.1, 2.3, 2.6 |
| ● Objective 4: Enabling sustainable growth | Strategy 4.1, 4.3 |
| ● Objective 6: Community leadership and collaboration | Strategy 6.6 |

Community Engagement

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

MINUTE

38 Item 6 BATHURST PUBLIC ART POLICY (11.00038)

MOVED: Cr J Rudge SECONDED: Cr J Jennings

RESOLVED: That Council:

- (a) Note the submissions received during the public exhibition period.
- (b) Provide a letter to the groups and individuals who provided a submission thanking them for their contribution to the Bathurst Public Art Policy.
- (c) Adopt the Bathurst Public Art Policy with change to Clause 4.3.v. as noted in this report.
- (d) Select Councillor Rudge as delegate to be a member of the Public Art Program Committee

MINUTE

39 Item 7 DRAFT BATHURST COMMUNITY SAFETY PLAN 2019 - 2023 **(20.00179)**

MOVED: Cr B Bourke SECONDED: Cr W Aubin

RESOLVED: That Council:

- (a) Endorse the placement of the draft Bathurst Community Safety Plan 2019 - 2023 on public exhibition for the statutory 28 day period and receive submissions until Thursday 16 May 2019.
- (b) Prepare a further report following the conclusion of the public exhibition period, in preparation to adopt the Bathurst Community Safety Plan 2019 - 2023.

Yours faithfully



Alan Cattermole
DIRECTOR
CULTURAL & COMMUNITY SERVICES

POLICY COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - POLICY COMMITTEE MEETING - 3 APRIL 2019 (07.00064)

Recommendation: That the recommendations of the Policy Committee Meeting held on 3 April 2019 be adopted.

Report: The Minutes of the Policy Committee Meeting held on 3 April 2019, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

MINUTE

- 40 Item 1 MINUTES - POLICY COMMITTEE MEETING - 3 APRIL 2019 (07.00064)
MOVED: Cr W Aubin SECONDED: Cr B Bourke

RESOLVED: That the recommendations of the Policy Committee Meeting held on 3 April 2019 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 3 APRIL 2019

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

Present: Councillors Hanger (Chair), Aubin, Bourke, Christian, Fry, Jennings, Morse, North.

APOLOGIES

2 APOLOGIES
MOVED Cr I North

and **SECONDED** Cr W Aubin

RESOLVED: That the apology from Cr Rudge be accepted and leave of absence granted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 6 MARCH 2019 (07.00064)
MOVED Cr W Aubin and **SECONDED** Cr M Morse

RESOLVED: That the Minutes of the Policy Committee Meeting held on 6 March 2019 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002
MOVED Cr I North

and **SECONDED** Cr W Aubin

RESOLVED: That the Declaration of Interest be noted.

GENERAL BUSINESS

5 GASWORKS SITE (22.00052)

Cr Bourke - enquired as to the status of this site.

The General Manager noted conversations that are currently being held.

6 **Item 2 POPULARLY ELECTED MAYOR (12.00005)**

Cr Bourke - asked where the survey is at on this proposal?

The General Manager advised survey completed, results are being collected.

7 **Item 3 PIGEON PROGRAM (14.00627)**

Cr Bourke - queried where scheduled program is at.

The Director of Environmental, Planning and Development Services will review the program and advise Council of status.

8 **Item 4 PIGEON PROGRAM - ELECTRIC TAPE (14.00627)**

Cr Jennings - enquired as to where investigations are at, will we be looking at using this method.

9 **Item 5 FEDERAL FUNDS - DROUGHT RELIEF (16.00171)**

Cr Jennings - spoke to \$1 million grant, recently approved. Does money have to be spent in this calendar year? Possible funding options; villages, water efficiencies etc.

The General Manager advised it is understood funds must be spent by 31 December 2019

10 **Item 6 DAYLIGHT SAVING - WATER RESTRICTIONS (32.00017)**

Cr Jennings - asked if there would be any changes to restrictions with the finish of daylight saving?

The General Manager advised restrictions will remain under the existing time restraints.

11 **Item 7 STREET LIBRARIES AND LIBRARY SERVICES (21.00054)**

Cr Jennings - spoke to expansion of services eg seed, cooking utensils, toy library

facilities.

12 **Item 8 FORGOTTEN PARKS (04.00034)**

Cr Jennings - requests a Working Party on the forgotten parks of Bathurst and proposed upgradings. Then spoke to College Road Park Petition received and the last Policy Meeting where this was raised in Council. Also noted Council's Parks Works Budget which caters for upgrades. Requests the irrigation, trees, basketball hoop and line-marking proposed works, be undertaken for College Road for a cost estimate of \$12,000 to \$13,000.

Further, requests Council look at a staging process for the Centennial Park works.

Meeting was suspended at 6.15 pm for the commencement of the Discussion Forum.

General Business resumed at 6.36 pm following the conclusion of the Discussion Forum

13 **Item 9 PARKS AND GARDENS (04.00034)**

Cr Aubin - agrees with proposal of Cr Jennings and requests a Working Party be held as soon as practical on the balance of the funds of around \$38,000. Need to look also at scheduled works for Centennial Park.

14 **Item 10 BUS INTERCHANGE (25.00006)**

Cr Aubin - asked if this matter has been considered by Council?

The General Manager spoke to history of Interchange that was built in Howick Street.

15 **Item 11 LEP - CBD HEIGHT LIMIT (20.00143)**

Cr Aubin - asked is there a limit of 12 metres? What height is the Courthouse building? Then spoke to the urban sprawl and the need for medium density CBD area, this will assist in affordability.

The Director of Environmental, Planning and Development spoke to controls in place in LEP and DCP's and recently the Housing Study being undertaken.

16 **Item 12 BUS INTERCHANGE (25.00006)**

Cr Morse - spoke to position of bus company and the non-use of the interchange space.

17 **Item 13 FLOODING ELEVEN MILE DRIVE (25.00029)**

Cr Morse - matter raised by ratepayer - who is responsible for removing the Bulrushes?

The General Manager advised that if private property, it is the owner's responsibility and it is an issue under State Government controls.

18 **Item 14 FOOTBALL - CAR PARKING ON ROAD VERGES (18.00296)**

Cr Morse - advised has received concerns from people in Howick Street about cars parking on verges and that they weren't advised of the event. Can we please do this for future events?

19 **Item 15 PARKS AND GARDENS (04.00034)**

Cr Morse - stated that at Centennial Park all they want is water. The costs are ridiculous. Spoke to College Road proposal, feels unfair.

20 **Item 16 POPULARLY ELECTED MAYOR (12.00005)**

Cr Morse - stated not happy with wording of the survey. The main issue was the preamble, which did not mention that a popularly elected Mayor is elected for four (4) years.

21 **Item 17 DROUGHT - MEALS ON WHEELS IMPACTS (13.00031)**

Cr Morse - Meals on Wheels are impacted by the drought, as have nutritional requirements that must be met. Product costs are going up, some assistance is needed. Perhaps drought relief fund may assist?

22 **Item 18 ETERNAL FLAME (04.00021)**

This is page 4 of Minutes of the Policy Committee held on 3 April 2019

Cr Morse - advised that the new sculpture will be opened on Anzac Day.

23 **Item 19 SOLAR FARM (13.00061)**

Cr Fry - advised that Albury Council now has a solar farm and have combined it with the methane generator at the tip. Can we use our methane? We need to do a study for a solar farm. Albury's was built by private developers.

The Acting Director of Engineering Services advised that the agreement for methane at Waste Management Centre (WMC) is still in place. Spoke to economic viability issues.

24 **Item 20 DROUGHT FUNDS (16.00171)**

Cr Fry - suggests; conduct workshops on native regeneration projects (do it with Upper Macquarie County Council), update storm water management plan.

25 **Item 21 TRAFFIC STUDY (28.00017)**

Cr Fry - asked will the Traffic Study look at a third crossing of the river? Should look at acquisition of land.

Acting Director of Engineering Services advised that it is understood that the study will include this.

26 **Item 22 CENTENNIAL PARK (04.00047)**

Cr Fry - requested, should look at storm water harvesting and also if Rocket and Bentinck intersection would be able to be used.

27 **Item 23 ELEVEN MILE DRIVE (25.00029)**

Cr Christian - Asked, can we contact the relevant authorities with respect to flood issues?

28 **Item 24 MARSDEN LANE PEDESTRIAN CROSSING (25.00124)**

Cr Christian - representations have been received about need for crossing. Can this be investigated, there is a problem near Holy Family School?

29 **Item 25 BLISTERS AT KEPPEL AND WILLIAM STREETS (25.00039) (25.00002)**

Cr Christian - asked, are these Council's responsibility? Could they be tidied up?

30 **Item 26 AUSTRALIA DAY COMMITTEE (23.00033)**

Cr Christian - advised that the recent meeting was very productive. Spoke to suggestions made and asks that the Councillors hold a Working Party to discuss.

31 **Item 27 COLLEGE ROAD (25.00126)**

Cr Christian - stated, happy with Cr Jennings proposal, but Council needs to look at Centennial Park and the scope of works. This is a decision for Councillors to make.

32 **Item 28 PARKS AND GARDENS (04.00034)**

Cr North - stated, good to see this item raised tonight. Council has responsibilities to undertake works. Also need to do study of all our buildings to comply with disability requirements.

33 **Item 29 DISABILITY LOGO (07.00031)**

Cr North - asked where has this matter gone with the international logo?

The Director of Environmental, Building and Development Services advised that the international logo is mandatory, additional signage can go in to complement, if Council should so determine.

34 **Item 30 CCTV (36.00690)**

Cr North - asked where is the roll out at?

The Director of Cultural and Community Services advised that it is still on track to go live at the end of May. Under-boring is occurring.

35 **Item 31 RIFLE CLUB (18.00077) (20.00278)**

Cr North - spoke to issues of concern with respect to the second circuit.

The Mayor advised that a meeting was recently held to discuss matters of concern.

36 **Item 32 MITRE / SUTTON / LAMBERT STREET ROUNDABOUT (25.00095) (37.00593)**

Cr North - asked where is this at?

The Acting Director of Engineering Services advised Geolyse has nearly finished the design, tenders to be called in the near future.

37 **Item 33 ALGAE AT DAM (32.00005) (13.00012)**

Cr North - spoke to representations from Mr T Jones on this matter.

The Acting Director of Engineering Services advised that a testing regime is in place, and this is in accordance with national standards.

38 **Item 34 SPORT & RECREATION COUNCIL (18.00021)**

Cr North - asked when people are put on the Sports Honour Board, can we do a Mayoral Welcome?

39 **Item 35 UMCC - DROUGHT NEEDS (18.00172)**

Cr North - advised that in current dry conditions, the aerial spray program has stopped. When the drought breaks, weeds will be a problem, so might need a drought assistance program, possibly Federal Government Drought Grant could be used?

40 **Item 36 FLOW METERS IN RIVER (31.00010)**

Cr North - suggest perhaps additional meters could be put into the river, via the Federal Government Drought Grant.

41 **Item 37 WINTER FESTIVAL - KEPPEL STREET (23.00152)**

Cr North - noted that Council is working with Keppel Street owners. Could a report come back to Councillors?

42 **Item 38 ROADS AT ROCKLEY (25.00575)**

Cr North - tabled a letter of concern from a resident for Council's attention.

43 **Item 39 URBAN SPRAWL (20.00143)**

Cr North - noted concerns being raised, need to review in next LEP.

DISCUSSION FORUM OTHER

44 **Item 1 DRAFT COMMUNITY PARTICIPATION PLAN (20.00331)**

Discussion included:

Ingrid Pearson - Ratepayer

- Spoke to Section 3.3 and queried why social media was not included.
- Section 3.10 queried process of determining who will be notified.
- Section 3.14.1(c) Demolition of heritage items, need clarification of what is a 'minor' matter, need guidelines developed.
- Section 3.14.4.4 Privacy matters, overshadowing and notification concerns re exempt development.
- Does Council require notification to itself?

S Bathgate - Bathurst Heritage Network Representative

- Thanked Councillors for work they do in the community.
- Advise Bathurst Heritage Network have made a submission.
- Spoke to issue of notification and the principle involved - should be anyone affected be notified. Rules are very much the same and these are old, notification has been a very vexed matter. Need a more consultative approach and involve the community
- People across a pathway or laneway from a development should be notified. Council should also look at notification of owners of strata properties in the process.
- Where a site is a landmark site, particularly in the CBD these should be exhibited, examples include: St Stephen's Church.

EXTENSION OF TIME

MOVED Cr I North and **SECONDED** Cr J Jennings

RESOLVED: That an extension of time be granted for S Bathgate

C O'Rourke - Ratepayer

- Supports Mr Bathgate's comments and has put in a written submission.
- Spoke to consultation processes currently in place re issues of being representative of the community.
- Referred to last community survey results received. Then referred to planning process results for Eglinton.
- Suggested Council establish a citizens jury to deliver recommendations to Council on big issues of concern. They are used by a number of authorities.

EXTENSION OF TIME

MOVED Cr I North and **SECONDED** Cr J Fry

RESOLVED: That an extension of time be granted for C O'Rourke

B Trimming - Ratepayer

- Spoke to the increase in community participation. Some speakers have received extension of time, yet new Code of Meeting Practice is reducing time people can speak to four (4) minutes and also people will only be able to speak on the Agenda, that is wrong. The Code of Meeting Practice is in conflict with Council's Community Participation Plan.

General Business resumed.

MEETING CLOSE

45 **MEETING CLOSE**

The Meeting closed at 7.20 pm.

CHAIRMAN: _____

TRAFFIC COMMITTEE MEETING

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 MINUTES - TRAFFIC COMMITTEE MEETING - 2 APRIL 2019 (07.00006)

Recommendation: That the recommendations of the Traffic Committee Meeting held on 2 April 2019 be adopted.

Report: The Minutes of the Traffic Committee Meeting held on 2 April 2019, are **attached**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.4

Community Engagement

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

MINUTE

- 41 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 2 APRIL 2019 (07.00006)
MOVED: Cr W Aubin SECONDED: Cr J Rudge

RESOLVED: That the recommendations of the Traffic Committee Meeting held on 2 April 2019 be adopted.

MINUTES OF THE TRAFFIC COMMITTEE
HELD ON 2 APRIL 2019

MEETING COMMENCES

1 MEETING COMMENCES 2:00 PM

Members: Ms Jackie Barry (Roads & Maritime Services), Senior Constable Jason Marks (NSW Police), Mr David Veness (MP Representative) and Councillor Warren Aubin (BRC).

Present: Mr Bernard Drum (Manager Technical Services) and Mr Andrew Cutts (Tablelands Area Road Safety Officer).

APOLOGIES

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - TRAFFIC COMMITTEE MEETING - 5 MARCH 2019 (07.00006)

That the Minutes of the Traffic Committee Meeting held on 5 March 2019 be adopted.

DECLARATION OF INTEREST

4 DECLARATION OF INTEREST 11.00002

That the Declaration of Interest be noted.

RECEIVE AND DEAL WITH DIRECTORS' REPORTS

Director Engineering Services' Report

5 Item 1 MINUTES OF THE TRAFFIC COMMITTEE MEETING HELD 5 MARCH 2019 (07.00006)

That the information be noted and necessary actions be taken.

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

That the information be noted.

7 **Item 3 2019 WINTER FESTIVAL (23.00152)**

That the 2019 Winter Festival to be held in the Bathurst CBD from 6-21 July 2019 be classified as a Class 2 event, and the traffic management for this event be endorsed subject to conditions as detailed in the Director Engineering Services' report.

8 **Item 4 RELOCATION OF DISABLED PARKING - 225 GEORGE STREET BATHURST (25.00039-05/154)**

That Council approve the relocation of a disabled parking space from outside 213 George Street to 225 George Street, subject to the conditions as noted in the Director Engineering Services' report.

9 **Item 5 CAMP QUALITY – MOTOCYC 2019 EVENT (23.00026-20/004)**

That this report not be considered by the Traffic Committee.

10 **Item 6 BATHURST EDGELL JOG 2019 (23.00130)**

That the Bathurst Edgell Jog to be held on Sunday 22 September 2019 be classified as a Class 2 event and the traffic management for this event be endorsed subject to conditions as detailed in the Director Engineering Services' report.

11 **Item 7 SUPERCHEAP AUTO BATHURST 1000 TRAFFIC MANAGEMENT PLAN (04.00001-42)**

That Council adopt the following zones and restrictions as part of the Traffic Management Plan for the 2019 Supercheap Auto Bathurst 1000, as noted in the report.

12 **Item 8 TEMPORARY BUS ZONES FOR THE 2019 SUPERCHEAP AUTO BATHURST 1000 (28.00022-02)**

That Council approve the proposed temporary bus zones and extension of existing bus zone times subject to conditions as detailed in the Director Engineering Services' report.

13 **Item 9 2019 SUPERCHEAP AUTO BATHURST 1000 OFF-TRACK EVENT ROAD CLOSURES AND TEMPORARY NO PARKING (04.00073-08)**

That Council approve the staging of the 2019 Supercheap Auto Bathurst 1000 off-track events as follows:

- (a) Parade and B-Double Permit routes;
- (b) Super Wednesday;

(c) Saturday Street Fair.

All events are to be classified as Class 2 events and approved subject to conditions as detailed in the Director Engineering Services' Report.

14 **Item 10 NO PARKING SIGNS FOR ELECTRIC VEHICLE CHARGING STATIONS (25.00089)**

That Council:

- (a) Note the information.
- (b) Approve the installation of No Parking signs.

TRAFFIC REGISTER

15 **Item 1 TRAFFIC REGISTER (07.00006)**

That the information be noted.

MEETING CLOSE

16 **MEETING CLOSE**

The Meeting closed at 2.27pm

NOTICES OF MOTION AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

1 NOTICE OF MOTION - CR FRY - WATER INITIATIVES (11.00004, 32.00026, 16.00103)

Recommendation: Moved by Cr Fry:

That Bathurst Regional Council declare our Local Government Area (LGA) a 'Water Smart Region'

Report: Notice is hereby given:

That Bathurst Regional Council declare our Local Government Area (LGA) a 'Water Smart Region'

Financial Implications: Nil

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 3: Environmental stewardship Strategy 3.1, 3.2
- Objective 6: Community leadership and collaboration Strategy 6.2

Community Engagement

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

MINUTE

42 Item 1 NOTICE OF MOTION - CR FRY - WATER INITIATIVES (11.00004, 32.00026, 16.00103)

MOVED: Cr J Fry SECONDED: Cr I North

RESOLVED: Moved by Cr Fry:

That Council discuss at the next available working party, the declaration of Bathurst Regional Council Local Government Area (LGA) as a 'Water Smart Region'

MINUTE

43 **Item 1.01 EXTENSION OF TIME (11.00004, 32.00026, 16.00103)**
MOVED: Cr B Bourke SECONDED: Cr I North

RESOLVED: That an extension of time of 1 minute be granted to Cr Fry for this item in accordance with Clause 250 (3) of the Local Government (General) Regulation 2005.

COUNCILLORS/ DELEGATES REPORTS AND MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

1 CENTROC BOARD MEETING 28 FEBRUARY 2019 (DPI-ORANGE) (07.00017)

Recommendation: That the report on the CENTROC Board meeting held on 28 February 2019 at DPI-Orange, be noted.

Report: The Board meeting of CENTROC and Central NSW Joint Organisation was held on Thursday 28 February 2019 at GATE (Global Ag-Tech Ecosystem) Department of Primary Industries, Orange.

The Board heard a presentation from Ms Carolynne James, the GATE Project Leader & Manager, Investment and Business Development Unit, Department of Primary Industries on this initiative. The Board was updated on the Orange Life Sciences Precinct by Mr Mark Burdack, Director of Corporate Services, Orange City Council.

The implementation timeline for the Joint Organisation is on track for the actions required by the Office of Local Government. Prior to the Board meeting, a Strategic workshop took place providing direction on progressing transition. A special meeting of the Joint Organisation Board will be called via a phone hook-up to approve both the Statement of Strategic Regional Priority and the Central NSW Joint Organisation Strategic Plan.

Progress has been made on the Code of Meeting Practice for the CENTROC NSW Joint Organisation and feedback from the Office of Local Government will form a report to the next meeting.

The Board met with the Member for Calare, Assistant Minister to the Deputy Prime Minister, The Hon Andrew Gee MP, who addressed the Board regarding drought issues, and the Minister for Agriculture and Water Resources, Minister Assisting the Prime Minister for Drought Preparation and Response, The Hon David Littleproud.

Transport Infrastructure - The CENTROC Board continues advocating for a safe swift link between Central NSW and Western Sydney. At the recent meeting in January with Penrith City Council there was agreement for an "alliance of the willing" in support, to be developed. It will include case study material from industry.

Through the Transport Technical Group, advocacy is to be made to RMS regarding the REPAIR grant program for a 4 year approved program. The Group has also considered the development of a Freight Study for Central NSW by CSIRO, and will seek appropriate funding accordingly.

Water Infrastructure - The CWUA will investigate the potential for a regional application to stream 2 of the revised Safe and Secure program. This is for funding to procure consulting services to update CWUA member Councils' Integrated Water Cycle Management (IWCM) strategies.

Health - The Central NSW JO Board resolved for Local Government NSW to be approached to take carriage of regional health workforce challenges for NSW, requesting a one day forum shining a light on challenges for regional communities regarding health workforce. This approach includes that a review of the publication Advice to the National Rural Health Commissioner on the development of the National Rural Generalist Pathway be undertaken and the potential of leveraging the Beyond the Range website to support the attraction and retention of health workforce be proffered.

Regional Development - A draft Memorandum of Understanding with Regional Development Australia Central West was presented which the Board approved that it be adopted and signed.

Planning - An update on the Priority Projects of the Central West and Orana Regional Plan from NSW Government Planning and Environment was provided.

Advocacy for better timelines on LEPs and the planning "backlog" for the region will be undertaken.

Tourism - WRI will be engaged to develop a Central NSW Joint Organisation Tourism Tool to assess the real value tourism offers to a local community, particularly for smaller local government areas.

The project will be over a two year period; any specific data will attract a further fee. Council contributions would come from the funding in the Central NSW Tourism budget at \$15,000 pa for two years and a maximum of \$3,000 from each LGA per annum. Funding will also be sought through Destination Network Country and Outback to reduce the cost to LGA's.

Operational - The Central NSW JO Board approved a Memorandum of Understanding with Local Government Procurement (LGP) and will be seeking to co-design improvements to aggregated procurement with LGP in a best practice framework. Local Government Procurement (LGP) has now concluded the FY17/18 Rebate Scheme having returned participants in excess of \$1.1 million. The Board was updated on the \$10.9 million in savings that CENTROC has assisted members since 2009.

In the coming weeks a proforma report on the Southern Lights Project will be prepared. Southern Lights is a plan to provide 41 Local Government areas in southern NSW, stretching from Bega to Broken Hill with smart enabled LED street lights and low to medium bandwidth communications technology. The coverage represents almost half of the 83 LGAs serviced by Essential Energy. This enabling infrastructure will provide better, safer, cheaper lighting and connectivity that will act as a catalyst for participating Councils and others to invest in smart community technologies; technologies that will increase efficiencies and improve service delivery.

Financial - The CENTROC Board noted the anticipated full year profit of \$48,452 at 30 June 2019 against a budgeted profit of \$12,059.

Financial Implications: Council's involvement in CENTROC and Central NSW Joint Organisation is provided for within existing budget allocations.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.5
- Objective 6: Community leadership and collaboration Strategy 6.1
- Objective 6: Community leadership and collaboration Strategy 6.2
- Objective 6: Community leadership and collaboration Strategy 6.3

Community Engagement

- Inform To provide the public with balanced

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

MINUTE

44 Item 1 CENTROC BOARD MEETING 28 FEBRUARY 2019 (DPI-ORANGE)
(07.00017)

MOVED: Cr B Bourke SECONDED: Cr A Christian

RESOLVED: That the report on the CENTROC Board meeting held on 28 February 2019 at DPI-Orange, be noted.

**2 MINUTES - AUSTRALIA DAY WORKING PARTY - 19 FEBRUARY2019
(23.00033)**

Recommendation: That the information be noted.

Report: The minutes of the Australia Day Working Party held on 19 February 2019 are shown at **attachment 1**.

Financial Implications: N/A

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

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

MINUTE

45 Item 2 MINUTES - AUSTRALIA DAY WORKING PARTY - 19 FEBRUARY2019
(23.00033)

MOVED: Cr I North SECONDED: Cr A Christian

RESOLVED: That the information be noted.

3 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 13 MARCH 2019 (11.00019)

Recommendation: That the information be noted.

Report: **Present:** Councillors Hanger (Chair), Aubin (6.15 pm), Bourke, Christian, Fry, Jennings, Morse, North, Rudge

Apologies: Nil

1. LIFELINE CENTRAL WEST (18.00004)

Stephanie Robinson, Chief Executive Officer, met with Council to discuss the current activities of Lifeline

Discussion included:

- spoke to the high cost of training/retraining volunteers
- Lifeline Central West receive approximately 2,000 calls per month
- Lifeline is a Registered Training Organisation (RTO)
- Lifeline has historically relied on donations/grants, which is not sustainable
- Lifeline have worked with Blayney & Oberon Councils in delivering mental health checks
- "One Day Gatekeeper" training - prevention of rural suicide - trialling in Dubbo
- working with the O'Connell community in delivering "gatekeeper" training
- One goal is to make our communities suicide safer
- Desire/need to have Councils on board for the program to have an impact in the community

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 6: Community leadership and collaboration Strategy 6.1, 6.2, 6.3

Community Engagement

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

MINUTE

**46 Item 3 COUNCILLORS MEETING WITH COMMUNITY
GROUPS/REPRESENTATIVES - 13 MARCH 2019 (11.00019)**
MOVED: Cr B Bourke SECONDED: Cr J Rudge

RESOLVED: That the information be noted.

4 COUNCILLORS MEETING WITH COMMUNITY GROUPS/REPRESENTATIVES - 27 MARCH 2019 (11.00019)

Recommendation: That the information be noted.

Report: **Present:** Councillors Hanger (Chair), Aubin (6.05 pm), Christian, Fry, Jennings, Morse, North, Rudge

Apologies: Councillor Bourke

1. AH&P ASSOCIATION - ROYAL BATHURST SHOW (18.00108)

Brett Kenworthy, Secretary, Colin McPhee, Vice President
Sam Faraway, Apology

- spoke of assistance provided by Council to Association
- spoke of Council sponsorship of Supreme Exhibits and Community Stage
- seeking continuation of sponsorship program
- plans - get back to more of its agricultural origins
- adapting to requirements for new things whilst retaining agricultural aspect

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.3
- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

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

MINUTE

**47 Item 4 COUNCILLORS MEETING WITH COMMUNITY
GROUPS/REPRESENTATIVES - 27 MARCH 2019 (11.00019)
MOVED: Cr W Aubin SECONDED: Cr A Christian**

RESOLVED: That the information be noted.

5 MINUTES - BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE - 28 MARCH 2019 (07.00107)

Recommendation: That the information be noted.

Report: The Bathurst Regional Community Safety Committee considered the following item at the March Meeting, including the following:

- Review of Draft Bathurst Community Safety Plan 2019 – 2023.

The minutes are provided at **attachment 1**

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

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 2: A smart and vibrant economy Strategy 2.3
- Objective 4: Enabling sustainable growth Strategy 4.1
- Objective 5: Community health, safety and well being Strategy 5.2
- Objective 6: Community leadership and collaboration Strategy 6.1

Community Engagement

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

MINUTE

48 Item 5 MINUTES - BATHURST REGIONAL COMMUNITY SAFETY COMMITTEE
- 28 MARCH 2019 (07.00107)

MOVED: Cr A Christian SECONDED: Cr M Morse

RESOLVED: That the information be noted.

MINUTE

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

MOVED: Cr I North SECONDED: Cr A Christian

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

There were no representations from the public.

RESOLVED: That:

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

*** DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	RURAL LICENCE AGREEMENT - LOT 5 DP586023 AND LOT 11 DP717095 AND PART LOT 12 DP717095 KNOWN AS 117 - 131 COLLEGE ROAD, BATHURST	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	SALE OF LAND AT LOT 1004 DP1129907 KNOWN AS 49 HAMPDEN PARK ROAD, KELSO	10A (2) (c) – contains information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business. Discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it would prejudice council's position in negotiating commercial and or financial arrangements.
3	MANAGING AGENCY AGREEMENT - LOTS 4, 5, 8 & 9 DP232111 KNOWN AS 98 MOUNTAIN STRAIGHT, MT PANORAMA	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

4	EXPRESSION OF INTEREST - CONVEYANCING SERVICES 2019 - 2022	10A (2) (d) (iii) – contains commercial information of a confidential nature that would, if disclosed, reveal a trade secret.
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*** DIRECTOR ENGINEERING SERVICES' REPORT**

ITEM	SUBJECT	REASON FOR CONFIDENTIALITY
1	TENDER FOR PROPOSED EGLINTON SEWER RISING MAIN	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.
2	12 MONTH EXTENSION - PROVISION OF LABOUR & EQUIPMENT - MOWING MAINTENANCE CONTRACT	10A (2) (d) (i) – contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it. Discussion of the matter in open council would, on balance, be contrary to the public interest as it would prejudice the commercial position of the person who supplied it.

**DIRECTOR CORPORATE SERVICES & FINANCE'S CONFIDENTIAL
MINUTES**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

MINUTE

- (a) **Item 1 RURAL LICENCE AGREEMENT - LOT 5 DP586023 AND LOT 11 DP717095 AND PART LOT 12 DP717095 KNOWN AS 117 - 131 COLLEGE ROAD, BATHURST (22.07535,22.07536)**
MOVED: Cr B Bourke SECONDED: Cr J Fry

That Council approves entering into a rural licence agreement for Lot 5 DP586023 and Lot 11 DP717095 and part Lot 12 DP717095, known as 117 - 131 College Road, Bathurst for a period of 10 years with a 10 year option period, as detailed in the report.

MINUTE

(b) Item 2 SALE OF LAND AT LOT 1004 DP1129907 KNOWN AS 49 HAMPDEN PARK ROAD, KELSO (22.16153)

MOVED: Cr B Bourke SECONDED: Cr A Christian

That Council approves the sale of Lot 1004 in DP1129907, 49 Hampden Park Road, Kelso as detailed in the report.

MINUTE

**(c) Item 3 MANAGING AGENCY AGREEMENT - LOTS 4, 5, 8 & 9 DP232111
KNOWN AS 98 MOUNTAIN STRAIGHT, MT PANORAMA (22.03772)**

MOVED: Cr W Aubin SECONDED: Cr M Morse

That Council delegates authority to the General Manager to enter into a managing agency agreement for Lots 4, 5, 8 & 9 DP232111 known as 98 Mountain Straight, Mt Panorama as detailed in the report.

MINUTE

**(d) Item 4 EXPRESSION OF INTEREST - CONVEYANCING SERVICES
2019 - 2022 (10.00009)**

MOVED: Cr W Aubin SECONDED: Cr M Morse

That Council accepts the Expression of Interest for Conveyancing Services submitted by legal representatives for a period of three (3) years commencing on 17 May 2019 and concluding on 16 May 2022 as detailed in the report.

Yours faithfully

A Jones
**DIRECTOR
CORPORATE SERVICES & FINANCE**

DIRECTOR ENGINEERING SERVICES' CONFIDENTIAL MINUTES

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

MINUTE

(e) Item 1 TENDER FOR PROPOSED EGLINTON SEWER RISING MAIN
(36.00700)

MOVED: Cr I North SECONDED: Cr J Rudge

That Council accepts the tender of Thompsons Irrifab, for the construction of the Eglinton Sewer Rising Main in the amount of \$357,433.40 inclusive GST, subject to adjustments and provisional items.

MINUTE

(f) Item 2 12 MONTH EXTENSION - PROVISION OF LABOUR & EQUIPMENT - MOWING MAINTENANCE CONTRACT (36.00585)

MOVED: Cr I North SECONDED: Cr M Morse

That Council extend the Glenray Industries mowing maintenance contract in accordance with the Director Engineering Services' report.

Yours faithfully

Darren Sturgiss
**DIRECTOR
ENGINEERING SERVICES**

MINUTE

50 **RESOLVE INTO OPEN COUNCIL**
MOVED: Cr A Christian SECONDED: Cr B Bourke

RESOLVED: That Council resume Open Council.

MINUTE

51 ADOPT REPORT OF THE COMMITTEE OF THE WHOLE
MOVED: Cr J Rudge SECONDED: Cr B Bourke

RESOLVED: That the Report of the Committee of the Whole, Items (a) to (f) be adopted.

MINUTE

52 MEETING CLOSE

The Meeting closed at 8.25 pm.

CHAIRMAN: _____

**DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES'
REPORT - ATTACHMENTS**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

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Type	Year	No.	Value	Description	Address	Date Determine
10	2017	455	\$5,000	Outdoor bathroom	153 Gormans Hill Road GORMANS HILL	26/03/2019
10	2018	290	\$656,431	Demolition of existing dwelling, garage and outbuilding and constructi	23 Park Street EGLINTON	5/03/2019
10	2018	340	\$1,400,000	Boundary adjustment and new KFC restaurant	12 Ingersole Drive KELSO	5/03/2019
10	2017	221	\$323,500	MOD - 1 two lot subdivision (boundary adjustment) 2. Dual occupancy an	1 Poate Street WINDRADYNE	18/03/2019
10	2018	460	\$0	Demolition of existing buildngs	215 Durham Street BATHURST	18/03/2019
10	2018	469	\$308,600	Partial demolition, alterations and additions to dwelling, carport	203 Keppel Street BATHURST	4/03/2019
10	2018	484	\$300,000	Demolition and construct dwelling and shed	5 Lord Street BATHURST	25/03/2019
10	2018	487	\$1,195,800	Alterations and additions to existing commercial premises and two lot	8 Stockland Drive KELSO	4/03/2019
10	2019	2	\$0	Six lot rural subdivision (including boundary adjustments and	Ophir Road ROCK FOREST	11/03/2019
10	2019	7	\$0	Land filling	476 Curly Dick Road TARANA	5/03/2019
10	2019	9	\$0	Two removable banners for commercial signage	125 William Street BATHURST	25/03/2019
10	2019	11	\$70,000	Transportable second dwelling and water tank	10 Strathmore Drive FOREST GROVE	4/03/2019
10	2019	20	\$0	Demolition of dwelling and sheds, construction of single storey	298 Howick Street BATHURST	26/03/2019
10	2019	22	\$0	Change of use to beauty salon and associated business identification s	62 George Street BATHURST	6/03/2019
10	2019	24	\$157,880	Change of use to recreational facility (gymnasium) and associated fito	3 Pat O'Leary Drive KELSO	4/03/2019
10	2019	25	\$300,000	Single storey dwelling with attached garage and stables and arenas	128 Saint Anthonys Creek Road GLANMIRE	8/03/2019
10	2019	26	\$28,950	Farm shed	689 Vale Road ORTON PARK	7/03/2019
10	2019	30	\$27,500	Shed	930 Vale Road PERTHVILLE	6/03/2019
10	2019	31	\$0	Change of use to hairdresser & installation of sign	144-146 Russell Street BATHURST	13/03/2019
10	2019	34	\$21,840	Garage	7 Cross Street BATHURST	8/03/2019
10	2019	38	\$25,000	Partial demolition, alterations and additions to dwelling	99 Havannah Street BATHURST	19/03/2019
10	2019	39	\$0	External painting of commercial premises and new signage	68 William Street BATHURST	19/03/2019
10	2019	41	\$17,750	Shed	44 McBrien Drive KELSO	13/03/2019
10	2019	43	\$5,000	Free standing toilet block	163 Sydney Road KELSO	18/03/2019
10	2019	44	\$0	External painting and installation of signage to the frontage of exist	264 Stewart Street BATHURST	4/03/2019
10	2019	47	\$150,000	Additions and alterations to dwelling	32 McBrien Drive KELSO	21/03/2019
10	2019	49	\$0	External painting of facade of existing building	195 George Street BATHURST	11/03/2019
10	2019	50	\$48,000	Shed and rainwater tank	1523 Sofala Road PEEL	13/03/2019
10	2019	51	\$15,000	Alterations to roof structure of existing commercial premises	253 Howick Street BATHURST	5/03/2019
10	2019	53	\$18,000	Shed	44 Hamilton Street EGLINTON	21/03/2019
10	2019	56	\$25,000	External alterations to commercial premises	85 Keppel Street BATHURST	29/03/2019
18	2019	23	\$308,860	Additions to dwelling (detached habitable room)	2130 Tarana Road GEMALLA	6/03/2019
18	2019	25	\$320,000	Single storey dwelling with attached garage	3 Dovey Drive KELSO	4/03/2019
10	2019	58	\$495,000	Dual occupancy and two lot residential subdivision	49 Emerald Drive KELSO	18/03/2019
10	2019	60	\$477,000	Dual occupancy and two lot residential subdivision	2 Kellahan Street EGLINTON	18/03/2019
10	2019	61	\$320,000	Alterations to place of public worship	1/3 Sydney Road RAGLAN	20/03/2019
18	2019	22	\$0	Single storey dwelling with attached garage	2 Keystone Rise KELSO	6/03/2019
10	2019	63	\$2,500	Front gates	62 Mitre Street BATHURST	18/03/2019
18	2019	26	\$318,000	Single storey dwelling with attached garage	6 Alluvial Place KELSO	6/03/2019
18	2019	27	\$350,000	Single storey dwelling and attached garage	15 Keystone Rise KELSO	7/03/2019
10	2019	68	\$19,591	Underpinning piers	84 Rocket Street BATHURST	13/03/2019
10	2015	196	\$450,000	MOD - Recreation facility - Go Kart track	Brocks Skyline MOUNT PANORAMA	22/03/2019
10	2019	72	\$10,000	Shed	42 Hamilton Street EGLINTON	29/03/2019
10	2019	73	\$28,750	Carport and patio cover	127 Blue Ridge Drive WHITE ROCK	21/03/2019
18	2019	32	\$40,000	Inground swimming pool and fence	391 Laffing Waters Lane LAFFING WATERS	13/03/2019

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Type	Year	No.	Value	Description	Address	Date Determine
10	2019	77	\$435,370	Single storey dwelling with attached garage	7 Marble Close KELSO	27/03/2019
10	2019	81	\$9,037	Front boundary fence and gates	105 Hope Street BATHURST	29/03/2019
18	2019	34	\$210,000	Single storey dwelling with attached garage	11 Newlands Crescent KELSO	26/03/2019
18	2019	35	\$334,100	Single storey dwelling with attached garage	11 Burlington Rise KELSO	26/03/2019
18	2019	36	\$31,000	In ground swimming pool and safety barrier	7 Quigley Close KELSO	27/03/2019
18	2019	38	\$320,000	Single storey dwelling and attached garage	7 Keystone Rise KELSO	27/03/2019
18	2019	39	\$307,200	Single storey dwelling with attached garage	48 Duramana Road EGLINTON	29/03/2019

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Type	Year	No.	Value	Description	Address	Date Determine
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NIL

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Type	Year	No.	Value	Description	Address
10	2017	214	\$75,000	Internal office addition to existing hangar	PJ Moodie Drive RAGLAN
10	2018	115	\$0	Continued and expanded operation of an extractive industry	1329 Mid Western Highway EVANS PLAINS
10	2018	128	\$19,000	Use of existing habitable space	79 Bonnor Street KELSO
10	2018	227	\$8,500,000	Mixed use redevelopment	7 Keppel Street BATHURST
10	2018	240	\$0	Use of existing spa pool	486 Billywillinga Road BILLYWILLINGA
10	2018	244	\$572,000	One x two bedroom and one x three bedroom two storey units, three lot	198 Rankin Street BATHURST
10	2016	441	\$432,000	MOD - Separate dwelling addition	16 PJ Moodie Drive RAGLAN
10	2018	350	\$0	123 lot residential subdivision	Marsden Lane KELSO
10	2018	380	\$0	124 lot residential subdivision with associated roads	Marsden Lane KELSO
10	2018	395	\$0	90 lot residential subdivision, new roads and 1 residue lot	Colville Street WINDRADYNE
10	2018	404	\$320,000	Single storey dwelling with attached garage	690 The Bridle Track DURAMANA
10	2018	411	\$0	Alterations to existing dwelling	280 Russell Street BATHURST
10	2018	426	\$30,000	Addition to existing outbuilding	1585 Sofala Road PEEL
10	2018	433	\$396,515	Single storey rural dwelling with attached garage and detached shed	291 Mount Haven Way MEADOW FLAT
10	2019	5	\$680,000	Four residential units & strata subdivision	145 Durham Street BATHURST
10	2019	8	\$0	50 lot and 1 residual commercial subdivision and new roads	PJ Moodie Drive RAGLAN
18	2019	6	\$20,000	Additions to a dwelling	16 Cherrywood Crescent LLANARTH
10	2019	16	\$0	Demolition of dwelling and outbuildings	3 Reef Street HILL END
10	2018	52	\$120,000	MOD - Tourism accommodation and related tourism	453 Conrod Straight MOUNT PANORAMA
18	2019	11	\$292,000	Single storey dwelling with attached garage	31 Darling Street EGLINTON
10	2018	373	\$429,840	MOD - change of use from warehouse to self-storage units	60 Corporation Avenue ROBIN HILL
10	2013	239	\$0	MOD - Commercial signage	120 Russell Street BATHURST
10	2019	35	\$40,000	Shed	60 Cottonwood Drive EGLINTON
10	2019	45	\$200,000	Alterations and additions to existing second dwelling	310 Eleven Mile Drive EGLINTON
10	2019	48	\$10,000	Establishment of cafe in existing church premises	9 Corporation Avenue ROBIN HILL
10	2019	52	\$14,500	Shed	86 Samuel Way THE LAGOON
10	2019	54	\$8,100	Amenities block	Stewart Street MITCHELL
10	2010	427	\$10,000	MOD - construction of a habitable room	324 Hill End Road SOFALA
10	2017	142	\$0	MOD Internal and external alterations to existing commercial building	205 Howick Street BATHURST
10	2019	55	\$5,000	Retaining wall	6 Ironbark Close KELSO
10	2019	57	\$48,000	Construction of a shed	396 Rivulet Road PEEL
10	2019	59	\$462,000	Dual occupancy and two lot subdivision	5 Granite Rise KELSO
10	2019	62	\$80,000	Demolition of existing toilet block & construction of new toilet block	8 West Street PEEL
10	2019	64	\$600,000	Construction of clubhouse and amenities building for BMX track	357 College Road ORTON PARK
10	2019	65	\$7,800	Carport	20 Heylin Place SOUTH BATHURST
10	2019	66	\$49,500	Retaining wall	23 Lewins Street SOUTH BATHURST
10	2019	67	\$250,000	Single storey dwelling with attached garage	84 Sydney Road KELSO
10	2019	69	\$181,000	Addition to existing mechanical workshop	21 Wembley Place KELSO
10	2019	70	\$4,800	Additions and alterations to existing dwelling	2175 Turondale Road TURONDALE
10	2019	71	\$3,750	Convert carport to shed	17 Torch Street SOUTH BATHURST
10	2019	74	\$2,000	Commercial signage	1 Jacks Close KELSO
10	2019	75	\$18,000	Alterations to dwelling	240 Rocket Street BATHURST
10	2019	76	\$54,000	Change of use from dwelling to office premises	328 Stewart Street BATHURST
10	2019	78	\$0	Subdivision - boundary adjustment and Consolidation	86 Evans Plains Road DUNKELD
10	2019	79	\$80,000	Farm shed	White Rock Road WHITE ROCK
10	2019	80	\$394,993	Single storey dwelling and detached garage	75 McManus Road MEADOW FLAT
10	2017	378	\$500,000	MOD - additions & alterations to main dwelling with attached garage	155 Tarana Road BREWONGLE
10	2019	82	\$476,000	Dual occupancy and two lot residential subdivision	3 Matthews Street WINDRADYNE
10	2019	83	\$4,500	Carport	11 Walpole Close KELSO
10	2019	84	\$0	Three lot rural subdivision	351 Root Hog Road GOWAN
10	2019	85	\$60,000	Demolition of existing garage and construction of new garage	34 Vittoria Street WEST BATHURST
10	2019	86	\$58,000	Temporary structures NRL Bathurst 2019	48 Durham Street BATHURST
10	2018	367	\$600,000	Separate Dwelling - Additions and Swimming Pool and Garage/Shed	277 Howick Street BATHURST
10	2019	87	\$55,000	Additions and alterations to existing dwelling	7 Cross Street BATHURST

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Type	Year	No.	Value	Description	Address
10	2019	88	\$30,000	Change use from dwelling to office premises and alterations and additi	11 Church Street BATHURST
10	2019	89	\$325,000	Two storey dwelling with attached garage and retaining walls	40 Governors Parade WINDRADYNE
10	2019	90	\$0	two lot subdivision	571 Eleven Mile Drive EGLINTON
18	2019	37	\$200,000	Telecommunication facility - Telstra	9 Adrienne Street RAGLAN
10	2019	91	\$4,500	Carport	14 Scotford Place WINDRADYNE
10	2018	396	\$28,960	Modification Commercial - Additions/Alterations and Carport	87 Durham Street BATHURST
10	2019	92	\$527,000	Dual occupancy & two lot residential subdivision	105 Graham Drive KELSO
10	2019	93	\$0	Rural boundary adjustment	2455 Mid Western Highway FITZGERALDS M
10	2019	94	\$25,000	Alterations and additions to existing dwelling	14 Torch Street SOUTH BATHURST
10	2019	95	\$34,800	Alterations and additions to dwelling	19 Blaxland Drive LLANARTH
10	2019	96	\$19,000	Other - Residential Structure	47 Wellington Street EGLINTON



LIVE

Applications Over 40 Days

App Type	Year	No	Description	Address	Application Date	Days Open	Stop Days	Reason
10	2013	239	MOD - Commercial signage	120 Russell Street BATHURST	5/02/2019	56		Under assessment
10	2016	441	MOD - Separate dwelling addition	16 PJ Moodie Drive RAGLAN	27/07/2018	249	242	Waiting on additional information
10	2017	214	Internal office addition to existing hangar	PJ Moodie Drive RAGLAN	16/06/2017	655	609	Additional information requested
10	2018	52	MOD - Tourism accommodation and related tourism	453 Conrod Straight MOUNT PANORAMA	22/01/2019	70		Report to April Council meeting
10	2018	115	Continued and expanded operation of quarry	1329 Mid Western Highway EVANS PLAINS	9/04/2018	358	314	To JRPP - May
10	2018	128	Use of existing habitable space	79 Bonnor Street KELSO	17/04/2018	350	315	Waiting on additional information
10	2018	227	Mixed use redevelopment	7 Keppel Street BATHURST	29/06/2018	277	231	Awaiting applicant advice
10	2018	240	Use of existing spa pool	486 Billywillinga Road BILLYWILLINGA	11/07/2018	265		Waiting on additional information
10	2018	244	One x two bedroom and one x three bedroom two storey units	198 Rankin Street BATHURST	13/07/2018	263	119	Flood level certificate required
10	2018	350	123 lot residential subdivision	Marsden Lane KELSO	18/09/2018	196	144	Additional information requested
10	2018	380	124 lot residential subdivision with associated roads	Marsden Lane KELSO	5/10/2018	179	144	Additional information requested
10	2018	395	90 lot residential subdivision, new roads and 1 residue lot	Colville Street WINDRADYNE	18/10/2018	166	137	Awaiting additional advice
10	2018	404	Single storey dwelling with attached garage	690 The Bridle Track DURAMANA	26/10/2018	158	106	Report to April Council meeting
10	2018	426	Addition to existing outbuilding	1585 Sofala Road PEEL	9/11/2018	144	120	Information requested
10	2018	433	Single storey dwelling, attached garage, separate shed	291 Mount Haven Way MEADOW FLAT	13/11/2018	140	91	Waiting on additional information
10	2019	5	Four residential units & strata subdivision	145 Durham Street BATHURST	8/01/2019	84	55	Waiting on amended plans
10	2019	8	50 lot and 1 residual commercial subdivision	PJ Moodie Drive RAGLAN	10/01/2019	82		Waiting on RMS
10	2019	16	Demolition of dwelling and outbuildings	3 Reef Street HILL END	18/01/2019	74	19	Waiting on additional information
10	2019	35	Shed	60 Cottonwood Drive EGLINTON	12/02/2019	49	45	Discussions with applicant
10	2019	45	Alterations and additions to existing second dwelling	310 Eleven Mile Drive EGLINTON	18/02/2019	43		Waiting on amended plans

Page 1 of 1

Authority

DA's Approved Under SEPP 1



1/3/2019 - 31/3/2019

Council DA	Lot	DP	Street No	Street Name	Suburb	Postcode	Category	Environmental Planning Instrument	Zoning Of Land	Development Standard To Be Varied	Justification Of Variation	Extent Of Variation	Concurring Authority	Date Determined
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NIL

Authority

2018/303-03/001



02 6332 5885
0424 156 450
BRETT@BMDD.COM.AU
DR MAX WELLS BATHURST REGIONAL COUNCIL

8th February 2019
Bathurst Regional Council
158 Russell Street
Private Mail Bag 17
Bathurst NSW 2795
Attention Daniel Dwyer

Daniel,

Development Application – 2018/303
Premises – 261 Lambert Street, Bathurst.

With reference to the above details, we wish to apply for a Review of determination under section 8.2 of the Environmental Planning Assessment Act 1979.

Following the previous determination, significant changes have been made in order to comply with the relevant Development Control Plan and offer better amenity to the adjoining neighbors. Changes include, but are not limited to the following:

- Provide additional onsite visitor parking space,
- Remove zero lot wall of garage,
- Reduce bulk of first floor in turn reducing over shadowing on adjoining neighbors.

If any further information is required, do not hesitate to contact me at your earliest convenience.

Yours sincerely,

B Moulds
Brett Moulds

BATHURST REGIONAL COUNCIL
CASH REGISTER RECEIPT ISSUED.

No. ~~1293730~~ 1296961 DATE ~~8-2-19~~ 14-2-19

10. 2018.303.1

(539) DA - Determination Review \$551.00



Bathurst Regional Council
 PMB 17
 158 Russell Street
 BATHURST NSW 2795
 Telephone: 02 6333 6111
 Fax: 02 6331 7211
 Email: council@bathurst.nsw.gov.au

Important Notice!

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Drawn By: DwyerD
Date: 30/10/2018
Projection: GDA94 / MGA zone 55
Map Scale: 1:1233 @ A4

DA 2018/303

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

Recommendation:

That Council:

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

Report:

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

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

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

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

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

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

GENERAL MANAGER
Page 1

MAYOR

application.

Financial Implications

Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.1, 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4, 6.5

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions

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

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 - (ii) The development will have an adverse impact on the amenity on the adjoining properties in Stewart Street in terms of visual impact, overshadowing and privacy;
- (b) notify those that made submissions of its decision; and
- (c) call a division.

Report: The Site

Council has received a Development Application (DA) for the demolition of an existing shed, the construction of a dual occupancy (two storey second dwelling with attached garage), the construction of a carport and a two lot residential subdivision at 261 Lambert Street, Bathurst, described as Lot B, DP 161951.

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

The site currently contains a single storey semi-detached dwelling with detached shed.

The site has an area of 682.9m².

Adjoining properties contain single storey dwellings and associated outbuildings. The BP service station adjoins part of the eastern boundary of the property.

The proposal

The proposed development includes:

- Demolition of the existing shed;
- Construction of a dual occupancy (in the form of a two storey five bedroom dwelling with attached single car garage);
- Construction of a single car carport for the existing four bedroom dwelling; and
- A two lot residential subdivision to create separate lots for the existing and proposed dwellings.

No works are proposed to the existing dwelling on the site.

The single storey component of the proposed new dwelling, being the garage, will be located 0.2m off the common boundary with 251 Stewart Street. The second storey component will

be located 1.5 metres off the common boundary with 249 and 251 Stewart Street.

It is noted that during the assessment process the applicant submitted amended plans incorporating privacy screens on the first floor windows of the proposed dwelling facing 249 and 251 Stewart Street.

Plans of the proposed development are at **attachment 2** and shadow diagrams at **attachment 3**.

The Statement of Heritage Impact is at **attachment 4**.

Planning Context

Bathurst Regional Local Environmental Plan 2014

The subject site is zoned R1 under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A *dual occupancy (detached)* is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone.

Clause 4.1B Minimum lot sizes for dual occupancies, multi dwelling housing and residential flat buildings

The *Minimum Lot Size – Dual Occupancy Map* for this locality indicates a minimum lot size of 600m². The subject site has an area of 682.9m² and therefore a dual occupancy is permissible.

Clause 4.3 Height of buildings

The *Height of Buildings Map* for this locality indicates a maximum overall building height of 9 metres. The proposed two storey dwelling will have an overall height of 7 metres which therefore complies.

Clause 5.10 Heritage conservation

The subject site is within the Bathurst Heritage Conservation Area. The subject site does not contain a Heritage Item.

The Bathurst Heritage Conservation area is characterised by a variety of double and single storey dwellings. The scale of the proposed dwelling is not inconsistent with other two storey dwellings in the Bathurst Heritage Conservation Area. The materials to be used are generally consistent with those in the locality.

While parts of the proposed new dwelling will be visible from both Lambert Street and Stewart Street, it will be set back a minimum of 40 metres from both street frontages and will therefore have limited direct impact on the streetscape of the respective streets.

Bathurst Regional Development Control Plan 2014

Chapter 4 Residential Development

The site is contained within Precinct 1 pursuant to the *Bathurst Regional Development Control Plan 2014* (DCP). Dual occupancies are permissible with consent in the precinct. While the proposal complies with the objectives of the Precinct it does not comply with all of the development standards for dual occupancies as outlined below:

Development Standard	Proposed	Permissible	Compliance
Minimum lot size	682.9m ²	600m ²	Yes
Site Coverage	40%	Max. 50% coverage	Yes
Height	Two storey	Two storey maximum	Yes
Setback - front	N/A	Complement existing	Yes
Setback - rear	1.7m	In accordance with NCC	Yes
Setback - side	0.2m	In accordance with NCC	Yes
Car parking - resident	1 per dwelling	1 per dwelling	Yes
Car parking - visitor	0	1 per 2 dwellings	No*
Accessway Width	3.5m	3-6m wide	Yes
Open space area - existing dwelling (4 bed)	50.8m ²	50m ²	Yes
Open space area - proposed dwelling (5 bed)	51.5m ²	50m ²	Yes
Open space width - existing dwelling (4 bed)	Min 6.5m wide	4m wide	Yes
Open space width - proposed dwelling (5 bed)	Min 4.0m wide	4m wide	Yes

* At least 1 on site visitor car parking space is required however no provision has been made for on-site visitor car parking. Only one covered resident space is provided for each dwelling despite their considerable size (being 4 bedrooms and 5 bedrooms respectively). There is no opportunity provided for casual parking on the site (i.e. parking in front of garages etc.) due to the need for manoeuvring areas for the respective parking spaces.

The applicant has lodged a *Request for Variation of Development Control Plan Standard* form (**attachment 5**) in respect of the visitor car parking standard and has provided the following reasons for the request:

- *The Lambert Street road carriage way is approximately 29m in width, with an actual two way road width of approximately 15m. Current driveway spacing between the subject site and neighbouring dwellings provide for many on street parking opportunities in the immediate area of the proposed development.*
- *The development site is approximately 10.0m in width. Whilst the site is able to accommodate permanent parking and vehicle manoeuvring areas for both the existing and proposed dwelling, an off street visitor parking space would encroach on allowable building area making the proposed development not financially viable. Given the 'temporary use' nature of a visitor parking space, we believe the on site area would be better utilised as it has currently been documented.*
- *In summary the existing road allows for ample parallel parking on both sides of Lambert Street. Allowing 1 'on street' visitor car space will not have a negative effect on the current road network.*

The existing dwelling (4 bedrooms) and the proposed dwelling (5 bedrooms) are each provided with a single car resident parking space only. This complies with Council's DCP in terms of the resident car parking standard. It must however be acknowledged that the size of each dwelling and the fact that it is provided with the bare minimum of on-site parking means that the request for dispensation in relation to visitor parking is more critical in this instance. The relative size of each dwelling does suggest that variation to the visitor car parking development standard should not be supported.

On street parking in this area is constrained by the proximity of the site to the intersection of Lambert and Stewart Streets. Given the size of the existing dwelling (4 bedrooms) and the

proposed dwelling (5 bedrooms), reliance upon on street parking is not considered acceptable. It is considered that there is insufficient on-site car parking and that the applicant has not provided sufficient justification for the variation to the Development Standard.

It is also noted that parking for both dwellings will be located to the rear of the property so there will be no opportunity for stacked parking in front of the resident parking spaces, as would occur if parking was provided at the street frontage (e.g. in front of a garage).

In this particular case the applicant has not demonstrated that the development standards are unreasonable or unnecessary. Further there is little to suggest that there are sufficient planning grounds to justify the departure and the applicants suggestion the development would not be viable if reduced in scale is questionable.

Whilst the absence of the visitor parking alone may be considered to be a minor issue it is nonetheless symptomatic of the overall size and scale of the development in an attempt to maximise the "financial viability" of the site. It is not unreasonable to suggest that a smaller scale development would generate a significantly lesser impact on the adjoining properties and provide the opportunity for compliance with the development standards.

Chapter 10 Urban Design and Heritage Conservation

A Statement of Heritage Impact, prepared in accordance with Section 10.2.3 of the DCP has been submitted with the application (**attachment 4**). The Statement of Heritage Impact, prepared by *Andrew Starr & Associates*, draws the following conclusion:

The appearance of No. 261 Lambert Street suggests that the house was constructed in the Inter-War period. Land Title searches on the house were inconclusive and an exact date of construction was not determined. The existing house is in the Bathurst Conservation Area and is a contributory item in the streetscape. The house has some heritage significance providing evidence of the development of the area during this period. It is not a rare building and its aesthetics merits are modest. No. 261 is part of a duplex. It's contributory status warrants its retention. It is retained in this proposal.

The new building in the extensive rear yard of the existing property is screened by the existing house on the site and its partner in the duplex from public view from Lambert Street. It is screened from view from the Great Western Highway by the existing service station and houses that run in front the boundary of the yard. There is no impact on the streetscape or its neighbours. The duplex and groups of houses built in the Inter-War Period and Federation period are not impacted.

The choice of materials and finishes are appropriate to the context of the site. There is a clear division between old and introduced fabric that avoids confusion between what is old and what is new.

The proposal is sympathetic to the area. Public enjoyment of the conservation area is not impacted.

The subject site is within the Bathurst Heritage Conservation Area. The subject site does not contain a Heritage Item.

The Bathurst Heritage Conservation area is characterised by a variety of double and single storey dwellings. The design and scale of the proposed dwelling is not inconsistent with other two storey dwellings in the Bathurst Heritage Conservation Area.

While parts of the proposed dwelling will be visible from both Lambert Street and Stewart Street, it will be setback a minimum of 40 metres from both street frontages and will therefore not directly impact on the streetscape.

Public Notification

The Development Application was notified to adjoining property owners from 29 August 2018 to 7 September 2018. Following the notification period a total of two (2) submissions were received (see submissions at **attachment 6**) on behalf of 3 adjoining residences.

A Discussion Forum was convened by the Director Environmental, Planning & Building Services on 12 October 2018. Minutes of the discussion forum are at **attachment 7**. Key issues raised in the submissions and at the discussion forum are as follows:

- Overshadowing

Comment: Section 4.4 of the DCP provides the following:

New development should not significantly affect access to sunlight of existing or likely future development on other property between 9.00am and 3.00pm, particularly living areas and usable open space. At least two hours sunlight to indoor and outdoor living areas of adjoining properties is to be maintained between 9.00am and 3.00pm on June 21.

Shadow diagrams have been provided in 1 hour intervals for the period 9.00am and 3.00pm on 21 June.

Shadows will be cast into the rear yard of 251 Stewart Street from 9.00am onwards on 21 June. At 3.00pm the shadows extend approximately 15 metres into the rear yard of 251 Stewart Street. While shadows will not affect the internal living areas of the dwelling they will impact on the private open space area used for passive recreation, gardening and clothes drying.

Shadows will be cast into the rear yard of 249 Stewart Street from 10.00am onwards on 21 June. At 3.00pm the shadows extend approximately 15 metres into the rear yard of 249 Stewart Street. While shadows will not affect the internal living areas of the dwelling they will impact on the private open space area used for passive recreation, gardening and clothes drying.

247 Stewart Street will not be impacted by shadowing on 21 June at any time.

Accordingly the development as proposed complies with the numerical standards contained in Council's DCP but the development will impact on the usable open space areas of 249 and 251 Stewart Street.

The applicant was invited to submit amended plans to reduce the amount of overshadowing but chose to retain the plans as submitted in regard to building height and set back.

- Privacy/overlooking

Comment: The proposal will directly adjoin the rear yards containing the private open space areas for 249 and 251 Stewart.

The windows on the second storey closest to 249 and 251 Stewart Street are for

bedrooms and the connecting stairwell. Windows in the rear elevation of the second storey are for ensuites.

Subsequent to the submissions and the Discussion Forum the applicant submitted amended plans incorporating privacy screening on the two first floor bedroom windows and one stairwell window facing towards the rear yards of 249 Stewart Street and 251 Stewart Street.

The location of the proposal "behind" and above the properties in Stewart Street is likely to result in an impact that will be perceived as severe by the residents. Whilst this is largely a subjective matter a more sensitive design would lead to an improved sense of privacy for the adjoining residents.

- Stormwater/flooding

Comment: It is the developer's responsibility to capture stormwater from the entire site and convey it to a legal point of discharge. A stormwater concept design has been submitted with the application which shows a pit and pipe system conveying stormwater to Lambert Street. The properties fronting Stewart Street have historically had issues with stormwater coming from the higher properties in Lambert Street. The current proposal has the potential to improve the stormwater situation given that stormwater from the entire site will be captured and conveyed to Lambert Street.

- Inconsistent with character of area

Comment: The Bathurst Heritage Conservation area is characterised by a variety of double and single storey dwellings. The design and scale of the proposed dwelling is not inconsistent with other two storey dwellings in the Bathurst Heritage Conservation Area.

- Visual impact on streetscape

Comment: While small parts of the proposed new dwelling will be visible from both Lambert Street and Stewart Street, it will be setback a minimum of 40 metres from both street frontages and will therefore not directly impact on the streetscape.

- Damage to root system of established trees

Comment: Within the rear yard of 251 Stewart are a number of established trees located close to the common boundary. In some areas the trees overhang the common boundary.

Due to the proximity of the trees to the boundary fence, tree roots are likely to be damaged through excavation works during construction and there is also likelihood of some impact being caused to the future growth of the trees following the building construction, due to possible reduced sunlight in the winter.

It is somewhat difficult for Council to accurately determine what this level of impact will ultimately be. Certainly it would not be unreasonable to remove those parts of the tree which overhang and extend beyond the boundary (roots etc.). This however may lead to long term impacts on the health of those trees.

- Proximity of building to boundary

Comment: Part of the ground floor of the proposed dwelling will be 0.2 metres from the

boundary with 251 Stewart Street. With the appropriate fire rating such as proposed, a setback of less than 0.9 metres can be applied. The remainder of the building, including the second storey component, will be 1.5 metres from the boundary with 249 and 251 Stewart Street. Minimum side and rear setbacks as prescribed in the National Construction Code (NCC) have been achieved. This is consistent with the DCP requirements, but it does result in a blank garage wall to be 0.2 metres from the boundary presenting to neighbouring open space.

- Height/scale of proposed dwelling and resulting visual impact on properties at 247-251 Stewart Street.

Comment: The proposed dwelling will have an overall height of 7 metres and a wall height of 5.4 metres. Along the boundary with 247-251 Stewart Street, the dwelling will be located 0.2 metres from the boundary for the single storey component and 1.5 metres from the boundary for the two storey component.

Given the proximity of the building to the boundary, the height of the building and the relative position of the Stewart Street properties “below” the subject property, it will have a high visual impact on the outlook of properties at 247, 249 and 251 Stewart Street. The proximity to the boundary and the relative levels of the properties means that the extent of change will be large and when viewed from the lower properties would be said to be significant. Whilst this is ultimately a subjective opinion (as the development otherwise complies), it is fair to say that a more sensitive design would have a significantly reduced impact. The applicant was invited to submit amended plans to reflect this sensitivity but has chosen to retain the same bulk and scale as submitted.

Conclusion

Council has received a Development Application for the demolition of an existing shed, the construction of a dual occupancy (two storey second dwelling with attached garage), the construction of a carport and a two lot residential subdivision at 261 Lambert Street, Bathurst. The subject site is within the Bathurst Heritage Conservation Area. The subject site does not contain a Heritage Item. The subject site is zoned R1 under the provisions of the *Bathurst Regional Local Environmental Plan 2014*. A dual occupancy (detached) is permissible with consent in the R1 General Residential zone. The proposal is consistent with the objectives of the zone. The proposal does not comply with Council DCP development standards with respect to visitor car parking provision. Given the size of the existing and proposed dwellings, a variation to this standard cannot be supported. Further, the development will have a high visual impact on the outlook of neighbouring properties and will significantly overshadow the open space areas of neighbouring properties. It is therefore recommended that the Development Application be refused for the reasons outlined in the body of this report.

Financial Implications: Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.1, 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4, 6.5

Community Engagement

- Consult To obtain public feedback on alternatives and/or decisions



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Drawn By: DwyerD

Date: 30/10/2018

Projection: GDA94 / MGA zone 55

Map Scale: 1:1233 @ A4

DA 2018/303



BATHURST REGIONAL COUNCIL

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Drawn By: DwyerD
 Date: 30/10/2018
 Projection: GDA94 / MGA zone 55
 Map Scale: 1:1233 @ A4

DA 2018/303

Contents

- DACC 01 Cover Page
- DACC 02 Site/Roof Plan
- DACC 03 Ground Floor Plan
- DACC 04 First Floor Plan
- DACC 05 Elevations
- DACC 06 Elevation & Sections
- DACC 07 Carport Elevations & Section
- DACC 08 Vehicle Maneuvering Plans
- DACC 09 Sub-division Plan
- DACC 10A Shadow Diagrams 1
- DACC 10B Shadow Diagrams 2
- DACC 10C Shadow Diagrams 3
- DACC 10D Shadow Diagrams 4
- DACC 11 Specification
- DACC 12 Lighting Plans

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BDA
BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA

Date	Issue	Amendment
06/08/18	J	Issued for DACC submission
11/08/18	K	Laundry layout revised - re-issued for DACC submission
28/08/18	L	Site coverage details added
13/09/18	M	Shadow Diagrams Amended
16/10/18	N	Window privacy screen fittings added

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The Modernization Trust
261 Lambert Street, Bathurst

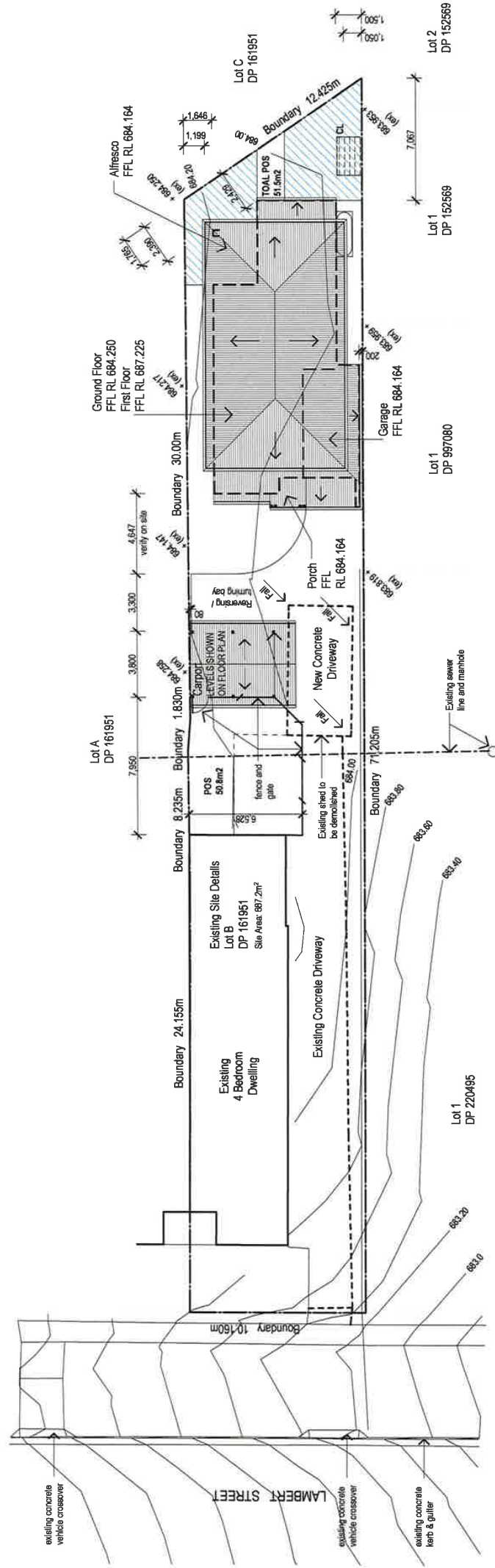


Cover Page
DACC 01

Issue: N
Date: 16/10/18
Project: BMD171886



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12 MAXWELL DRIVE EGLINTON NSW 2795



Legend

A	Aluminium
B	Blown
BDRY	Brickwork
BBP	Bagged & Painted Brickwork
BV	Brick Veneer
CL	Celling Level
CO	Concrete
COINC	Concrete Paver
CPT	Carpet
CRS	Corrugated Roof Sheetting
CT	Canvas Sliding Door
CT	Canvas Sliding Door
DH	Double Hung
DP	Downpipe
EMB	Electrical Meterboard
ENS	Ensuite
FB	Face Brick
FC	Fibre Cement
FLL	Finished Floor Level
FG	Fixed Glass
FW	Fire Wall
GM	Gas Meter
HC	Hollow Core
HWS	Hot Water Service
LDRY	Laundry
MH	Manhole
PB	Plasterboard
PFC	Painted Fibre Cement
O	Opaque Glass
OG	Opaque Glass
PH	Rangehood
RH	Rangehood
RL	Reduced Level
RWT	Rain Water Tank
SC	Solid Core
SD	Sliding Door
SHR	Shower
SS	Stainless Steel Sink
SV	Stone Veneer
TC	Timber Coated Hebel
TYP	Typical
UBO	Under Bench Oven
WC	Water Closet
W	Washing Machine
WM	Water Meter
X	Sliding panel

Refer to DACCC11 for all BASIX Requirements

Site Coverage Calculation

Building Footprint Areas:	130.7m ²
Existing 4 Bedroom Dwelling	22.8m ²
Proposed Carport	92.4m ²
Garage	20.6m ²
Alfresco	8.1m ²
Total Building Footprint Area	274.6m²
Site Area	687.2m ²
Site Coverage	40.0 %

Area Schedule

Ground Floor	92.4m ²
First Floor	94.4m ²
Garage	20.6m ²
Total Building Area	207.4m²
Existing Residence Carport	22.8m ²
Porch	3.0m ²
Alfresco	8.1m ²
Site	687.2m ²

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Amendment	Date	Issue
J	06/08/18	Issued for DACCC submission
K	11/08/18	Laundry layout revised - re-issued for DACCC submission
L	28/08/18	Site coverage details added
M	13/09/18	Shadow Diagrams Amended
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Proposed New Dwelling
Modernization Pty Ltd As Trustee For The Modernization Trust
261 Lambert Street, Bathurst

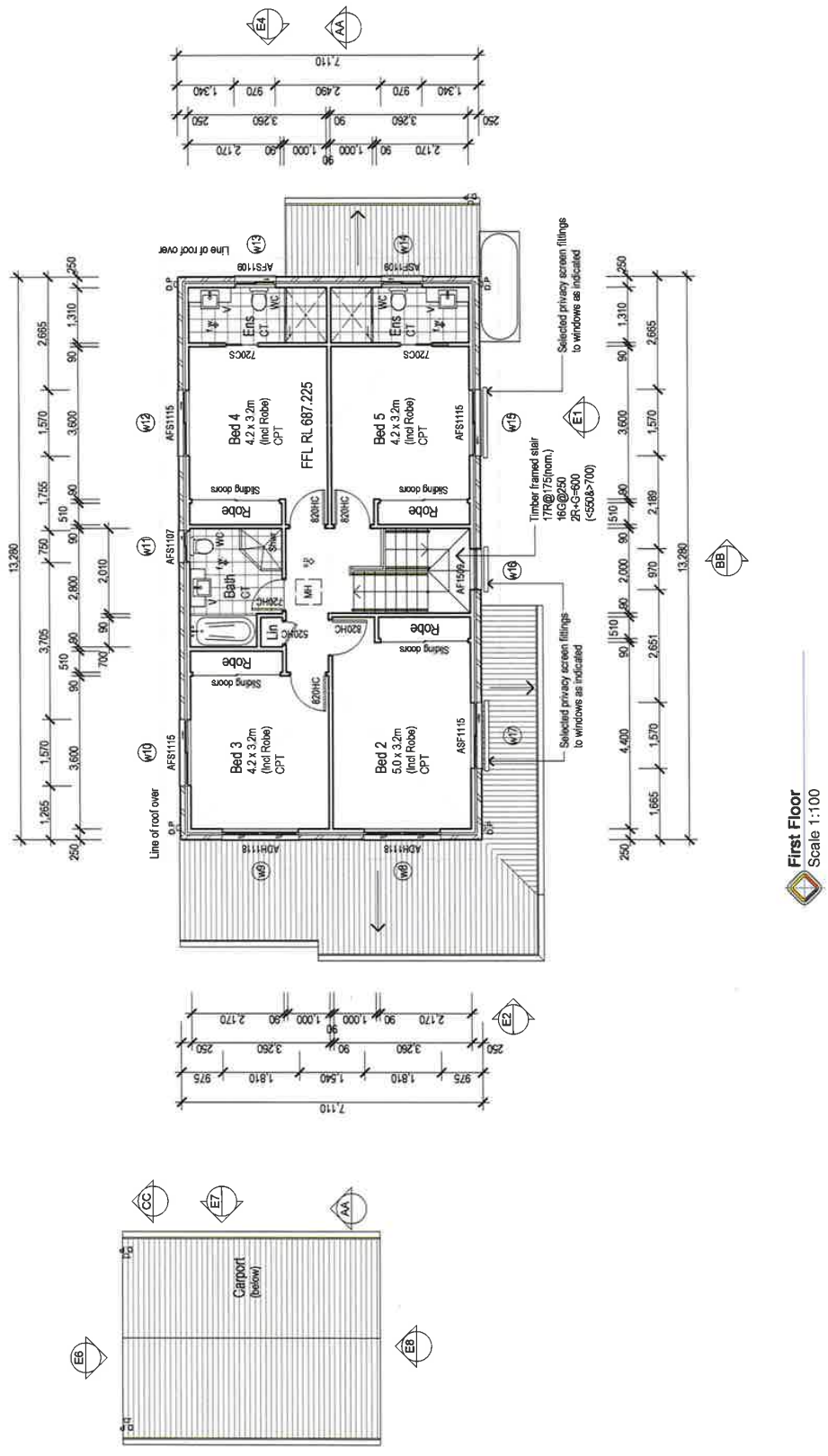
Site/Roof Plan
DACCC 02
Issue: N
Scale: 1:200 @ A2

Date: 16/10/18
Project: BMD171866



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- Legend**
- A Aluminum
 - ASB Asphalt
 - BDRY Brickwork
 - BFB Bagged & Painted Brickwork
 - BV Brick Veneer
 - CL Ceiling Level
 - CONC Concrete
 - CP Concrete Paver
 - CPT Carpet
 - CRS Corrugated Roof Sheeting
 - CS Cavity Sliding Door
 - CSH Cast Stone
 - DH Double Hung
 - DP Downpipe
 - EMB Electrical Meterboard
 - ENS Ensuite
 - FB Face Brick
 - FC Fibre Cement
 - FLL Finished Floor Level
 - FW Fixed Glass
 - GM Glass Mosaic
 - HC Hollow Core
 - HWS Hot Water Service
 - LDRY Laundry
 - MH Manhole
 - PB Plasterboard
 - PFC Painted Fibre Cement
 - O Opaque Glass
 - OP Opal Glass
 - PH Partition
 - RL Reduced Level
 - RWT Rain Water Tank
 - SC Solid Core
 - SD Sliding Door
 - SHR Shower
 - SS Stainless Steel Sink
 - SV Stone Veneer
 - TC Timber Coated Hebel
 - TYP Typical
 - UBO Under Bench Oven
 - WC Water Closet
 - W Washing Machine
 - WM Water Meter
 - X Sliding panel
- Glazing code referring to pages 5 & 6 of BASIX Certificate
- Hard Wired Smoke Detectors
- Refer to DACC11 for all BASIX Requirements



First Floor
Scale 1:100

Area Schedule

Ground Floor	92.4m ²
First Floor	94.4m ²
Garage	20.6m ²
Total Building Area	207.4m²
Existing Residence Carport	22.8m ²
Porch	3.0m ²
Alfresco	6.1m ²
Site	687.2m ²

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bdg
BUILDING DESIGNERS
ASSOCIATION OF AUSTRALIA

Date	Issue	Amendment
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13/09/18	M	Shadow Diagrams Amendment
16/10/18	N	Window privacy screen fillings added

Proposed New Dwelling
DACC 04
Issue: N
Scale: 1:100 @ A2

First Floor Plan

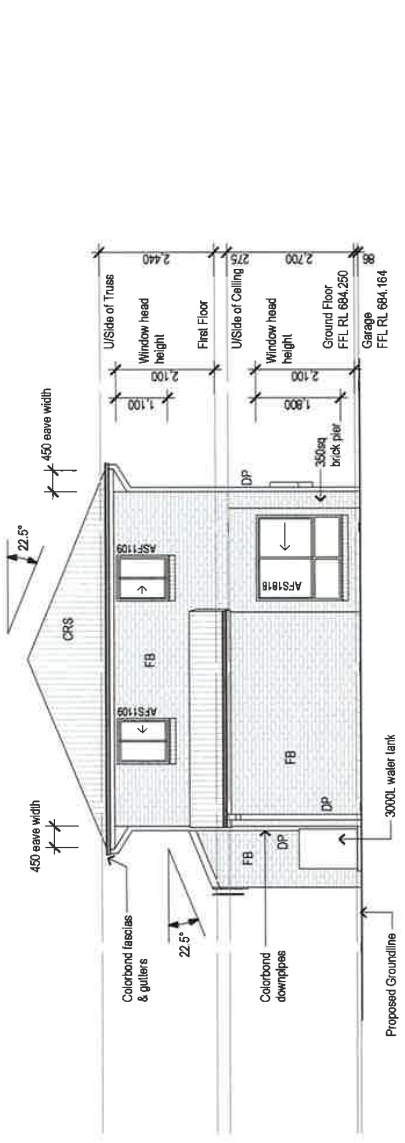
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Project: BMD71666



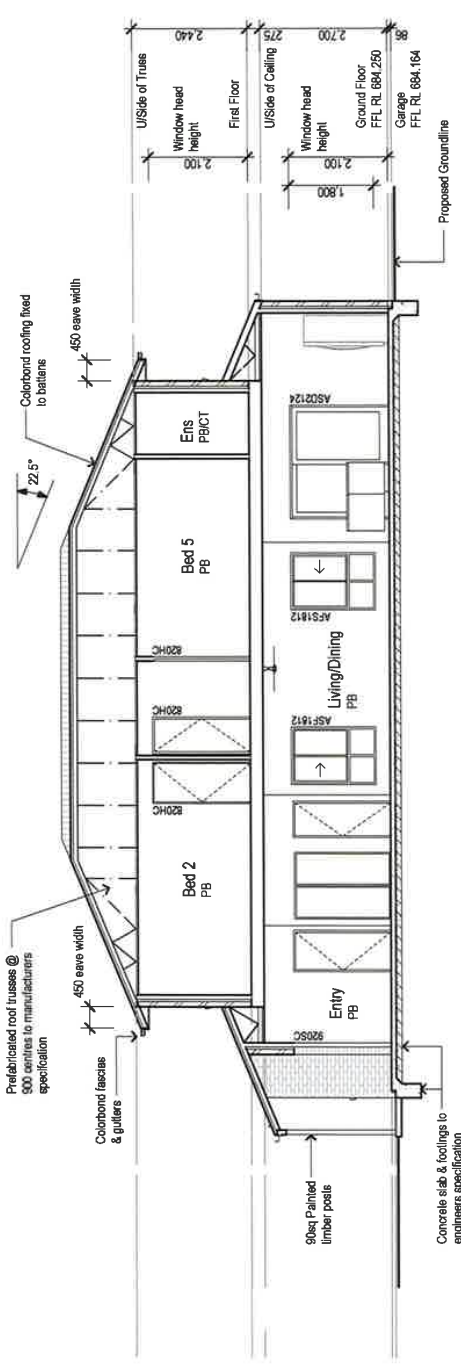
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12 MAXWELL DRIVE EGLINTON NSW 2795

Legend

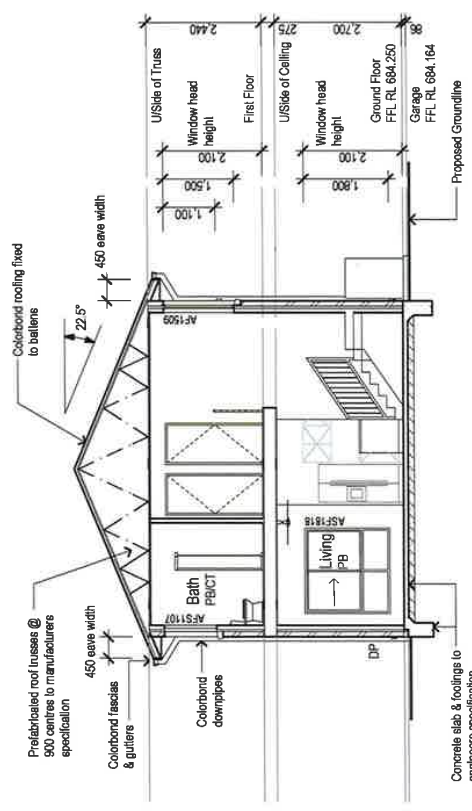
- A Aluminium
 - B Basin
 - BDRY Brickwork
 - BPB Bagged & Painted Brickwork
 - BV Brick Veneer
 - CL Ceiling Level
 - CONC Concrete
 - CONC Concrete Paver
 - CPT Carpet
 - CRS Corrugated Roof Sheeting
 - CS Cavity Sliding Door
 - CS Ceiling Tile
 - CS Double Hung
 - CS Downpipe
 - CS Electrical Meterboard
 - ENS Ensuite
 - ENS Face Brick
 - FC Fibre Cement
 - FLL Finished Floor Level
 - FW Fixed Glass
 - FW Floor Waste
 - GM Glass Mosaic
 - HC Hollow Core
 - HWS Hot Water Service
 - LDRY Laundry
 - MH Manhole
 - PB Plasterboard
 - PFC Painted Fibre Cement
 - O Opaque Glass
 - OG Opaque Glass
 - OH Oscillating
 - RH Rain Head
 - RL Reduced Level
 - RWT Rain Water Tank
 - SC Solid Core
 - SD Sliding Door
 - SHR Shower
 - SS Stainless Steel Sink
 - SV Stone Veneer
 - T Tub
 - TC Tiles
 - TC Tiles Coated Hebel
 - TYP Typical
 - UBO Under Bench Oven
 - WC Water Closet
 - W Washing Machine
 - WM Water Meter
 - WM Water Meter
 - X Sliding panel
- Refer to DACC11 for all BASIX Requirements



Elevation 4
Scale 1:100



Section AA
Scale 1:100



Section BB
Scale 1:100

Elevation & Sections
DACC 06
Issue: N
Scale: 1:100 © A2

Date: 16/10/18
Project: BMD71866

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment	Date	Issue
issued for DACC submission	06/08/18	J
Laundry layout revised - re-issued for DACC submission	11/08/18	K
Site coverage details added	28/08/18	L
Shadow Design Amendment	13/09/18	M
Window privacy screen fittings added	16/10/18	N

Date	Issue	Amendment
06/08/18	J	issued for DACC submission
11/08/18	K	Laundry layout revised - re-issued for DACC submission
28/08/18	L	Site coverage details added
13/09/18	M	Shadow Design Amendment
16/10/18	N	Window privacy screen fittings added

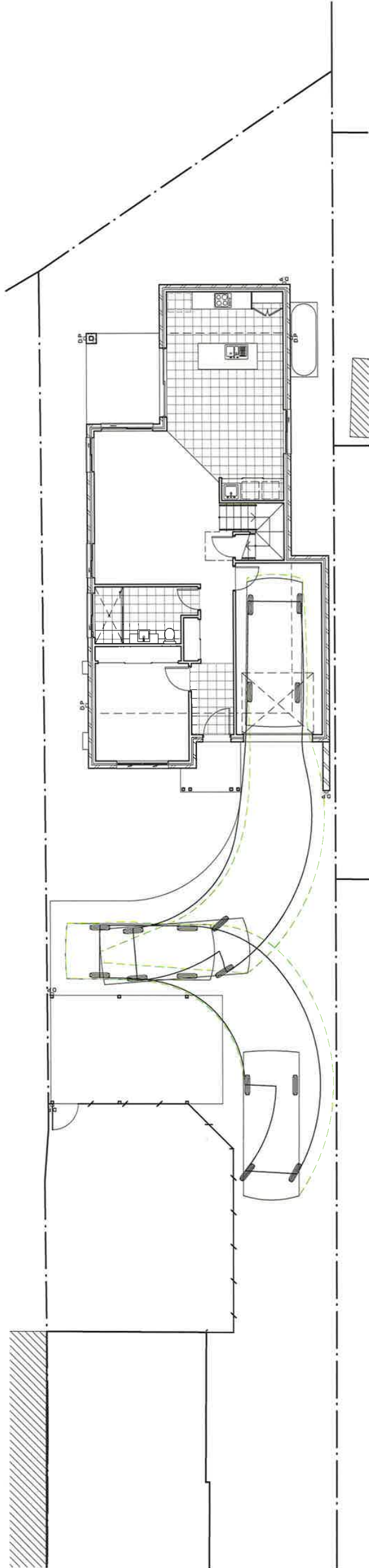


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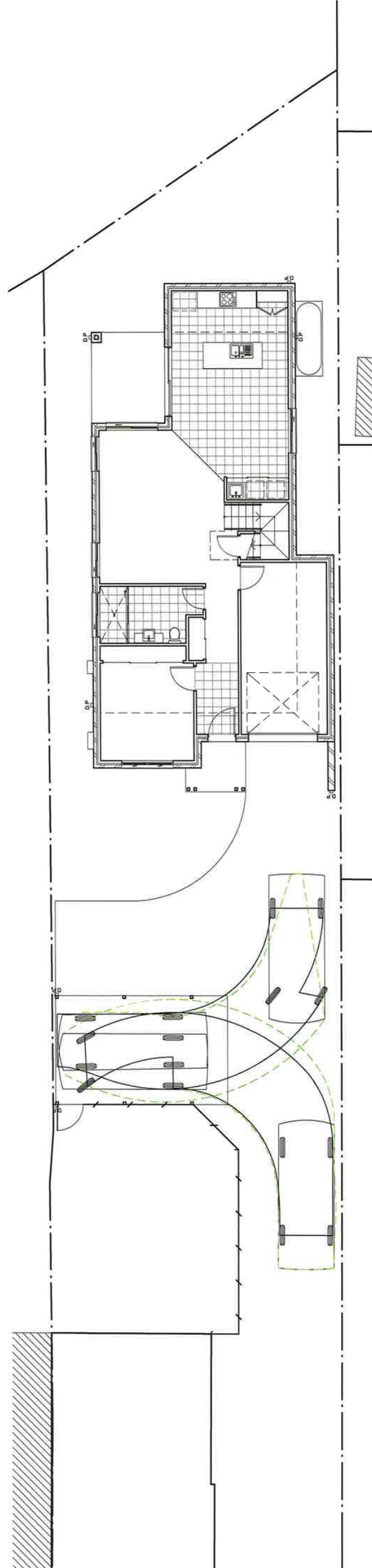


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Vehicle swept path movements indicated
have been plotted using AutoDesk AutoTrack
road software (AUSTRROADS 2006 - Design
Vehicle with 6.3m minimum radius)



Maneuvering Diagram 1
Scale 1:100



Maneuvering Diagram 2
Scale 1:100

Vehicle Maneuvering Plans
DACC 08
Issue: N
Scale: 1:100 @ A2
Date: 16/10/18
Project: BMD71666



Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Issued for DACC submission
Laundry layout revised - re-issued for
DACC submission
Site coverage details added
Shed Design details added
Window privacy screen fittings added

Date	Issue	Amendment
06/09/18	J	
11/09/18	K	
28/09/18	L	
13/09/18	M	
16/10/18	N	



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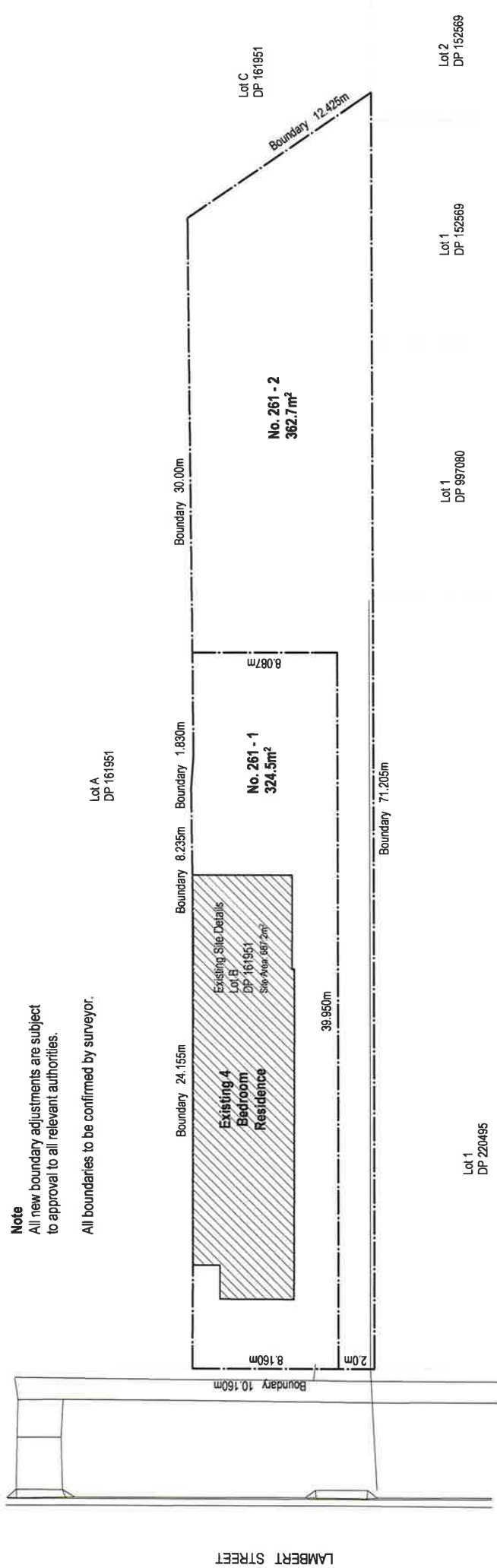
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Date	Issue	Amendment	Date	Issue	Amendment	Date	Issue	Amendment
06/09/18	J		06/09/18	J		06/09/18	J	
11/09/18	K		11/09/18	K		11/09/18	K	
28/09/18	L		28/09/18	L		28/09/18	L	
13/09/18	M		13/09/18	M		13/09/18	M	
16/10/18	N		16/10/18	N		16/10/18	N	

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

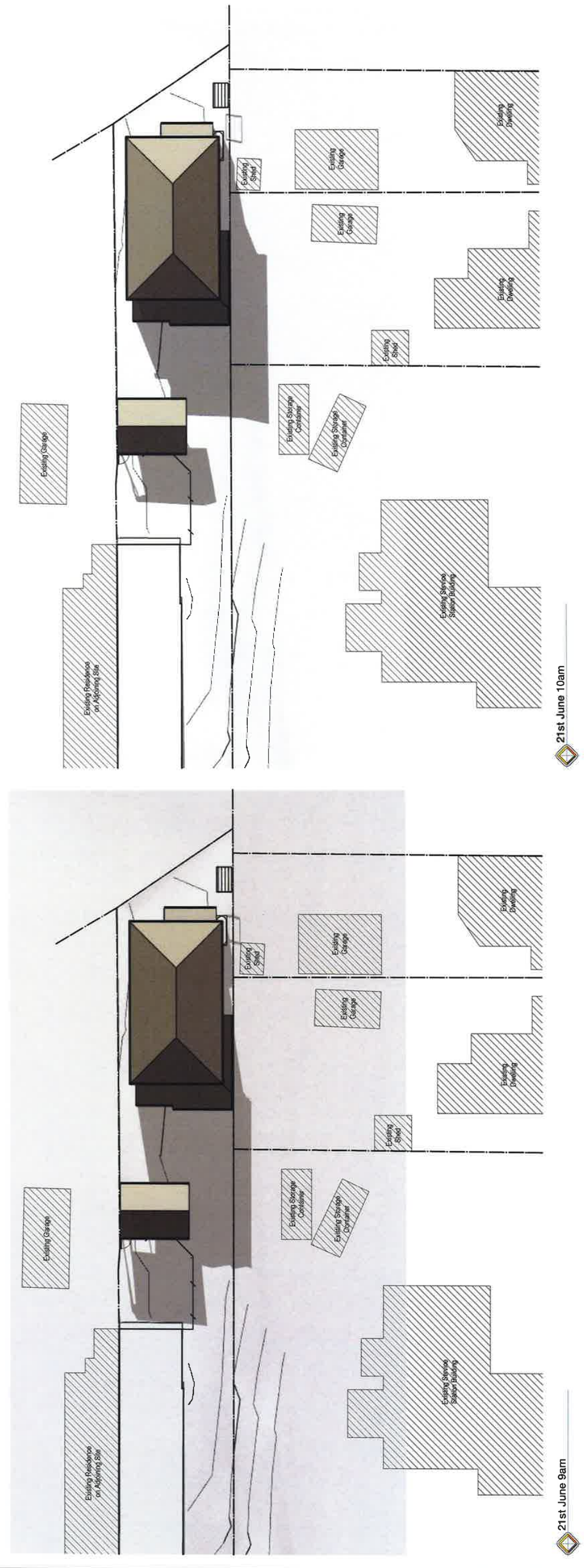
Sub-division Plan
DACC 09
Issue: N
Scale: NTS @ A2

Issued for DACC submission
Laundry layout revised - re-issued for
DACC submission
Site coverage details added
Structural design details added
Window privacy screen fittings added

Date: 16/10/18
Project: BMD71866



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Shadow Diagrams 1
DACC 10A
Issue: N
Scale: NTS @ A2

Date: 16/10/18
Project: BMD/171866

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Date	Issue	Amendment
06/08/18	J	Issued for DACC submission
11/08/18	K	Laundry layout revised, re-issued for DACC
29/08/18	L	Site cover details added
13/09/18	M	Shadow Diagrams Amended
16/10/18	N	Window privacy screen fittings added

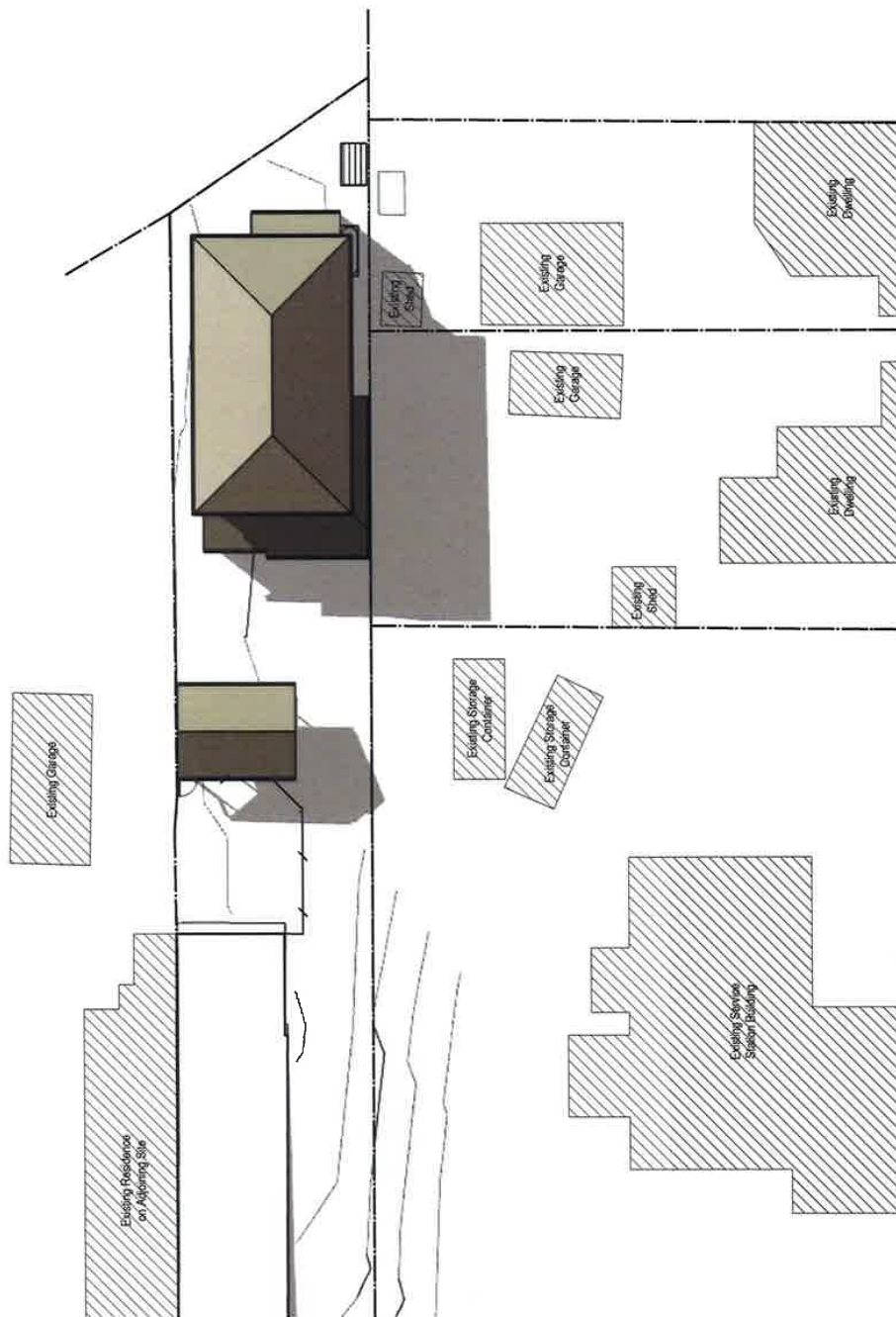
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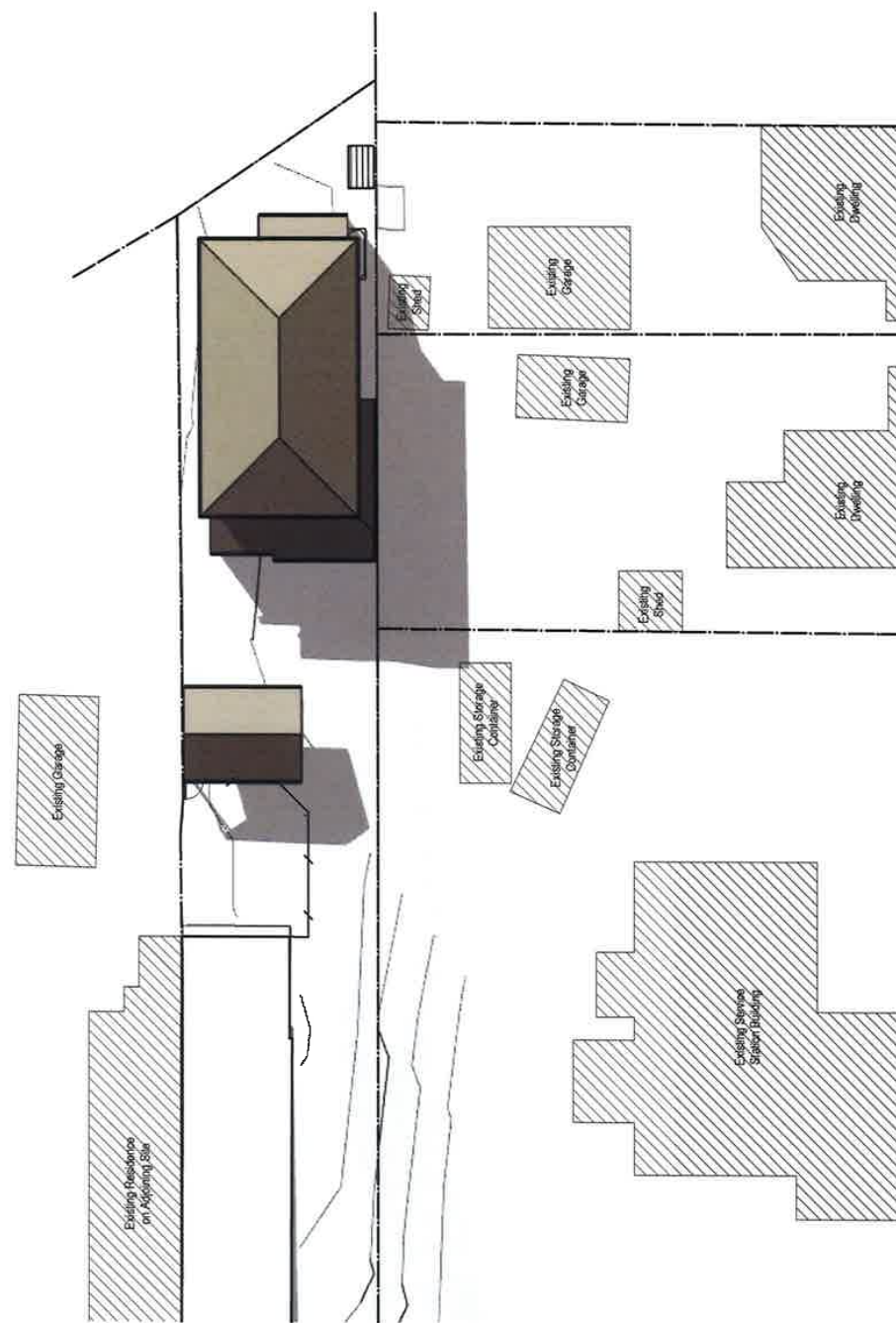
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21st June 12pm



21st June 11am

Shadow Diagrams 2
DACC 10B
Issue: N
Scale: NTS @ A2
Date: 16/10/18
Project: BMD71866



Proposed New Dwelling
Modernization Pty Ltd As Trustees For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Issued for DACC submission
Laundry layout revised - re-issued for
DACC submission
Site coverage details added
Shading details added
Window privacy screen fillings added

Date	Issue
06/08/18	J
11/08/18	K
28/08/18	L
13/09/18	M
16/10/18	N

Amendment

Date

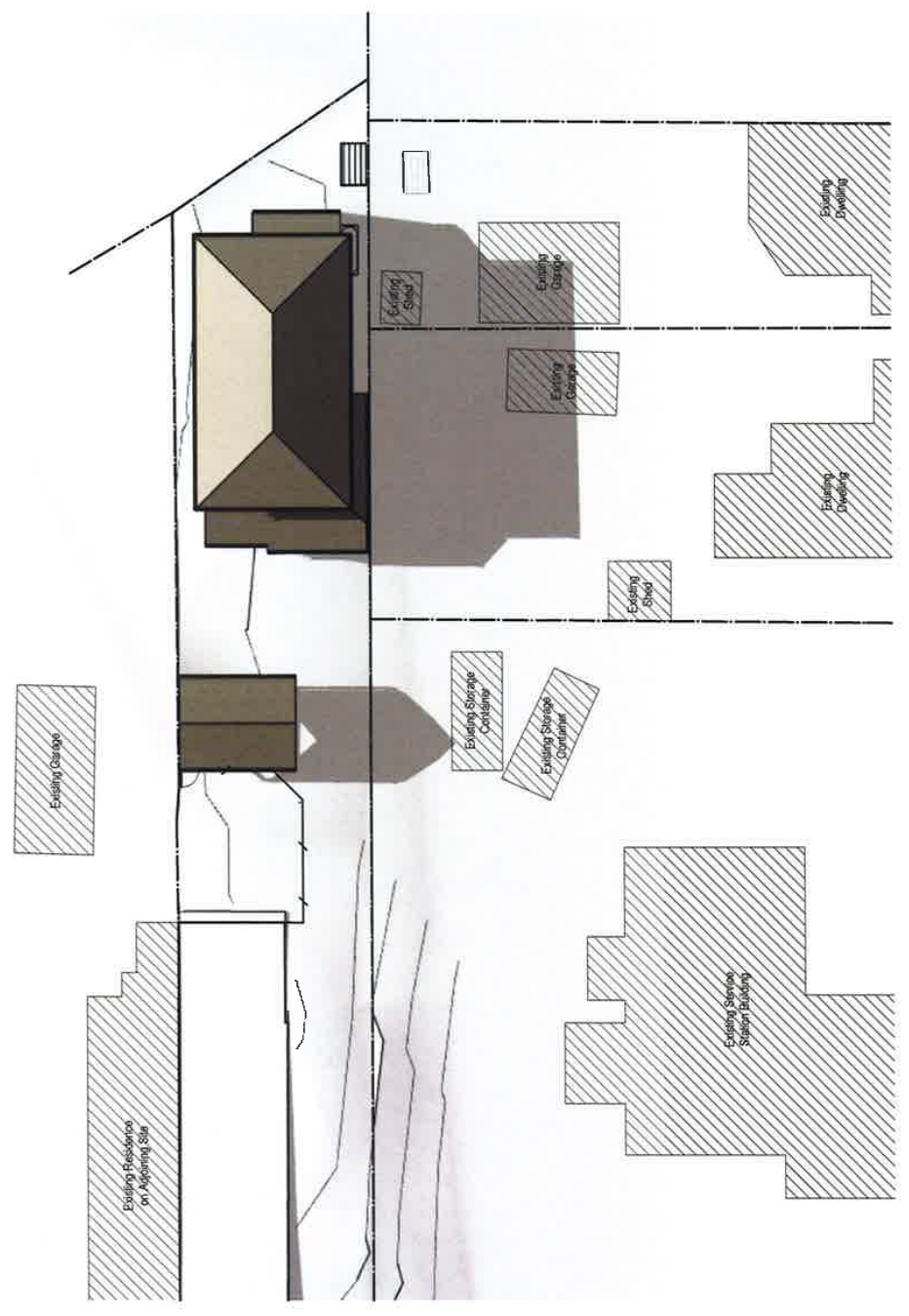


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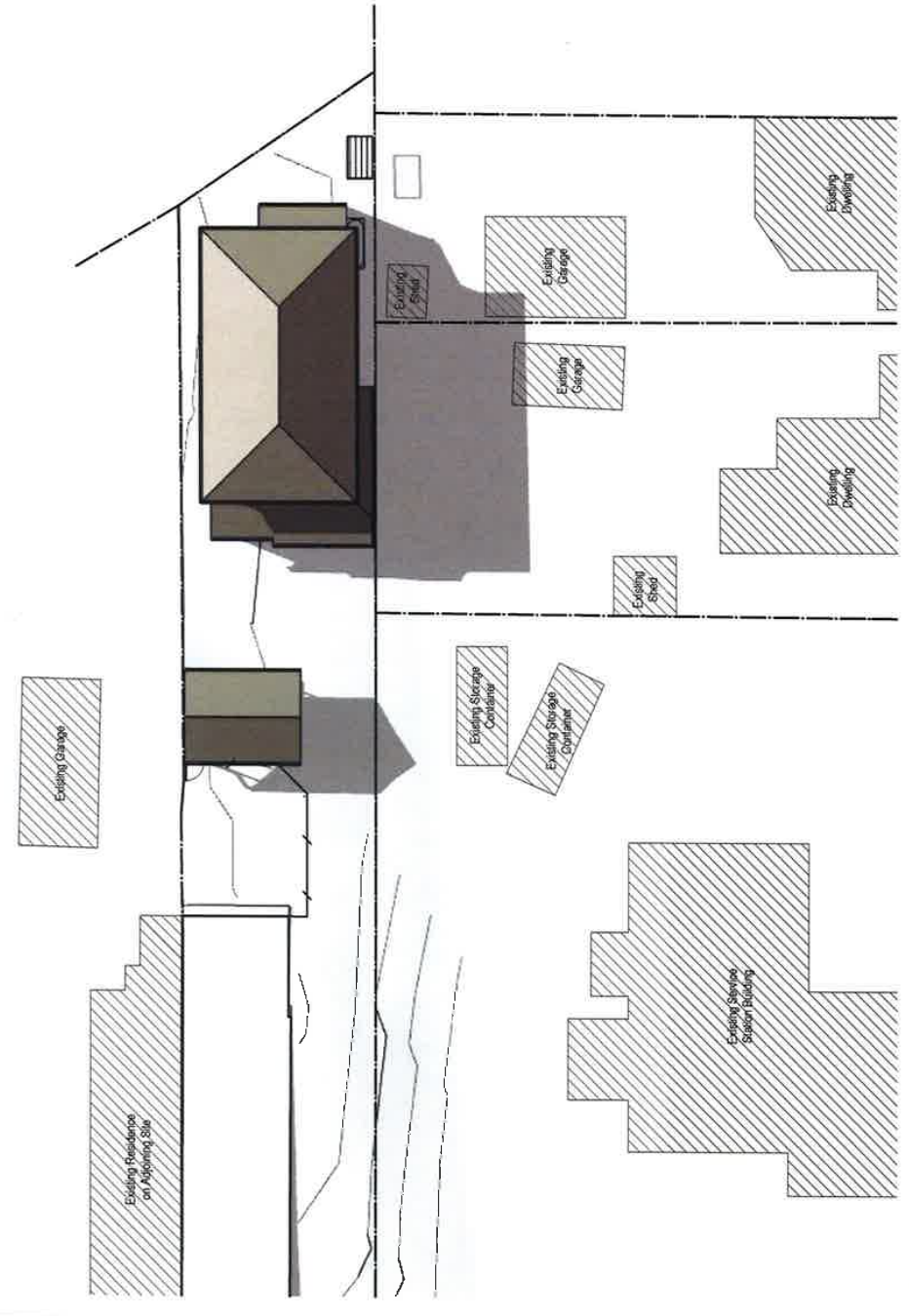




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21st June 2pm



21st June 1pm

Shadow Diagrams 3
DACC 10C
Issue: N
Scale: NTS @ A2
Date: 16/10/18
Project: BMD171866

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Issued for DACC submission
Laundry layout revised - re-issued for
DACC submission
Site coverage details added
Screening design added
Window privacy screen fittings added

Date	Issue
06/08/18	J
11/08/18	K
28/08/18	L
13/09/18	M
16/10/18	N

Amendment

Date	Issue



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Specification

General

- Drawings prepared from information supplied by the owner and/or builder.
- Dimensions are in millimetres unless otherwise noted.
- All dimensions shall be verified on site.
- Do not scale off drawings.
- It is the responsibility of the builder to verify documents as to their accuracy and suitability.
- These plans are to be read in conjunction with Engineer's details.
- BCA refers to the Building Code of Australia - Volume 2, Housing Provisions.

Statutory Requirements

- All work to be carried out in accordance with the BCA, conditions imposed by the local authority and the commitments outlined in the relevant BASIX Certificate.
- The builder is to comply with the requirements of all legally constituted authorities having jurisdiction over the building works and the provisions of the Home Building ACT.
- Prior to the commencement of building work, the builder shall provide temporary toilet facilities for the construction workers and the public.
- All temporary toilet facilities to be connected to sewer mains, the additional cost shall be borne by the owner.
- On completion the builder shall remove the amenity.

BCA Requirements

- All earthworks shall be in accordance with the engineer's details and Part 3.1.1 of BCA.
- All excavations and underfloor fill shall be in accordance with the engineer's details and Part 3.2.2 of BCA.
- Primary building elements are to be protected from subterranean termites in accordance with Part 3.1.3 of BCA.
- Provide adequate cross ventilation to space under suspended ground floors in accordance with Part 3.4.1 of BCA. Sub Floor access to be provided as indicated on plan.
- Stormwater drainage shall be carried out in accordance with Part 3.1.2 of BCA.
- All timber framework shall comply with Part 3.4.3 of BCA or AS1684.
- Floor trusses shall be designed in accordance with AS1720, and erected, fixed and braced in accordance with AS1684.
- Slop and steel flooring shall be installed in accordance with AS1684.
- All metal fillings used in structural timber joints and bracing must have corrosion protection.
- All roof cladding shall comply with Part 3.5.1 of BCA and be installed in accordance with manufacturer's recommendations.
- Gutters and downpipes shall be in accordance with Part 3.5.2 of BCA.
- Skirting shall comply with Part 3.3.4 of BCA.
- Flashings shall comply with Part 3.3.4 of BCA.
- Clay brickwork shall comply with Part 3.3 of BCA, AS/NZS4455, AS/NZS4466 & AS3700.
- Concrete shall comply with Part 3.3.1 of BCA, AS/NZS3100, AS/NZS3101 & AS3700.
- Autoclaved aerated concrete products shall be installed in accordance with manufacturer's product specification.
- Damp proof courses shall comply with Part 3.34 of BCA.
- Cavily ventilation must be provided in accordance with Part 3.34 of BCA.
- Mortar shall comply with Part 3.3.1 of BCA and joint tolerances shall be in accordance with AS3700.
- Masonry accessories shall comply with Part 3.3.3 of BCA. Appropriate ties shall be provided to articulated masonry joints.
- Ties used to support brickwork over wall openings shall comply with Part 3.3.3 of BCA.
- Engaged piers in single leaf masonry walls shall be constructed in accordance with Table 9.2 Pier spacings for one way spanning walls, of Australian Standard AS4773.1-2010 Masonry in small buildings. Refer to the table extract below for details.
- Internal wet areas and balconies over habitable rooms to be waterproofed in accordance with Part 3.6.1 of BCA. Wet area wall lining is to be fixed in accordance with manufacturer's recommendations.
- All timber doors and door sets shall be manufactured in accordance with AS2686 & AS2689 unless listed otherwise in schedule of works.
- All glazing shall comply with Part 3.6 of BCA, AS/NZS4455, AS/NZS4466 & AS3700.
- All glazing shall comply with Part 3.6 of BCA, AS/NZS4455, AS/NZS4466 & AS3700.
- Stair and ramp construction shall be in accordance with Part 3.9.1 of BCA.
- Balustrades shall be in accordance with Part 3.9.2 of BCA.
- All plumbing shall comply with the requirements of the relevant supply authority and AS3000, and be carried out by a licensed plumber.
- All gas installations shall comply with the requirements of the relevant supply authority and be carried out by a licensed gas fitter.
- Provide and install hard wired smoke alarms in accordance with AS3786 and Part 3.7.3 of BCA.
- Installation of wall and floor tiles shall be in accordance with AS3981.
- Provide and install roof lights, external windows and doors, exhaust fans, roof walks and floors, roof lights, external windows and doors, exhaust fans, roof walks and floors.
- Services are to be installed to the requirements of NSW Part 3.1.2.5 of BCA, including hot water supply, insulation of services, central heating water piping and heating and cooling ductwork.
- Mechanical ventilation is to be installed in accordance with Part 3.6.5 of BCA.
- Inward swinging WC doors are to be fitted with lift off hinges to comply with Part 3.8.3.3 of BCA if indicated on plans.

BASIX Requirements

- Indigenous or low water vegetation must be throughout 1.0m² of the site
- A 3000 litre rainwater tank must be installed
- At least 40m² of roof area must be drained to the rainwater tank
- All toilets and tap that supplies cold water to clothes washer must be connected to the rainwater tank
- All showerheads to have a minimum 3 star rating (>4.5 but <=6.0/min)
- All toilets to have a minimum 3 star rating
- Kitchen and Basin taps to have a minimum 3 star rating

Thermal Commitments

- Ground floor - concrete slab on ground
- nil
- nil
- 0.80 (or 1.50 including construction)(down)
- R2.26 (or 2.80 including construction)
- R1.14 (or 1.50 including construction)
- Ceiling - R4.0 (up), Roof - foil/sarking
- medium (solar absorptance >0.475 but <=0.7)
- All glazing to have minimum of standard aluminium frames and single clear glass

Energy Commitments

- The applicant must install an instantaneous gas hot water system with a minimum 3 star rating
- Cooling in at least one living room and at least one bedroom to be ceiling fans
- Heating in at least one living room to be a gas fixed fire heater with a minimum rating of 3 stars
- Heating in at least one bedroom to be airconditioning ducting only
- At least 1 bathroom to have an individual fan, ducted to outside or roof with a manual switch
- Kitchen to have an individual fan, ducted to outside or roof with a manual switch
- Kitchen to have ceiling lighting to have ceiling or LED lighting
- 4 bathroomsto have a window or LED lighting
- A gas cooktop and electric oven to be installed
- A fixed outdoor clothes drying line to be installed



Specification
DACC 11
Issue: N
Scale: NTS @ A2

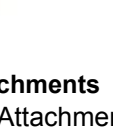
Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Issued for DACC submission
re-issued for
DACCC submission
Site coverage details added
Sheddy Design amended
Window privacy screen fittings added

Date **Issue**
06/08/18 J
11/08/18 K
28/08/18 L
13/09/18 M
16/10/18 N

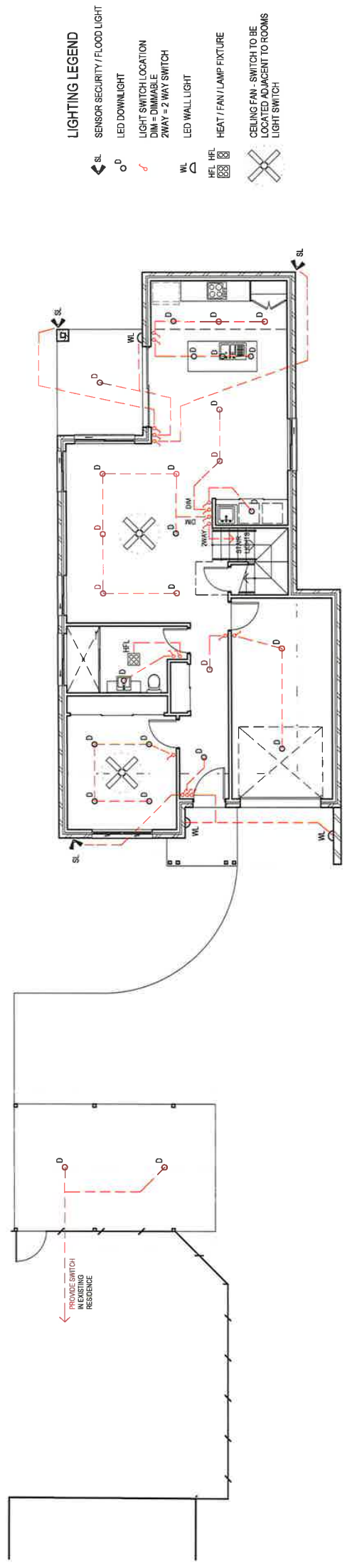
Date **Issue**
06/08/18 J
11/08/18 K
28/08/18 L
13/09/18 M
16/10/18 N

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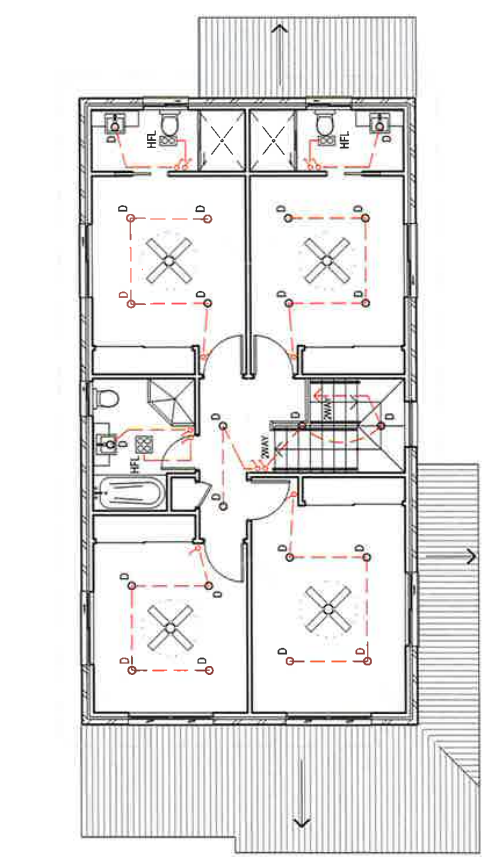




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Ground Floor Lighting Plan
Scale 1:100



First Floor Lighting Plan
Scale 1:100



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Date	Issue	Amendment
06/08/18	J	
11/08/18	K	Laundry layout revision
29/08/18	L	Site coverage details added
13/09/18	M	Shadow Diagrams Amended
16/10/18	N	Window privacy screen fittings added

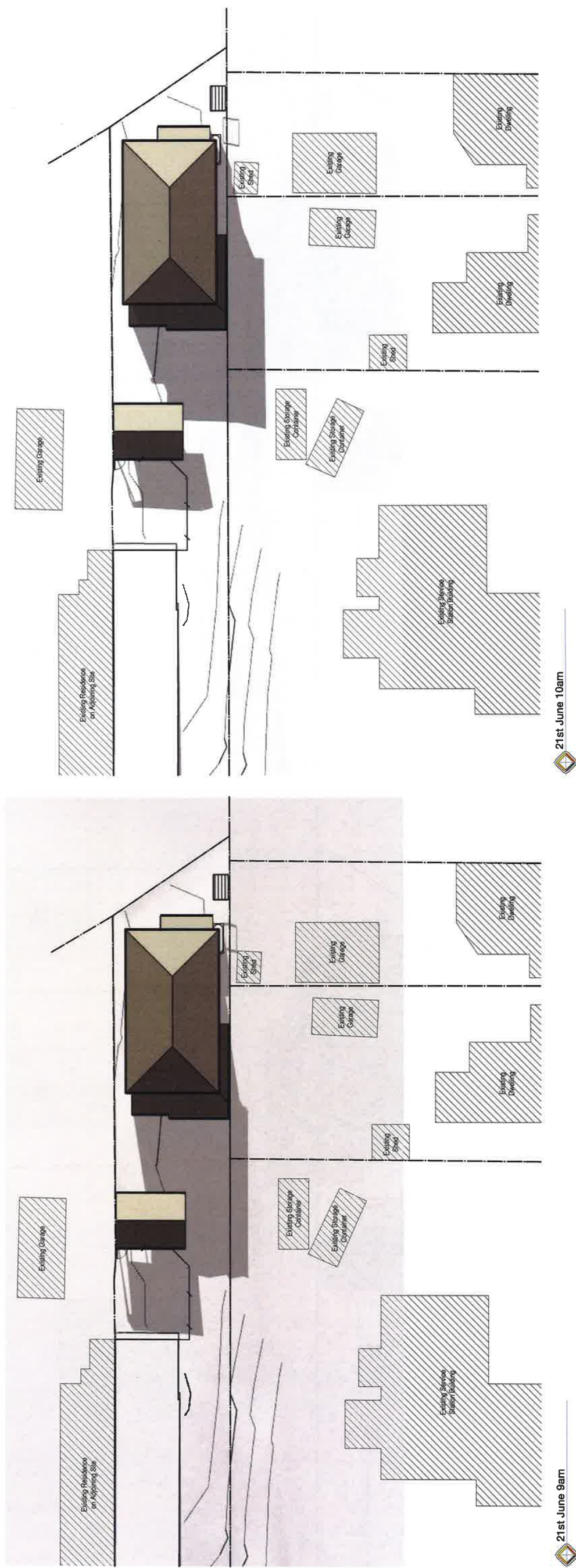
Proposed New Dwelling
Modernization Pty Ltd As Trustees For The
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261 Lambert Street, Bathurst

Lighting Plans
DACC 12
Issue: N
Scale: 1:100 @ A2

Date: 16/10/18
Project: BMD71866



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Shadow Diagrams 1
DACC 10A
Issue: N
Scale: NTS @ A2
Date: 16/10/18
Project: BMD171686

Proposed New Dwelling
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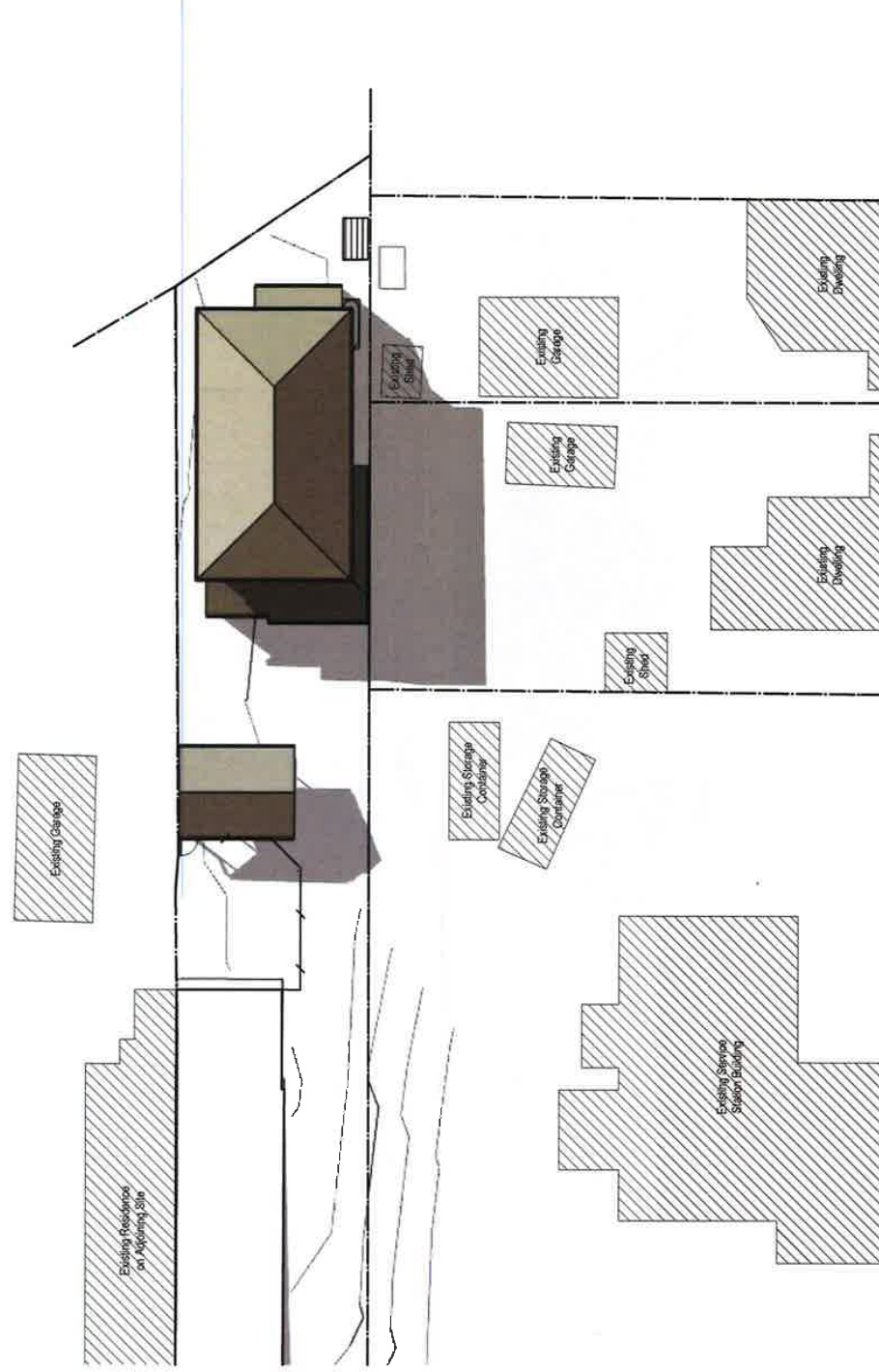
Date	Issue	Amendment
06/09/18	J	Issued for DACC submission
11/09/18	K	Laundry layout revised - re-issued for DACC submission
28/09/18	L	Sits coverage amended
16/10/18	N	Shadow Diagrams Amended Window privacy screen, fittings added

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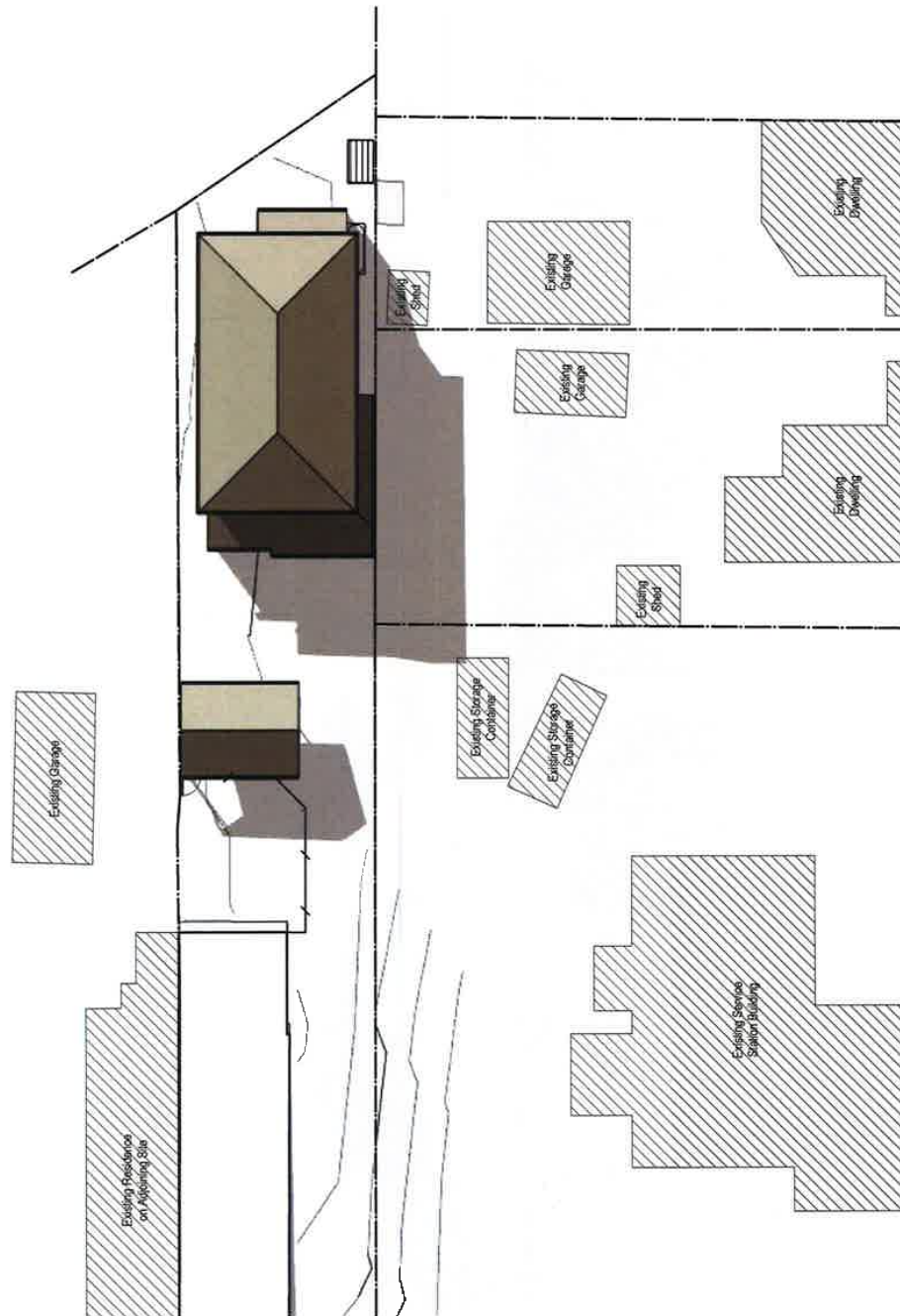
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 12 MAXWELL DRIVE EGLINTON NSW 2795



21st June 12pm



21st June 11am



Proposed New Dwelling
 Modernization Pty Ltd As Trustee For The
 Modernization Trust
 261 Lambert Street, Bathurst

Amendment
 Issued for DACC submission
 Laundry layout revised - re-issued for
 DACC submission
 Site coverage details added
 Shadow privacy screen fillings added

Date	Issue
06/08/18	J
11/09/18	K
28/08/18	L
14/09/18	M
16/10/18	N

Amendment

Date	Issue
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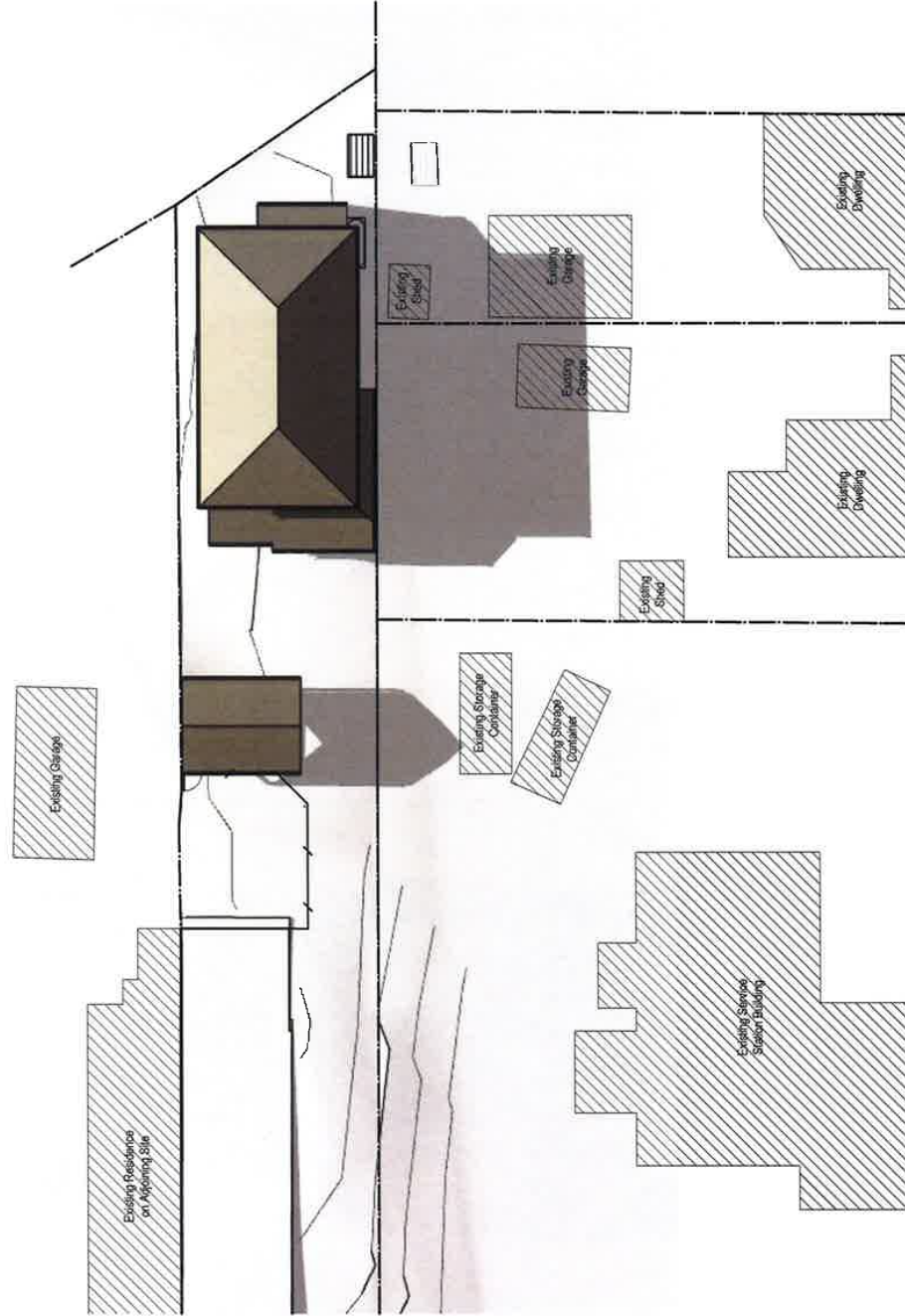


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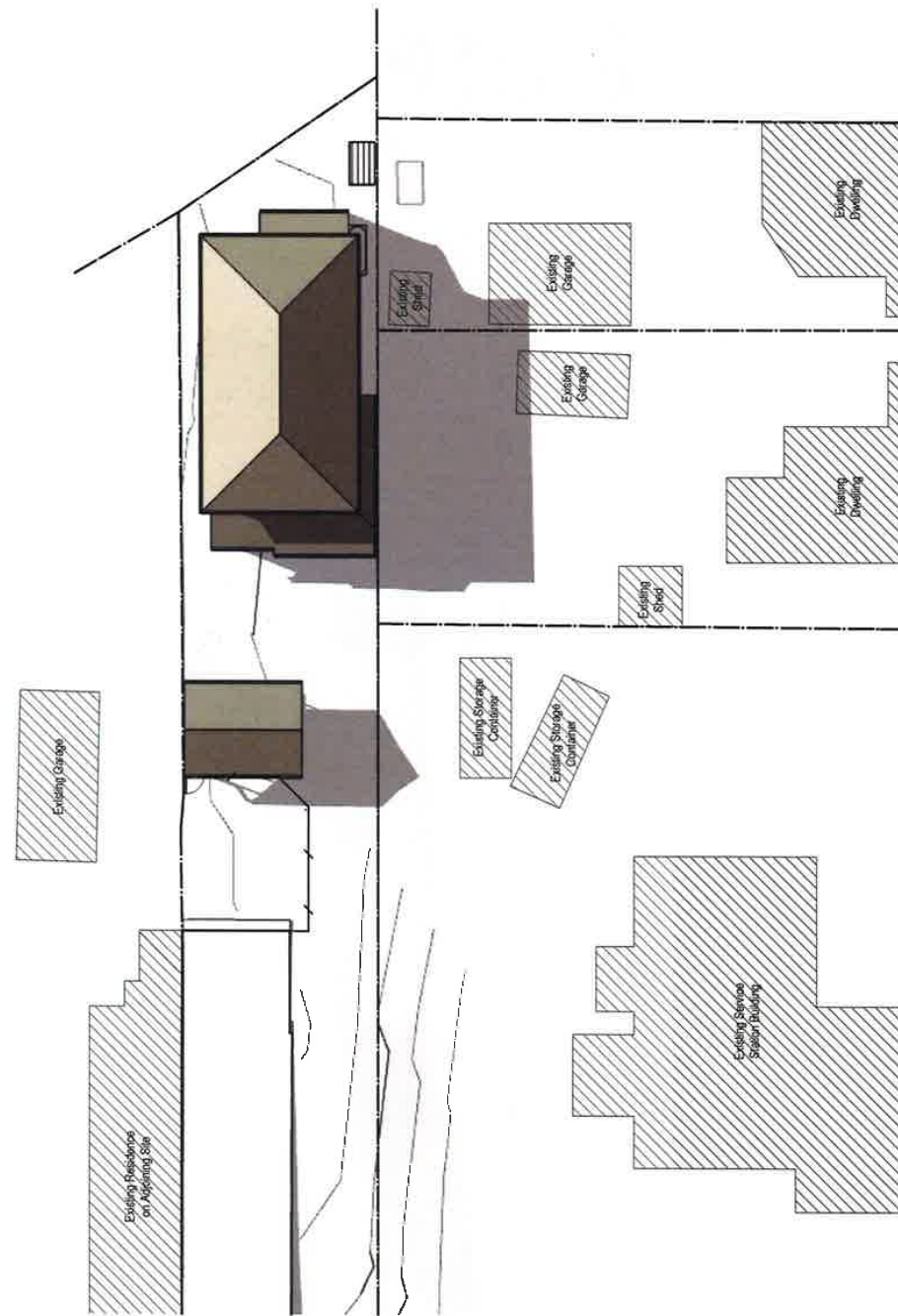




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21st June 2pm



21st June 1pm

Shadow Diagrams 3

DACC 10C

Issue: N

Scale: NTS @ A2

Date: 16/10/18
Project: BMD171866

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Issued for DACC submission
Laundry layout revised - re-issued for
DACC submission
Site coverage details added
Shed, Dwelling, and
Window privacy screen fittings added

Date	Issue
06/08/18	J
11/08/18	K
28/08/18	L
13/09/18	M
16/10/18	N

Amendment

Date

Issue

Amendment

Date

Issue

Amendment

Date

Issue

Amendment



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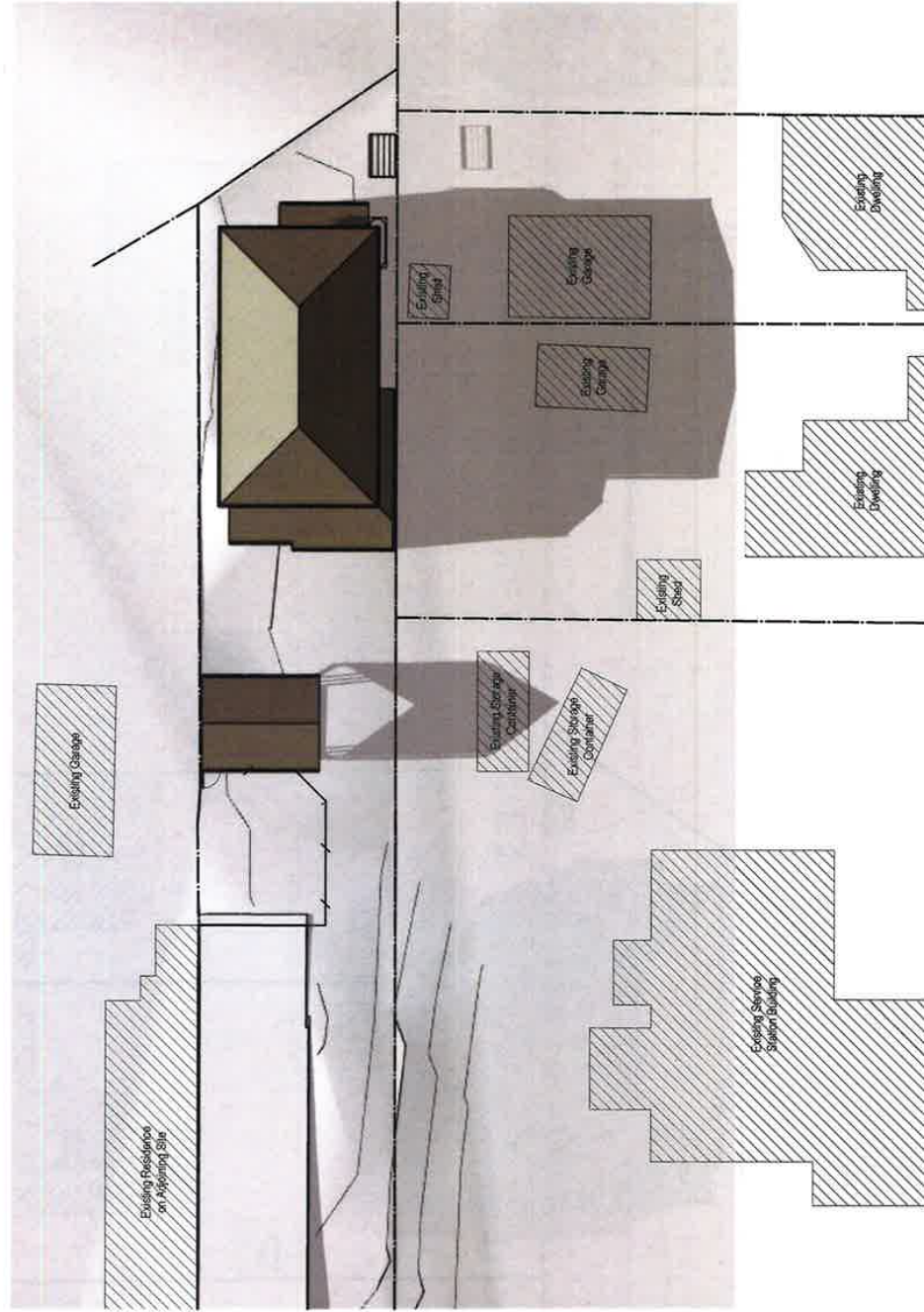
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21st June 3pm

Shadow Diagrams 4
DACC 10D
Issue: N
Scale: NTS @ A2
Date: 18/10/18
Project: BMD171966

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Issued for DACC submission
Laundry layout revised - re-issued for
DACC submission
Site coverage details added
Shadow Diagram fillings added
Window privacy screen fillings added

Issue
J
K
L
M
N

Date
06/09/18
11/09/18
29/09/18
13/10/18
18/10/18

Amendment



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BRETT MOULDS
DESIGN & DRAFTING



**Andrew Starr and Associates Heritage Consultants
For
Brett Moulds
Heritage Impact Assessment**



**261 Lambert Street, Bathurst
Prepared by Andrew Starr and Associates Heritage Consultants
September 2018**

Phone 9360 6540 astarr@bigpond.net.au

Table of Contents

1.0		
INTRODUCTION		3
1.1 Background		3
1.2 Site location		3
1.3 Methodology		4
1.4 Author identification		4
1.5 Limitations		4
2.0		
ITEM DESCRIPTION AND CONTEXT		5
2.1 Item Description		5
2.2 Site Context		21
3.0		
HISTORICAL DEVELOPMENT OF THE SITE		22
3.1 Historical Context		28
3.2 Specific History of the site		
4.0		
STATEMENT OF HERITAGE SIGNIFICANCE		29
4.1 Assessment Criteria		29
4.2 Statement of Significance		30
4.3 Curtilage		30
5.0		
THE PROPOSAL		31
6.0		
HERITAGE IMPACT ASSESSMENT		41
6.1 Statutory Controls. Bathurst Council LEP 2015 & Heritage provisions		41
6.2 Assessment of Impact		41
6.2.2 Questions to be answered		44
7.0		
CONCLUSION		45

1.0 Introduction

1.1 Background

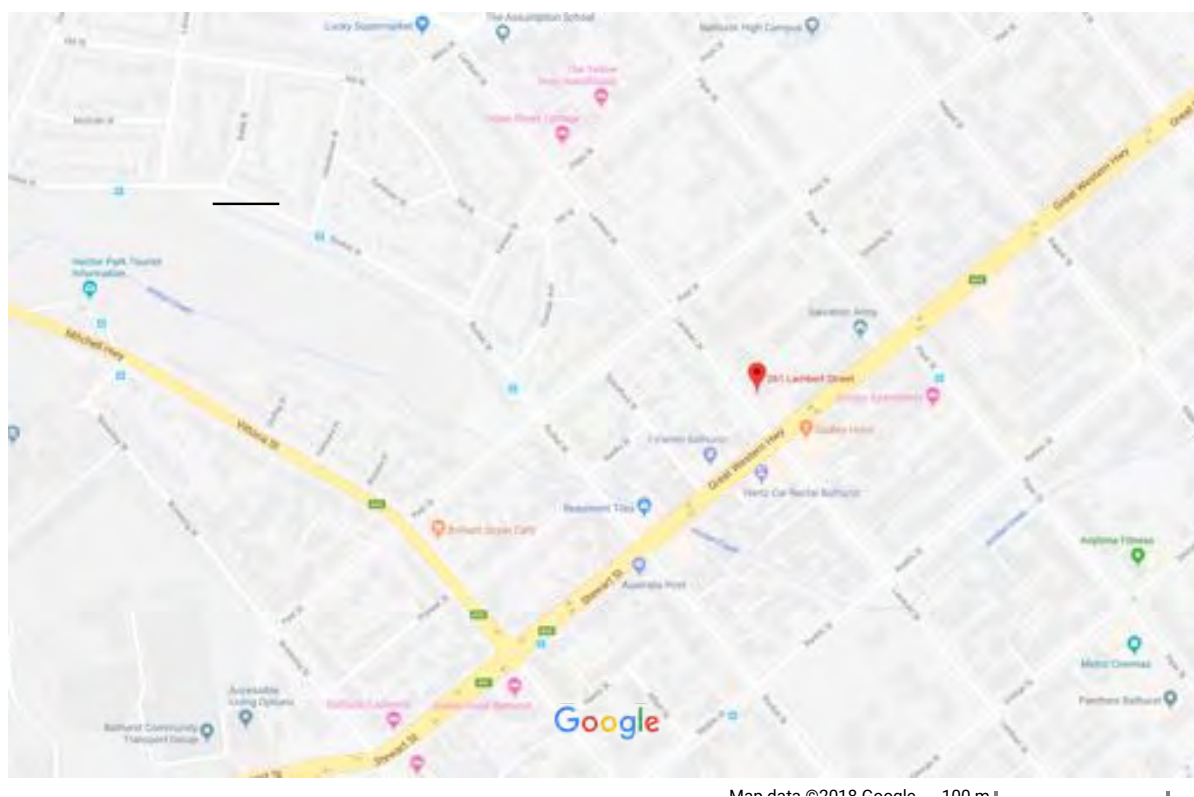
Andrew Starr and Associates Heritage Consultants have been engaged by Brett Moulds. to prepare the following Heritage Impact Statement. It is proposed to construct a new house on land behind No. 261 Lambert Street Bathurst. The subject site is in the Bathurst Conservation Area. The house is half of a duplex with No. 263. The site has a long deep garden. No. 261 is not individually listed as a heritage item. The site of the new house is screened from public view from the exiting house and by a service station and houses on the Great Western Highway to the south-east of the site. Bathurst has many fine examples of Victorian and Federation houses. However, Nos. 261 and 263 are modest examples of Inter-War houses. This report assesses the impact of the new building on the Conservation Area.

Listings

The site is in a The Bathurst Conservation Area.

1.2 Site Location

The subject site is located in Bathurst at 261 Lambert Street. The specific site of the development is the rear yard of the property. The site is near the corner of Lambert Street and the Great Western Highway. It is in a block defined by The Great Western Highway and Peel Street.



Location of subject Site

1.3 Methodology

This Heritage Impact Statement has been prepared in accordance with the NSW Heritage Manual 'Statements of Heritage Impacts' and 'Assessing Heritage Significance' guidelines. The philosophy behind this report has been guided by the Australia ICOMOS Burra Charter 1999. The report has also been prepared in accordance with Bathurst regional Council's guidelines on documentation accompanying development applications involving heritage items and conservation areas. The subject site has been assessed in relation to the controls and provisions contained in the Bathurst Local Environment Plan 2014 and the Bathurst Development Control Plan 2014.

This report considers the heritage significance of 261 Lambert Street Bathurst, and the impact of the proposed new building to the site upon this significance. The purpose of this report is to:

- Outline the historical background of the site.
- Describe the locality and its significance.
- Describe the building's fabric and its condition.
- Assess the heritage significance of the building.
- Assess the impact of the proposed works on the heritage significance of the conservation area.

1.4 Author identification

This report is prepared by Andrew Starr, Heritage Consultant, Graduate of the University of Sydney, Master of Arts with Merit. Currently a PhD. Candidate at UNSW. Andrew Starr has been registered with the New South Wales Heritage Office as a Generalist Consultant since 1998.

1.5 Limitations

- This SOHI is based upon an assessment of the heritage issues only and does not purport to have reviewed or in any way endorsed decisions or proposals of a planning or compliance nature. It is assumed that compliance with non-heritage aspects of Council's planning instruments, the BCA and any issues related to services, contamination, structural integrity, legal matters or any other non-heritage matter is assessed by others.
- This SOHI relies solely on secondary sources. Primary research has not been included in this report, other than the general assessment of the physical evidence on site.
- It is beyond the scope of this report to address Indigenous associations with the subject site.
- It is beyond the scope of this report to locate or assess potential or known archaeological subsurface deposits on the subject site or elsewhere.
- It is beyond the scope of this report to assess items of movable heritage.
- Andrew Starr and associates Heritage Consultants has only assessed aspects of the subject building/place that were visually apparent and not blocked or closed on the day of the arranged site inspection.

2.0

ITEM DESCRIPTION AND CONTEXT

2.1 Item Description

The appearance of No. 261 Lambert Street suggests that the house was constructed in the Inter-War period. Land Title searches on the house were inconclusive and an exact date of construction was not determined. The existing is in the Bathurst Conservation Area and is a contributory item in the streetscape. The house has some heritage significance providing evidence of the development of the area during this period. It is not a rare building and its aesthetics merits are modest. No. 261 is part of a duplex. Its contributory status warrants its retention. It is retained in this proposal. back yard and is separated from its neighbour to the west by a narrow breezeway.

The style of the building is influenced by Federation Arts and Crafts Style c. 1890- c. 1915. This style is described in A Pictorial Guide to Identifying Australian Architecture by R. Apperly, R. Irving and P. Reynolds. It is a minor example of this style.

Extent

Australia Wide

Background

Remote origins in single-storey, veranda'd, vernacular houses in countries colonized by Europeans (especially India). Immediate origins in the United States (especially West Coast) around the turn of the century – Arts and Crafts values plus concepts of the 'simple life' promoted by Gustav Stickley. Influence of designs in his magazine The Craftsman. General literary influence from writings of Henry Thoreau (especially Walden). Style prevalent in Australia towards the end of the Federation period.

Broad Characteristics

Ground-hugging, generally single-storey, but sometimes with rooms in roof-space. Unpretentious, homely quality. Use of 'natural' materials, honestly expressed.

Settings and Relationships

Free-standing single –storey houses on suburban blocks, with informal lawns and gardens.

Exterior Relationships

Simple massing. Broad simple roof planes, often featuring gabled roof with ridge parallel to the street and with the main roof extending over the veranda. Veranda with roofs supported by masonry piers and /or simple, sturdy timber posts. Favoured wall materials: roughcast, face brick, timber shingles. Leadlights used sparingly, usually in simple rectangular or grid patterns.

Structure and Construction

Traditional brick or stud-framed bearing wall, timber floor and roof construction. Sometimes rock-faced sandstone foundation walls and veranda piers.

Other Qualities

Transition between FEDERATION QUEEN ANNE style, which is rather more decorative, and INTER-WAR CALIFORNIA BUNGALOW style, which typically has more assertive roof detailing such as street-facing gables with exposed timber components.

Photographs were taken on the 11 September 2018.



Fig.1 Federation houses opposite side of Lambert Street.



Fig. 2 Site on the other side of the duplex.



Fig. 3 The duplex No 263 and 261



Fig. 4 The duplex No 263 and 261



Fig. 5 Driveway and garage



Fig. 6 View from outside No. 261 looking towards The Great western Highway.



Fig. 7 Looking up Lambert Street from outside of No 261 Lambert Street



Fig. 8 Fence behind the service station



Fig. 9 Looking up Lambert Street from outside of No 261 Lambert Street



Fig.10 Looking to Great Western highway from outside No 261 Lambert Street



Fig.11 Houses on Great Western Highway.



Fig.12 House on Great Western Highway.



Fig.13 Service station and house on Great Western Highway.



Fig.14 Looking to Great Western highway from opposite No 261 Lambert Street



Fig.15 Looking to Great Western highway from opposite No 261 Lambert Street



Fig.16 Houses on Great Western Highway.



Fig.17 View to No. 261 Lambert Street from diagonally opposite in Lambert Street.



Fig.18 View to No. 261 from outside the service station on the corner of Lambert Street and The Great Western Highway.



Fig.19 View to No. 261 from outside the service station on the corner of Lambert Street and The Great Western Highway.



Fig.20 View toward s the vacant site beside the subject site.



Fig.21 View towards No. 261 from the corner of Lambert Street and The Great Western Highway



Fig. 22 Driveway



Fig. 23 Rear elevation



Fig. 24 Garage and rear yard



Fig. 25 Garage



Fig. 26 Rear yard and subject site.



Fig. 27 Rear yard and subject site.



Fig. 28 Rear yard and subject site.



Fig. 29 Garage and rear door of the existing building



Fig. 30 Rear yard and subject site

2.2 Site Context

The subject site is in a suburban street featuring diverse styles of architecture from Federation to 1970s infill. The existing building on the site is an Inter-War duplex. Opposite the site on Lambert street are some Federation houses. A service station on the corner of Lambert Street and The Great Western Highway abut the site. The block on the other side of the site is undergoing development. So far ground works are being undertaken. Along the southeast boundary of the site are a group of Federation houses that run along the Great Western Highway.

3.0

Historical Development of the Site

3.1 Historical Context

History

Colonial period (1800s) to gold rush era (1860s)



[John Lewin](#), *The Plains, Bathurst*, watercolour drawing, ca. 1815, [State Library of New South Wales](#)

The government surveyor, [George Evans](#), was the first European to sight the Bathurst Plains in 1813, following the [first successful European crossing of the Blue Mountains](#) in the same year. In 1814, Governor [Lachlan Macquarie](#) approved an offer by [William Cox](#) to build a road crossing the [Blue Mountains](#), from [Emu Plains](#), the existing road terminus west of Sydney, to the Bathurst Plains. The first road to cross the Blue Mountains was 12 feet (3.7 m) wide by 101 ½ miles (163.3 km) long, built between 18 July 1814 to 14 January 1815 using 5 freemen, 30 convict labourers and 8 soldiers as guards. Governor Macquarie surveyed the finished road in April 1815 by driving his carriage across it from Sydney to Bathurst. The Governor commended Cox and stated that the project would have taken three years if it had been done under a contract.^[16] As a reward Cox was awarded 2,000 acres (810 ha) of land near what is now Bathurst.

On 7 May 1815, [Governor Macquarie](#) at the terminus of Cox's Road [raised the flag](#), ordered a [ceremonial volley](#) to be fired and proclaimed the named the future town of Bathurst after the [Secretary of State for War and the Colonies](#), [Henry Bathurst, 3rd Earl Bathurst](#).^[17] Bathurst is the oldest inland town in Australia. It was intended to be the administrative centre of the western plains of New South Wales, where orderly colonial settlement was planned.



Bathurst, painted by [Joseph Backler](#) c.1847-1857

Local Wiradjuri groups under leaders such as [Windradyne](#) resisted the settlers until the [Frontier Wars](#) of the early 1820s ended the open conflict.^[18] The initial settlement of Bathurst was on the eastern side of the river in 1816. It is in today's suburb of [Kelso](#). Ten men were granted 50 acres (20 ha); five were men newborn in the colony and five were immigrants. These men were William Lee, Richard Mills, Thomas Kite, Thomas Swanbrooke, George Cheshire, John Abbott, John and James Blackman, John Neville and John Godden. In 1818 Governor Macquarie stated in his diary:

This morning I inspected 10 new settlers for Bathurst. I have agreed to grant each 50 acres of land, a [servant](#), a cow, four [bushels](#) (141 litres) of wheat, an allotment in the new town, and to receive into the King's Store at Bathurst all the Wheat they can grow for the first 12 months.^[19]

In the early years of settlement, Bathurst was a base for many of the early explorers of the NSW inland, including George Evans in 1815, [John Oxley](#) in 1817–1818, [Allan Cunningham](#) in 1823, and [Thomas Mitchell](#) during the 1830s.^{[20][21]}



Painting of [Edward Hammond Hargraves](#), who is credited with the first discovery of payable gold near Bathurst in 1851

Flecks of gold were first discovered in the Fish River in February 1823, but it was 12 February 1851 in a Bathurst Hotel when [Edward Hargraves](#) announced the discovery of payable gold. Soon, gold was found at Ophir (later Sofala) and Hill End in the 1850s. In the 1860s, the town of Bathurst began to boom. Bathurst was to become the first gold centre of Australia. The nearby gold localities would transport their gold to Bathurst^[20] then to Sydney. The mail and gold transport coaches became an obvious target for [bushrangers](#), which became a major problem for the authorities.

The Ribbon Gang and the [Bathurst Rebellion](#) occurred in 1830, when a large group of over 80 convicts roamed the Bathurst district. They were eventually captured and charged with murder, bushranging and horse-thieving. On 2 November 1830, ten members of the Ribbon Boys were hanged in Bathurst for their crimes. The site of the first and largest public hanging in Bathurst is still marked by the laneway sign *Ribbon Gang Lane* in the CBD.^[22] [Ben Hall](#), who became a notorious bushranger, was married in St Michael's Church at Bathurst in 1856. In October 1863, a gang of five (including Hall) raided Bathurst, robbing a

jeweller's shop, bailed up the Sportsmans Arms Hotel and tried to steal a racehorse. They returned three days later and held up more businesses.^[23] John Piesley, another bushranger, was tried and hanged for murder at Bathurst Gaol in 1862.^[23]

Bathurst's economy was transformed by the discovery of gold in 1851. One illustration of the prosperity gold brought to Bathurst is the growth and status of [hotels](#) and [inns](#). The first licensed inn within the township was opened in 1835, the *Highland Laddie*. At the peak of hotel activity in 1875, coinciding with the [gold rush](#) period, there were 61 operating concurrently. A total of 89 hotel locations have been identified in the town of Bathurst, with 112 operating in the immediate district during the course of the history in Bathurst. Initially many pubs were simply a cottage with stables. As prosperity increased during the gold rush, the Hotels became typical of architecture of pubs known today.^[24]

Development of the City (1860s) to Federation (1910)

See also: [History of infrastructure development in Bathurst](#)

The [Cobb & Co.](#) business was a horse drawn coaching transport business originally established in Victoria but relocated to Bathurst in 1862 to follow the gold rush. The business provided gold escorts, mail services and passenger services to the towns and rural settlements.^[25] Cobb & Co. coaches were constructed in the coaching workshops located in Bathurst and the Bathurst Information Centre contains a restored Cobb & Co. coach.^{[26][27]}

Bathurst later became the centre of an important coal-mining and manufacturing region. The [Main Western railway line](#) from Sydney reached Bathurst in 1876. From that time, the town became an important railway centre with workshops, crew base with locomotive depot and track and signal engineering offices. It remains today as the railway regional engineering headquarters with a large rail component manufacturing facility.

In 1885, Bathurst had a population of approximately 8,000 and a district population of an additional 20,000 people. The town in 1885 was a hub for stores such as E.G. Webb & Co. with supplies and distribution occurring throughout large parts of western NSW and into [Queensland](#) and South Australia.^[20]

Federation (1910) and post war development (1940s)

This period is characterised by periods of slow to moderate population growth, with industrial and education industries developing and technology and services delivered to the town. Several major infrastructure developments arrive such as distributed [town gas](#), [electricity](#), [town water](#) supplies, and a [sewage treatment](#) system. Town gas had arrived in Bathurst courtesy of a private venture in 1872, with the Council providing a competing network from 1888. On 30 June 1914, the Council purchased the Wark Bros gas system and combined the gas networks. The old gasworks plant on Russell Street (now out of use) was built in 1960. In 1987 natural gas arrived via a new 240 km spur pipeline off the [Moomba](#) to Sydney pipeline.^[28] The early part of the century saw electricity arrive initially for [street lighting](#); the city converted from gas street lighting to electric lighting on 22 December 1924, when 370 electric lights at a cost of £40,000 were switched on.^[29] Lighting spread along streets through to 1935, over time to businesses and finally private houses. Sewage treatment was an early infrastructure project funded by the state government and built in 1915.^[30] Water supply started with private wells in backyards. Eventually a waterworks was built to the south of the town on the river with the water pumped through piping laid progressively to the businesses and private dwellings. In 1931, work started on the 1,700 ML [Winburndale Dam](#) project to gravity feed water through a [wood stave](#) pipe laid to the town. The scheme was opened by the Premier of New South Wales on 7 October 1933. Later,

a new larger water supply dam was built on the [Campbells River](#). Originally known as the Campbell River Dam scheme and later renamed the [Ben Chifley Dam](#) after the late Prime Minister [Ben Chifley](#) of Bathurst. It was opened in November 1956. The Ben Chifley Dam received a major storage upgrade designed to meet the cities needs to 2050; the work was completed in 2001 increasing the capacity by 30% to 30,800 ML.^[311]

An ambulance service commenced on 6 June 1925 with a new [Hudson](#) ambulance. A new ambulance station was opened 2 March 1929 and is still used by the [NSW Ambulance](#) Service. Motor cars were becoming common in the early 20th century and the need for road service patrols commenced in 1927, provided by the [NRMA](#) using a motorcycle/sidecar response vehicle. The early electronic media age arrived with the opening of commercial radio station [2BS](#) on 1 January 1937. [Bathurst Aerodrome](#) was opened in 1942, initially to benefit the war effort providing parking for aircraft overflowing from [Richmond air force base](#).^[321] The first commercial airline service departed for Sydney on 16 December 1946.^[331]

A famous Australian brand name of frozen foods began in Bathurst. Robert Gordon Edgell arrived in Bathurst in 1902. By 1906, he was growing pears, apples and asparagus and experimenting with canning and preserving fruit and vegetables, eventually opening a small [cannery](#) in 1926. In 1930, he formed the company Gordon Edgell & Sons which became, and still is, a famous Australian food brand, now owned by [Simplot](#).

Many attempts were made to start a University College, the earliest attempts were 1912 through to 1947 when real progress was made with plans for a state teachers college. The first intake of teacher students came at the beginning of 1951 with the official opening on 9 November 1951. The college has transformed over time into the Mitchell College of Advanced Education on 1 January 1970. The College grew and ultimately became the [Charles Sturt University](#) on 19 July 1989. [Andrew Denton](#) is a notable alumnus of the University.

Bathurst was one of the locations to campaign to be the site of the new Federal Capital. In an essay prepared by a journalist with the Bathurst Times newspaper, Price Warung,^[341] in 1901 to promote Bathurst's candidacy, he responds to the Federal committees key requirements for the capital to have: *centrality and accessibility of situation, salubrity, and capacity for impregnable defence*.^[351]

An Army camp was established at Bathurst in early 1940 and was intended for the [Second Australian Imperial Force's 1st Armoured Division](#), although it was later converted to an [infantry](#) training centre due to the unsuitability of the closely settled area to armoured training. Following the war, this camp was converted to a [migrant reception and training centre](#). The first group of migrants arrived at Bathurst in 1948; at times the centre had up to 10,000 residents.^[201]

Population growth

Bathurst's population has had rapid growth periods throughout its history; during the mid to late 19th century gold rush period, then post World War 2 when migrants from the war ravaged countries were settled in the area and returning soldiers were offered farming land, and at the start of this century has been another fast growth period corresponding in part to Sydney's congestion. Other periods have seen a slightly declining population, including the decade around the 1900s and during the 1960s. The following chart illustrates the growth from 1856 to recent



Holy Trinity Church, [Kelso](#), built 1834.



St Stephen's Church, built 1872.



[Italianate style](#) stuccoed and decorated surfaces on the [façade](#) of the former Masonic Hall, built 1889.

Bathurst has a unique collection of architecture from colonial through to recent times, with many examples remaining intact. Historical buildings range from workers cottages, terrace houses, mansions, slab huts, industrial, commercial buildings and grand civic structures.

Periods, styles and features

Colonial

Covering the period from 1815 to 1840, this [Old Colonial period](#) is mostly of Bathurst red brick, sometimes limewashed, with 12-paned windows and four- or six-panelled doors. Examples of this style include Old Government House (c. 1820), and Holy Trinity Church (Gothic style).^[23]

Early Victorian

During the [Early Victorian period](#) from 1840 to 1860 the structures are mostly small domestic buildings. Characteristics of this style has the building line right up close to the street or the front verandah directly on the street. An example of this style include 'Loxley' a gentlemen townhouse of the period, and the Royal Hotel originally a single storey building.^[23]

Mid Victorian

The [Mid Victorian period](#) from 1860 to 1880 coincides with greater affluence and more building materials becoming available such as glass. Windows typically now became 4 or 6 panes. Row housing is still a common layout, sometimes in a [Gothic](#) influenced style with steeply pitched roofs. An example of this style is the Webb Building built in 1862. During this period, [Edward Gell](#) designed many of the main buildings including the ornate [St. Stanislaus' College](#), the railway station (1875) of the [Victorian Tudor](#) style with [dutch gables](#) topped by [finials](#), bay windows and cast-iron verandah.^[37] and a great baronial mansion called [Abercrombie House](#), a large, three-storey, 40-room mansion in the [Scottish baronial style](#). Bathurst Hospital is a large Victorian era hospital complex in the [second empire](#) style, constructed of Bathurst red bricks, verandahs are decorated with timber posts, arched brackets and cast iron balustrades.^[37]

Many Bathurst mansions were built of the [Italianate style](#) in this period, with features such as bay windows, cast iron columns, lacework and verandahs. These include 'Woolstone' (1883), 'Logan Brae' (1877 and now a convent) and 'Delaware' (1878).^[38]

Bathurst's Courthouse (1880) designed by colonial architect [James Barnet](#) stands in a prominent city position and is [neo-classical](#) style with octagonal [Renaissance](#) dome, a [doric portico](#) with pediment, octagonal tower with turret, stone facings and brick pilasters, a colonnade of Doric pillars, a sage-green roof, red bricks, yellow bricks and long lines of sash windows. Barnet also designed the Bathurst Police barracks (c. 1875) and the [Bathurst Gaol](#) (c. 1888) with the ornate lions head holding a key (a Victorian symbol of secure and certain retribution) standing over the gateway entrance.^[38]

St Stephen's Presbyterian Church is a Gothic structure built of Bathurst red bricks in 1871–72.^[23]

Late Victorian

During the Late Victorian period from 1880 to 1900, the Bathurst Showground Buildings (c. 1880s) represent one of the most intact groups of nineteenth century timber showground pavilions in New South Wales. The style is known as [Carpenter Gothic](#). The old technical college is a two-storey [American Romanesque](#) building erected c. 1896 of red brick with terracotta facings and other detailing. The interior is also of a high quality. Italianate architecture appears in several Bathurst buildings including the former Masonic Hall, now known as Carrington House, with stuccoed and decorated surfaces on the [façade](#), and the Westpac Bank building.^[23]

Federation

During Australia's [Federation period](#) from 1900 to 1915, there was experimentation in design and construction. The Experimental Farm (now part of Charles Sturt University) is an example of the Federation style. Many of the Federation style buildings have decorative timber fret work and terracotta or iron roofs.^[23]

Inter-War period

During the [Inter War period](#) from 1915 to 1940, there was great architectural change. Examples in Bathurst include the Knickerbocker Hotel in the [functionalist style](#) and the old Commonwealth

Bank built in the [Free Classical](#) style. With the coming of electricity in 1924 unique cast iron light posts and lanterns were installed in the centre of the wide city streets and these are still an architectural feature of the city streetscape.^{[23][39]}

Specific History of the site

Land Title

Title sold to William and Christine Sweetman by Kenneth Aaron Ryan, police officer and Rosemary Alice Ryan on 18 September 1979

Record of Mortgage Ryans from Tableland Co-op Building Ltd 17 February 1970

Conclusion

The house by its style seems to be constructed in the Inter-War period. It has modest heritage significance as evidence of Inter-War or late Federation development in Bathurst. *References:*

- New South Wales Heritage Office State Heritage Inventory search
- Sydney Sands Directory 1870-1933
- Land and Titles Office
- Identifying Australian Architecture
R. Apperly, R Irving, P. Reynolds
- Wikipedia
- Sydney Morning Herald
- Trove

4.0 Statement of Heritage Significance

4.1 Assessment Criteria

The following assessment of significance addresses the criteria endorsed by the NSW Heritage Council, and is in accordance with the *NSW Heritage Manual 'Assessing Heritage Significance'* guidelines. The assessment is based upon the limited historical information, and the inspection of the fabric of the item and the surrounding area.

a) An item is important in the course, or pattern, of the local area's cultural or natural history.

The house is a modest example of a Federation Arst and Crafts style house built in the Inter-War period. It makes a modest streetscape contribution. It is sympathetic to the grander Federation homes opposite the subject site.

b) An item has strong or special associations with the life or works of a particular person, or group of people, of importance in the local area's cultural and natural history

The item does not meet this criterion.

c) An item is important in demonstrating aesthetic characteristics and/ or a high degree of creative achievement in the local area.

The house is a modest example of Federation influenced architecte. It makes a streetscape contribution.

d) An item has strong or special association with a particular community or cultural group in the local area for social, cultural or spiritual reasons.

The item does not meet this criterion.

e) An item has potential to yield information that will contribute to an understanding of the local area's cultural or natural history

The item expresses early suburban development in the Bathurst township. It is one of many fine examples of Federation and Inter-war buildingsa in the neighbourhood.

f) An item possesses uncommon, rare or endangered aspects of the local area's cultural or natural history

No a rare example of its style.

-
- g) **An item is important in demonstrating the principal characteristics of a class of the local area's**
- **cultural or natural places; or**
 - **cultural or natural environments**

The house is a representative example of a Federation Arts and Crafts style house.

4.2 Statement of Significance

No. 261 Lambert Street is a modest example of Federation influenced architecture in good condition. The house makes a modest streetscape contribution.

4.3 Curtilage

The house is setback from the street by a small front yard. It is attached to No. 263 on its north-western wall. There is a breezeway to the south east. The property has a substantial rear yard.

5.0

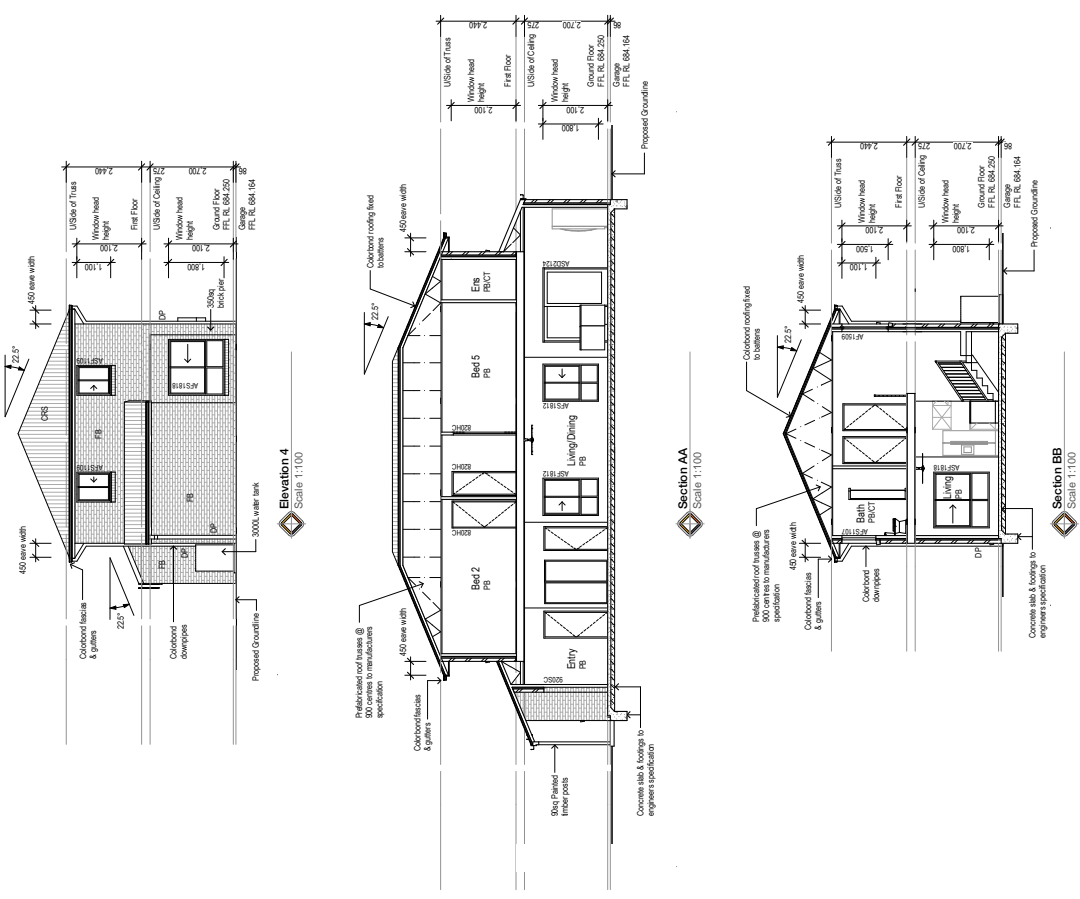
The Proposal

Proposed is a two storey brick house, it is to built in the rear yard and sub-divided from the existing property. The house is five bedroom and has a hipped roof. It is proposed to demolish the existing garage. This outbuilding is clad in asbestos fibro sheeting and poses a health hazard. The house is set in the extensive rear yard and shares a driveway with the existing house. The site is screened by the existing structures and public view is not impacted. Materials and finishes are contemporary but appropriate to the context of the site.

Plans displayed below.



P 02 6332 5885
M 0424 156 450
E BRETT@BMDD.COM.AU
12 MAXWELL DRIVE, EGLINTON NSW 2795



- Legend**
- A Aluminium
 - B Bath
 - BBB Bumpy
 - BBP Bagged & Painted Brickwork
 - BL Brick Veneer
 - CL Concrete
 - CDNC Concrete
 - CP Concrete
 - CPT Concrete
 - CRS Composite Roof Sheeting
 - DF Double Hung
 - DH Double Hung
 - DT Double Hung
 - EMB Electrical Meterboard
 - FB Floor Brick
 - FC Floor Concrete
 - FGL Floor Glass
 - FL Floor
 - FW Floor
 - HC Hollow Core
 - HL Hollow Core
 - LXR Laminated
 - MH Membrane
 - PF Painted Fibre Cement
 - PP Painted Fibre Cement
 - REF Refrigerator
 - RH Refrigerator
 - RWT Rain Water Tank
 - SD Sliding Door
 - SHR Shower
 - SV Shower
 - T.C. Typical
 - TYP Typical
 - W Washing Machine
 - WC Water Closet
 - WV Water Valve
 - X X
- Refer to DACCC11 & BAS Requirements

Andrew Starr and Associates, Heritage Consultants
Prepared for Brett Moulds

<p>BRETT MOULDS DESIGN & DRAFTING</p> <p>P 02 6332 5885 M 0424 156 450 E BRETT@BMDD.COM.AU 12 MAXWELL DRIVE, EGLINTON NSW 2795</p>	<p>Date</p> <p>11/08/18</p>	<p>Issue</p> <p>K</p>	<p>Amendment</p> <p></p>	<p>Date</p> <p>11/08/18</p>	<p>Issue</p> <p>K</p>	<p>Amendment</p> <p></p>	<p>Proposed New Dwelling</p> <p>Modernization Pty Ltd As Trustee For The Modernization Trust</p> <p>261 Lambert Street, Bathurst</p>	<p>Elevation & Sections</p> <p>DACC 06</p> <p>Issue: K</p> <p>Scale: 1:100 @ A2</p>	<p>Date: 11/08/18 Project: BMD171866</p>
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Date	Issue	Amendment	Shadow Diagrams 1
03/09/18	J	Amendment	Shadow Diagrams 1
11/09/18	K	Issued E2/DACC amendment	DACC 10A
28/09/18	L	Latterly issued E2/DACC amendment for	Scale: M
15/09/18	M	Site coverage details added	Scale: NTS @ A2
		Shadow Diagrams provided	Date: 15/09/18
			Project: BMD171666

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bdo
Brett Moulds
DRAFTING & DESIGN

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

21st June 11am

21st June 12pm

BRETT MOULDS
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bda
BUSINESS DEVELOPMENT
ARCHITECTURE & INTERIORS

Amendment
Issued for DACC submission
11/06/18
J
23/06/18
M

Issue
Issued for DACC submission
11/06/18
K
23/06/18
M

Amendment
Issued for DACC submission
11/06/18
K
23/06/18
M

Issue
Issued for DACC submission
11/06/18
K
23/06/18
M

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Balhurst

Shadow Diagrams 2
DACC 10C
Issue M
Scale N18 @ A2

Date: 15/09/18
Project: BMD71896

261 Lambert Street
Heritage Impact Assessment

September 2018

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BRETT MOULDS
DESIGN & DRAFTING

bda
BATHURST DESIGN ARCHITECTURE

Amendment
Based on DACC submission
Lately approved DACC submission
Shadow diagrams amended

Amendment
Based on DACC submission
Lately approved DACC submission
Shadow diagrams amended

Date
10/06/18 J
10/06/18 K
20/06/18 M

Date
10/06/18 J
10/06/18 K
20/06/18 M

Issue

Issue

Shadow Diagrams 3
DACC 10D
Issue M
Scale: NTS @ 1:2

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

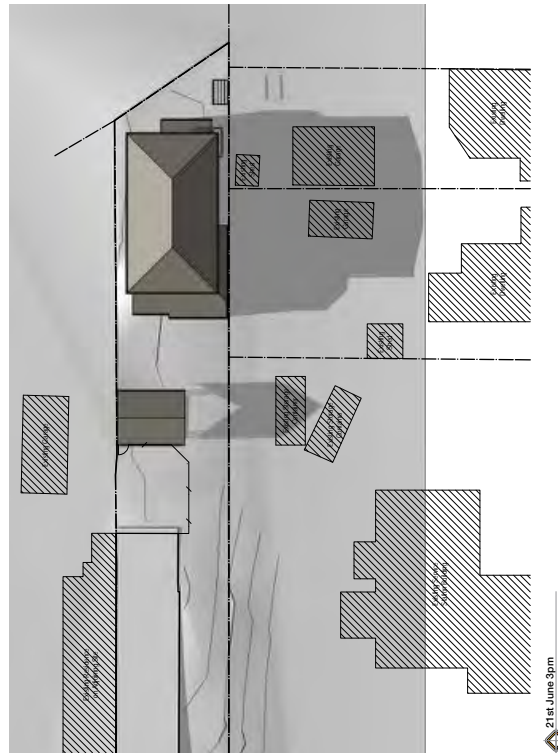
Date: 10/06/18
Issue: M
Project: BMD17166

261 Lambert Street
Heritage Impact Assessment

September 2018



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21st June 3pm

Shadow Diagrams 4
DACC 10E
Issue M
Scale: N1E @ A2
Date: 13/09/18
Project: BMD71866

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Issued for DACC submission
11/08/18
Launched for DACC submission
13/09/18
Shadow Diagrams Amended

Issue
11/08/18
13/09/18

Issue
11/08/18
13/09/18



BRETT MOULDS
DESIGN & DRAFTING
P 02 5332 5885
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12 MAXWELL DRIVE, EGLINTON NSW 2195



6.0 Heritage Impact Assessment

6.1 Statutory Controls

The subject building is listed in the Bathurst Conservation Area. The proposal is therefore subject to – Heritage provisions of Bathurst LEP 2014. The subject proposal will be discussed under the relevant Bathurst Council planning controls and provisions.

6.2 Assessment of Impacts

Bathurst Local Environmental Plan 2014

5.10 Heritage conservation

Note. Heritage items (if any) are listed and described in Schedule 5. Heritage conservation areas (if any) are shown on the [Heritage Map](#) as well as being described in Schedule 5.

(1) Objectives

The objectives of this clause are as follows:

- (a) to conserve the environmental heritage of Bathurst,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent

Development consent is required for any of the following:

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance):
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land:
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land:

- (i) on which a heritage item is located or that is within a heritage conservation area, or
- (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

(3) When consent not required

However, development consent under this clause is not required if:

- (a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:
 - (i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and
 - (ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or
- (b) the development is in a cemetery or burial ground and the proposed development:
 - (i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and
 - (ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or
- (c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or
- (d) the development is exempt development.

(4) Effect of proposed development on heritage significance

The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).

(5) Heritage assessment

The consent authority may, before granting consent to any development:

- (a) on land on which a heritage item is located, or
 - (b) on land that is within a heritage conservation area, or
 - (c) on land that is within the vicinity of land referred to in paragraph (a) or (b),
- require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.

(6) Heritage conservation management plans

The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.

(7) Archaeological sites

The consent authority must, before granting consent under this clause to the carrying out of

development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the [Heritage Act 1977](#) applies):

- (a) notify the Heritage Council of its intention to grant consent, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(8) Aboriginal places of heritage significance

The consent authority must, before granting consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:

- (a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and
- (b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.

(9) Demolition of nominated State heritage items

The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:

- (a) notify the Heritage Council about the application, and
- (b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.

(10) Conservation incentives

The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:

- (a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and
- (b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and
- (c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and
- (d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and
- (e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.

- This heritage impact statement has been prepared to accompany the development application. The proposed site is a registered heritage item. It is in a conservation area.
- The proposed alterations and additions are considered appropriate because of the building's change of use.

ASSESSMENT OF IMPACT

Why is the building/site of heritage significance?

- The site contains a Federation Style house in good condition. It makes a contribution to the streetscape and is complimentary to the more grand Federation Houses opposite in Lambert Street. Situated on the fringe of the Bathurst Conservation area the during the Inter-War period. The existing house is not a rare example of its type. The specific site is behind the duplex which means that the new dwelling will be screened from both Lambert Street and the Great Western Highway by existing buildings.

What positive impacts will the proposed works have on its significance?

- The original house is retained.
- No alteration to the key facade.
- No alteration to any key streetscape

What negative impacts will the proposed works have on its significance? (i.e. What aspects of the proposal detract from, or remove the heritage significance. Give reasons)

- Neutral impact on streetscape and conservation area.

What measures are proposed to mitigate the negative impacts?

- The siting of the new building is sympathetic. It is screened from public view by existing houses and a service station in Lambert Street and the Great Western highway. No demolition of any heritage fabric.

6.2.2'Questions to be Answered'

<p>Development in the vicinity of heritage items, heritage conservation areas, heritage streetscape areas, archaeological sites or potential archaeological sites</p> <p>The consent authority must not grant consent to development on land in the vicinity of a heritage item, a heritage conservation area, a heritage streetscape area, an archaeological site or a potential archaeological site unless it has considered an assessment of the impact the proposed development will have on the heritage significance, curtilage and setting of the heritage item, on the heritage significance of buildings within the heritage conservation area, or on the heritage significance of the streetscape within the heritage streetscape area or of the actual or potential archaeological site, as well as the impact of the development on any significant views to or from the heritage item, heritage conservation area or streetscape.</p>	<p>The proposed works will have no impact on the heritage significance of the adjacent heritage items as defined above.</p> <p>The proposed new building is screened from public view by existing buildings. There is no change to the setting or curtilage of adjacent items and no impact on views to or from the heritage items.</p> <p>The subject building was constructed for the State Government to supplement its stores operations in the Sheas creek wool sheds located opposite the site to the rear. The buildings historical relationship to the conservation area is not diminished by the proposed works.</p>
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7.0 Conclusion – Conservation Principles

The appearance of No. 261 Lambert Street suggests that the house was constructed in the Inter-War period. Land Title searches on the house were in conclusive and an exact date of construction was not determined. The existing is in the Bathurst Conservation Area and is a contributory item in the streetscape. The house has some heritage significance providing evidence of the development of the area during this period. It is not a rare building and its aesthetics merits are modest. No. 261 is part of a duplex. Its contributory status warrant its retention. It is retained in this proposal.

The new building in the extensive rear yard of the existing property is screened by the existing house on the site and its partner in the duplex from public view from Lambert Street. It is screened from view from the Great western Highway by the existing service station and houses that run in front the boundary of the yard. There is no impact on the streetscape or its neighbours. The duplex and groups of houses built in the Inter-War Period and Federation period are not impacted.

The choice of materials and finishes are appropriate to the context of the site. There is a clear division between old and introduced fabric that avoids confusion between what is old and what is new.

The proposal is sympathetic to the area. Public enjoyment of the conservation area is not impacted.

Andrew Starr and Associates Heritage Consultants
September 2018



Civic Centre:
158 Russell Street
Correspondence:
Private Mail Bag 17
BATHURST NSW 2795

Telephone 02 6333 6111
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www.bathurst.nsw.gov.au

OFFICE USE ONLY

REQUEST FOR VARIATION OF DEVELOPMENT CONTROL PLAN STANDARD

Section 1 Development Details
DA Number: 2018/303
Applicant: Brett Moulds
Development details: Demolition of Existing Shed, Proposed Dual Occupancy & Two Lot Residential Subdivision

Section 2 Bathurst Regional Development Control Plan 2014
Clause No/s: Clause 4.9 Parking, Access and Manoeuvring Areas. Medium Density Housing (Precinct 1). For 3 or more bedroom dwellings - 1 covered car parking space per dwelling and 1 visitors space per 2 dwellings (or part thereof)

Section 3 Reason/s for variation
A request to vary the above mentioned clause is submitted due to the nature of both the subject site, and existing road network around the subject site.
Lambert Street road carriage way is approximately 29m in width, with an actual two way road width of approximately 15m. Current driveway spacing between the subject site and neighbouring dwellings provide for many on street parking opportunities in the immediate area of the proposed development.
The development site is approximately 10.0m in width. Whilst the site is able to accommodate permanent parking and vehicle manoeuvring areas for both the existing and proposed dwelling, an off street visitor parking space would encroach on allowable building area making the proposed development not financially viable. Given the 'temporary use' nature of a visitor parking space, we believe the on site area be better utilised as it has currently been documented.
In summary the existing road allows for ample parallel parking on both sides of Lambert Street. Allowing 1 'on street' visitor car space will not have a negative effect on the current road network.

Section 4 Applicant signature panel
Name (print names) Signature Date
Brett Moulds [Signature] 22/10/18

The information on this form is being collected to allow council to process your application and/or carry out its statutory obligations. All information collected will be held by Council and will only be used for the purpose for which it was collected. An individual may view their personal information and may correct any errors.

Planners comments

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2018/303-02/00



Development application No 2018/303

Donna O'Keeffe to: council@bathurst.nsw.gov.au, Donna O'Keeffe

07/09/2018 07:37 AM

From: Donna O'Keeffe <dokeeffe07@yahoo.com.au>
To: "council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>, Donna O'Keeffe <dokeeffe07@yahoo.com.au>
Please respond to "dokeeffe07@yahoo.com.au" <dokeeffe07@yahoo.com.au>

I would like to make a submission of objection in regards to the above DA and its impact on property at 251 Stewart Street, Bathurst

My concerns are

1. The removal of tree roots which would severely impact on my large trees possibly killing them. "Site
2. The shadow created by such a large, tall development and its impact on lifestyle and health.
3. The closeness of the building to the boundary fence.
4. The second story windows will not only look directly onto the whole of my backyard, they will also look directly into the bathroom.
5. The flow of natural water in regards to the building levels and the natural fall of land of my property.

Regards

Donna O'Keeffe.(O'Leary)
63 Lorimer Street
Llanarth

0424226158

[Sent from Yahoo! Mail on Android](#)

[Report this message as spam](#)

Ms L Sargeant
249 Stewart Street, Bathurst NSW 2795 M: 0415 133 482

Mr R Denyer
Manager Development Assessment
Bathurst Regional Council (BRC)
158 Russell Street
Bathurst NSW 2795

BATHURST REGIONAL COUNCIL

10 SEP 2018

6th September 2018

REF 2018/303-02/008

Dear Mr Denyer,

RE: Development Application No 2018/303

On behalf of my brother Alan, and myself, I write to advise you and BRC of our strong objection to above proposed development. Lorna and Gordon Hall, elderly residents of 247 Stewart, also strongly object to proposed development. Please find signatures below.

Firstly, a two storey second dwelling in what is basically 'just over the fence' from our backyard would significantly **overshadow** our property.

Secondly, a two storey second dwelling just over the fence would impact on our **privacy** with occupiers in a property of this height being able to look straight down into our property and surrounding properties.

Thirdly, a development of this nature would more than likely impact on our property through excessive stormwater flooding into our property due to the natural slope of the land.

For your information, our garage has been flooded at least four times over the past 12 years and I enclose photos for your perusal.

Fourthly, a two storey second dwelling in this area is **out of character** with what is essentially a heritage part of Bathurst. Our home, for example, was built in the late 1890s and this has been acknowledged by BRC for a number of years due to us receiving grants from BRC Heritage Fund to improve our property.

Finally, my understanding is that the owner of this property is an investor. As such, he is not concerned about the **visual impact** of the proposed two storey dwelling **in relation to the streetscape** of our area. It can be argued that his interests are only based on profits to be gained.

In sum, it would be greatly appreciated if BRC refuse this development application based on reasons provided herein.

Kind Regards

			
Lorraine Sargeant	Alan Sargeant	Lorna Hall	Gordon Hall

RECEIVED
7 SEP 2018

DEPBS

BATHURST REGIONAL COUNCIL

Flooded garage of 249
Stewart St, Bx
August 2016



Flooded area at back of
garage of 249 Stewart
St Bx.

August 2016



Back fence adjoining
 261 Lambert St Bx.
 Flooded area of 249
 Stewart St Bx which
 backs onto garage
 which was also flooded

August 2016



2018/303-02/018

DISCUSSION FORUM

DETAILS: TWO STOREY DUAL OCCUPANCY WITH ATTACHED GARAGE AND TWO LOT RESIDENTIAL SUBDIVISION AT 261 LAMBERT STREET, BATHURST

DATE: 12 OCTOBER 2018

PRESENT: **BRETT MOULDS, SANJEEV SAH, DONNA O'KEEFFE, LORRAINE SARGEANT, ALAN SARGEANT, DANIEL DWYER, NEIL SOUTHORN**

FILE: DA 2018/303

Meeting Opened: 10.00am

N Southorn: Welcomed everyone to the meeting. Explained the purpose of the meeting. Noted that the proposal had been notified to adjoining property owners and that two submissions had been received, one of which contained four signatures.

L Sargeant: Advised the she and her brother Alan were part owners of 249 Stewart Street. Advised that her elderly neighbours Lorna and Gordon Hall did not receive notification of the Discussion Forum but were signatories on the submission.

D Dwyer: Explained that when a submission is received with multiple signatories it is Council's policy to only correspond with the primary/first signatory – in this case Ms Sargeant.

L Sargeant: Raised concerns about a large two storey dwelling being right on her rear boundary. Noted that it will block off all afternoon sun in her yard. Noted that her elderly neighbours Mr and Mrs Hall shared the same concerns about the proposal. Explained significant stormwater issues, including garage flooding, caused by runoff from the subject property. Noted photos of the stormwater issue were attached to her submission.

B Moulds: Explained that as part of the development all stormwater from the site would be captured and directed to the gutter in Lambert Street. Noted that the developer could not control runoff from the neighbouring large vacant parcel of land behind (265 Lambert Street) and that this may also be contributing to the stormwater issue.

N Southorn: Explained that a condition would be imposed on the consent to ensure that all stormwater is captured and directed to the street gutter.

- D Dwyer: Explained that where subdivision is proposed the developer must capture and drain stormwater from the entire site, not just the roof water.
- B Moulds: Explained that the industry standard for solar access would be met with the proposal. Noted the DCP requirement for sunlight between the hours of 9.00am and 3.00pm at the winter solstice.
- N Southorn: Spoke to the shadow diagrams and showed Ms Sargeant and Mr Sargeant shadow intervals.
- B Mould: Reiterated that minimum solar access would be achieved and even exceeded for 251 and 249 Stewart Street.
- L Sargeant: Noted that the 2.00pm was very significant. Raised concerns about only receiving sunlight for half of the day or even less. Explained that her clothes line was at the rear of the yard and that it would be in the shade all of the time. Noted she was not prepared to move her clothes line. Raised concerns about the proposed building being out of character with the heritage area. Raised concerns about noise from neighbours and traffic. Raised concerns about traffic at the intersection of Stewart and Lambert Streets. Noted that she already experiences significant issues with barking dogs. Noted that the property had been in her family since 1971. Noted that Bathurst urgently needs a bypass like many other regional cities had already built.
- N Southorn: Explained that RMS and Council were currently undertaking a major traffic modelling study to address traffic issues in central Bathurst. Noted that the proposal as submitted is consistent with current planning controls. Noted that Council has to accept the DA, Council has to assess the DA and subject to the outcome of the assessment may decide to approve or refuse the DA. Noted that acceptance of the DA did not necessarily mean that it would be approved. Noted that during the assessment Council has to consider the prescriptive development standards as well as the merit based elements such as character, streetscape and impact on neighbours. Noted that the owner has the right to seek approval for the development that they want. Noted that a Heritage Impact Statement has been submitted and that it concludes that the proposal will not substantially impact upon the Lambert and Stewart Street streetscapes.

NOTE: Donna O'Keeffe arrived at 10.15am.

- D O'Keeffe: Noted that the area is characterised by single storey buildings but the one proposed was two storey.
- N Southorn: Noted that two storey development is permissible in the Heritage Conservation Area and was quite prevalent. Spoke

to the shadow diagrams and explained the intervals between 9.00am and 3.00pm.

- D O'Keeffe: Noted that the shadows indicated on the diagrams were completely unacceptable.
- N Southorn: Explained that shadowing of dwellings was considered, in a planning sense, as being of greater importance than open space areas.
- D O'Keeffe: Explained that with the shadows as drawn the plants in the yard would receive no sun, the clothes line would receive no sun and there would be no nice light and airy place to sit. Noted that the height to the eave of the proposed building would be over 5 metres.
- B Moulds: Explained that the height to the eave would be approximately 5.5 metres and the overall height of the building approximately 7.5 metres.
- N Southorn: Explained that the maximum building height under the LEP is 9 metres.
- D O'Keeffe: Noted that it was a very large building to have right on the back boundary. Raised concerns about privacy. Noted that there would be a direct line of sight into the bathroom. Raised concerns about how excessive the building was for this locality. Noted its significant adverse impact on the neighbours.
- N Southorn: Asked Mr Moulds and Mr Sah whether they had already considered changing the plans to reduce the bulk and subsequently reduce the shadowing. Noted that in the past Council has required the use of screens and/or opaque glass to address privacy concerns.
- B Moulds: Explained that they hadn't yet discussed changing the plans but that they were prepared to have the discussion. Noted that financial viability was a key consideration and that they would not change the plans if the changes would make the project unviable.
- L Sargeant: Asked what Mr Sah's intentions were for the house. Asked if it was to be his family home or just a rental.
- D O'Keeffe: Noted the large number of bedrooms and bathrooms in the proposed house. Noted that the proposed house is monstrous.
- S Sah: Explained that he currently lives in Sydney but would one day like to live in Bathurst. Explained that house will initially be a rental but may one day become a family home.

- N Southorn: Explained that the end use of the dwelling is not a planning consideration. Noted that only its construction was the subject of the Development Application.
- L Sargeant: Explained long term issues with students in the neighbouring property. Reiterated her significant concerns with the proposal in terms of being out of character, noise, overshadowing, overlooking and simply being monstrous.
- D O'Keeffe: Raised concerns about the impact the development will have on two significant trees in her rear yard given how close the trees and the proposed building are to the boundary. Noted that disruption to the root system of the trees would most likely kill them.
- N Southorn: Explained that trees in the Heritage Conservation Area are a planning consideration and will therefore be addressed in the assessment of the application.
- D O'Keeffe: Noted that if the trees died there would be no buffer between her house and the proposed house.
- N Southorn: Noted the passionate objections of all neighbours to the proposal, particularly in relation to overshadowing and overlooking. Noted Mr Moulds and Mr Sah's preparedness to discuss a potential redesign.
- D O'Keeffe: Noted that unless significant design changes were made the neighbours objections were unlikely to change.
- L Sargeant: Reiterated that a two storey development in this location is totally inappropriate.
- B Moulds: Noted that there was very little opportunity for movement on the block because of how narrow it is.
- D O'Keeffe: Asked if the property would be subdivided so that the existing and proposed houses would be on separate titles.
- N Southorn: Explained that the Development Application included a two lot subdivision and that this was permissible.
- D O'Keeffe: Asked if the proposed development complied with Council's minimum open space requirements.
- B Moulds: Explained that the proposed development complied with all of Council's prescriptive development standards and that compliance is the first thing he considers with any new development.
- N Southorn: Noted that despite numerical compliance Council must still consider the project on its merits.

- D O'Keeffe: Noted that, with the exception of the Dudley Hotel, there were no other two storey buildings in the immediate vicinity of the site.
- N Southorn: Explained that two storey development is permissible in the Heritage Conservation area and that there are many examples nearby. Noted that a Heritage Impact Statement has been submitted and that it concludes the dwelling will not have any adverse impact on the Lambert or Stewart Street streetscapes or on the overall Heritage Conservation Area.
- D O'Keeffe: Reiterated her primary concerns of impact on trees, shadowing, privacy and overall detrimental impact on neighbouring properties.
- N Southorn: Noted that the majority of the concerns stemmed from the bulk and scale of the proposed dwelling. Noted that Mr Moulds and Mr Sah would discuss a redesign and may choose to submit amended plans. Explained that if the amended plans were considered satisfactory to the neighbours the application would be determined under delegated authority. Explained that if the amended plans were not considered satisfactory or if the applicant chose not to amend them at all, the application would be reported to Council for determination at a Council Meeting. Thanked everyone for attending the meeting and closed the meeting.
- Meeting Closed: 10.40am

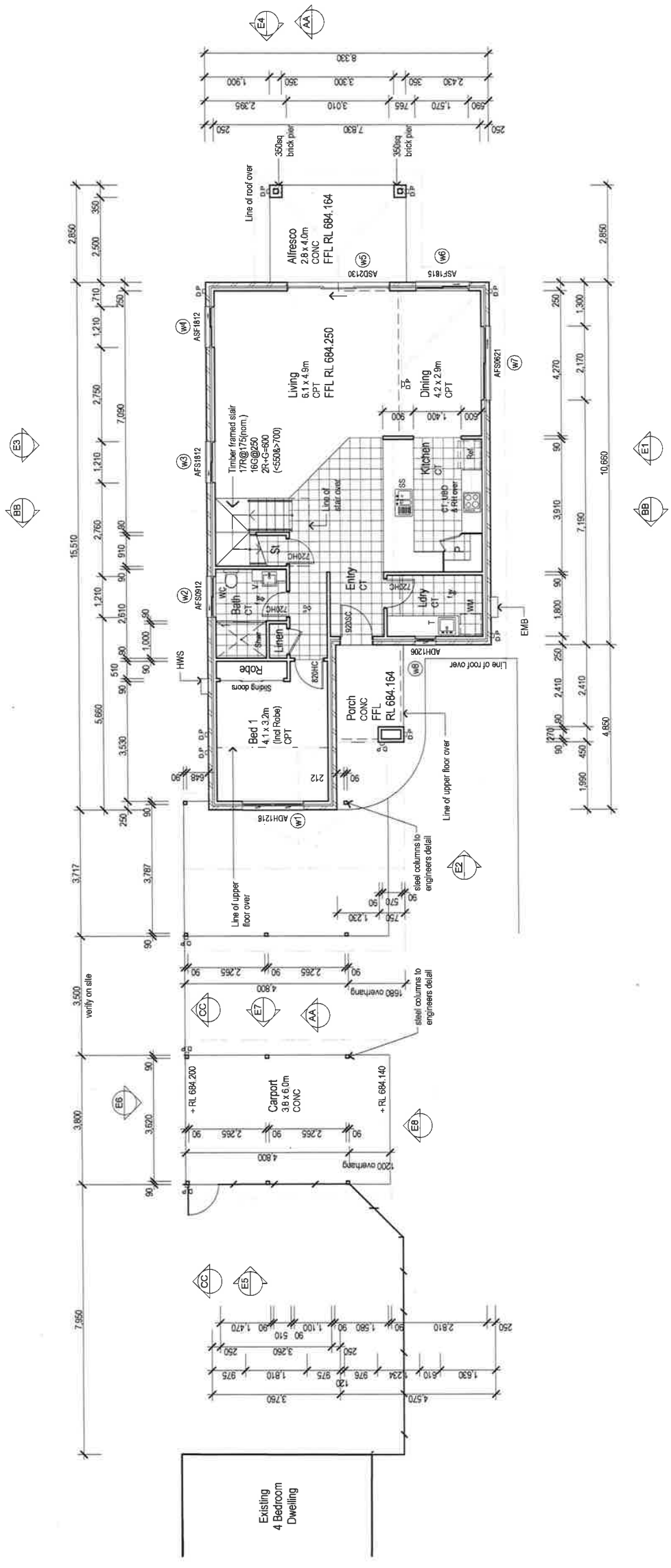


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DIRECTOR
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- Legend**
- A Aluminium
 - B Basin
 - BDRY Boundary
 - BPB Bagged & Painted Brickwork
 - BV Brick Veneer
 - CL Ceiling Level
 - CONC Concrete
 - CP Carpet
 - CPT Corrugated Roof Sheetling
 - CRS Cavity Sliding Door
 - CS Ceramic Tile
 - DH Double Hung
 - DP Double Panel
 - EMB Electrical Meterboard
 - ENS Ensuite
 - FB Face Brick
 - FC Fibre Cement
 - FFL Finished Floor Level
 - F Fixed Glass
 - FW Floor Waste
 - GM Gas Meter
 - HC Hollow Core
 - HWS Hot Water Service
 - LDRY Laundry
 - MH Manhole
 - PB Plasterboard
 - PFC Painted Fibre Cement
 - O Opaque Glass
 - OC Obscure Glass
 - REF Refrigerator
 - RL Recessed Level
 - RWT Rain Water Tank
 - SC Solid Core
 - SD Sliding Door
 - SHR Shower
 - SS Stainless Steel Sink
 - SV Stone Veneer
 - T Tub
 - TC Texture Coated Hebel
 - TYP Typical
 - UBO Under Bench Oven
 - WC Water Closet
 - W Washing Machine
 - WM Water Meter
 - X Sliding panel
- (W) SD
 Refer to DACC11 for all BASIX Requirements



Ground Floor Plan
 Scale 1:100

Area Schedule

Ground Floor	107.0m ²
First Floor	77.9m ²
New Residence Carport	22.9m ²
Total Building Area	207.8m²
Existing Residence Carport	22.8m ²
Porch	5.7m ²
Alfresco	11.4m ²
Site	687.2m ²

BRETT MOULDS
 DESIGN & DRAFTING

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Date	Issue	Amendment
28/08/18	L	
13/09/18	M	
16/10/18	N	
15/01/19	O	
23/02/19	P	
06/02/19	Q	

Amendment
 Site coverage details added
 Shadow Diagrams Amended
 Window privacy screens large added
 Pre-design - issued for comment
 Issued for DACC submission

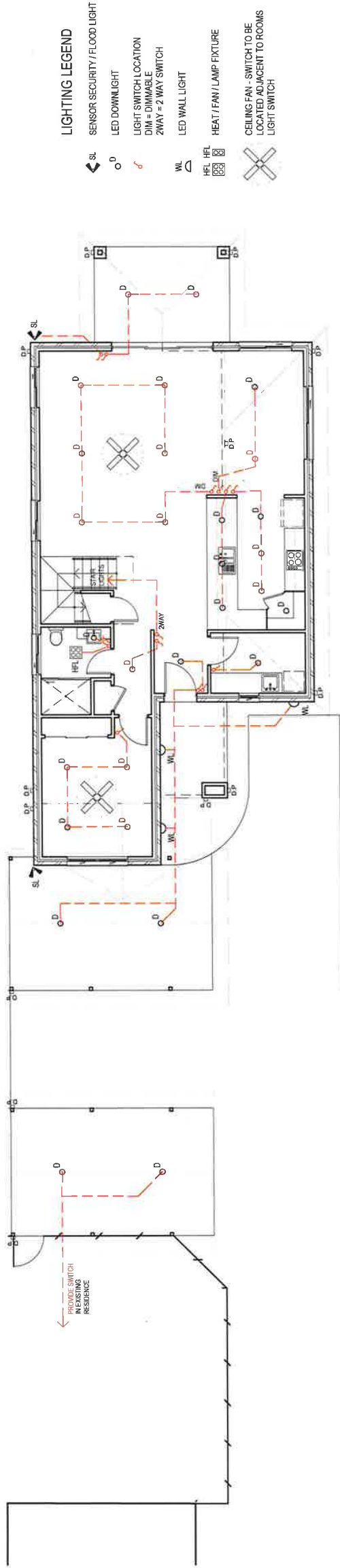
Proposed New Dwelling
 Modernization Pty Ltd As Trustee For The
 Modernization Trust
 261 Lambert Street, Bathurst

Ground Floor Plan
 DACC 03
 Issue: Q
 Scale: 1:100 @ A2

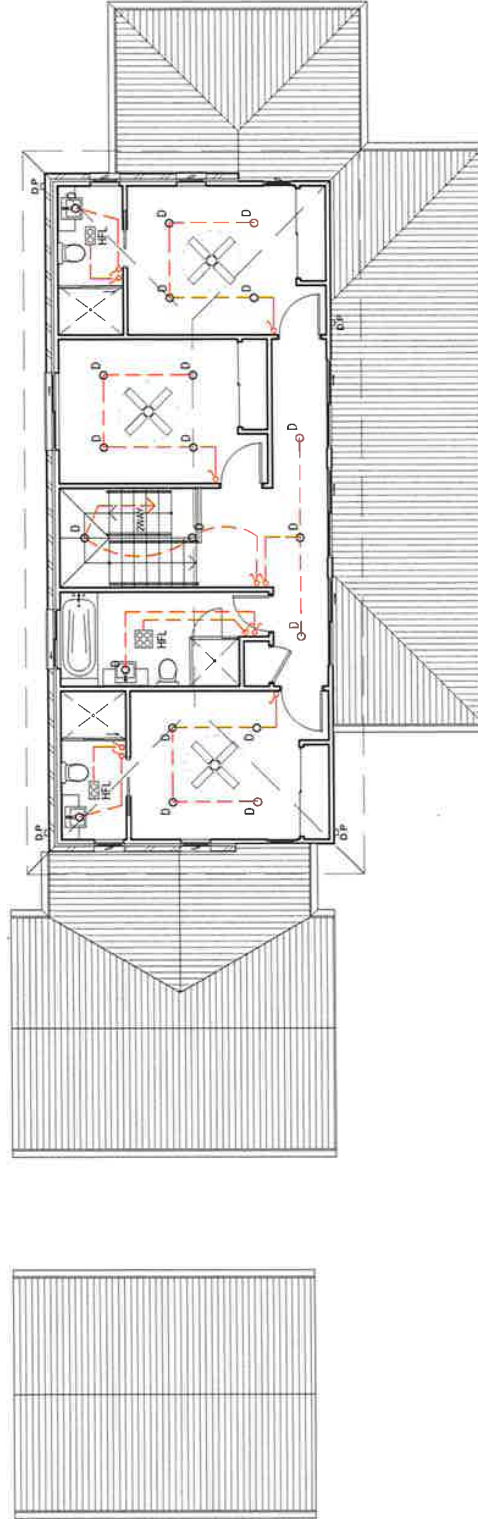
Date: 06/02/19
 Project: BMD171866



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Ground Floor Lighting Plan
 Scale 1:100



First Floor Lighting Plan
 Scale 1:100

- LIGHTING LEGEND**
- SL SENSOR SECURITY / FLOOD LIGHT
 - LD LED DOWNLIGHT
 - LS LIGHT SWITCH LOCATION
 DIM = DIMMABLE
 ZWAY = 2 WAY SWITCH
 - WL LED WALL LIGHT
 - HFL HEAT / FAN / LAMP FIXTURE
 - CS CEILING FAN - SWITCH TO BE LOCATED ADJACENT TO ROOMS LIGHT SWITCH



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BRETT MOULDS
 DESIGN & DRAFTING



Proposed New Dwelling
 Modernization Pty Ltd As Trustee For The
 Modernization Trust
 261 Lambert Street, Bathurst

Amendment
 Site coverage details added
 Shadow Diagrams Amended
 Window privacy screens added
 Re-design - issued for comment
 Issued for DACC submission

Date	Issue	Amendment
28/08/18	L	
13/09/18	M	
16/10/18	N	
15/11/18	P	
23/11/18	P	
06/02/19	C	

Date	Issue	Amendment



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BRETT MOULDS
 DESIGN & DRAFTING



Lighting Plans
 DACC 12
 Issue: Q
 Scale: 1:100 @ A2



Date: 06/02/19
 Project: BMD171866

Contents

DACC 01 Cover Page
 DACC 02 Site/Roof Plan
 DACC 03 Ground Floor Plan
 DACC 04 First Floor Plan
 DACC 05 Elevations
 DACC 06 Elevation & Sections
 DACC 07 Carport Elevations & Section
 DACC 08 Vehicle Maneuvering Plans
 DACC 09 Sub-division Plan
 DACC 10A Shadow Diagrams 1
 DACC 10B Shadow Diagrams 2
 DACC 10C Shadow Diagrams 3
 DACC 10D Shadow Diagrams 4
 DACC 11 Specification
 DACC 12 Lighting Plans

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Date

Issue

Amendment
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 Window privacy screens added
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Proposed New Dwelling
 Modernization Pty Ltd As Trustee For The
 Modernization Trust
 261 Lambert Street, Bathurst



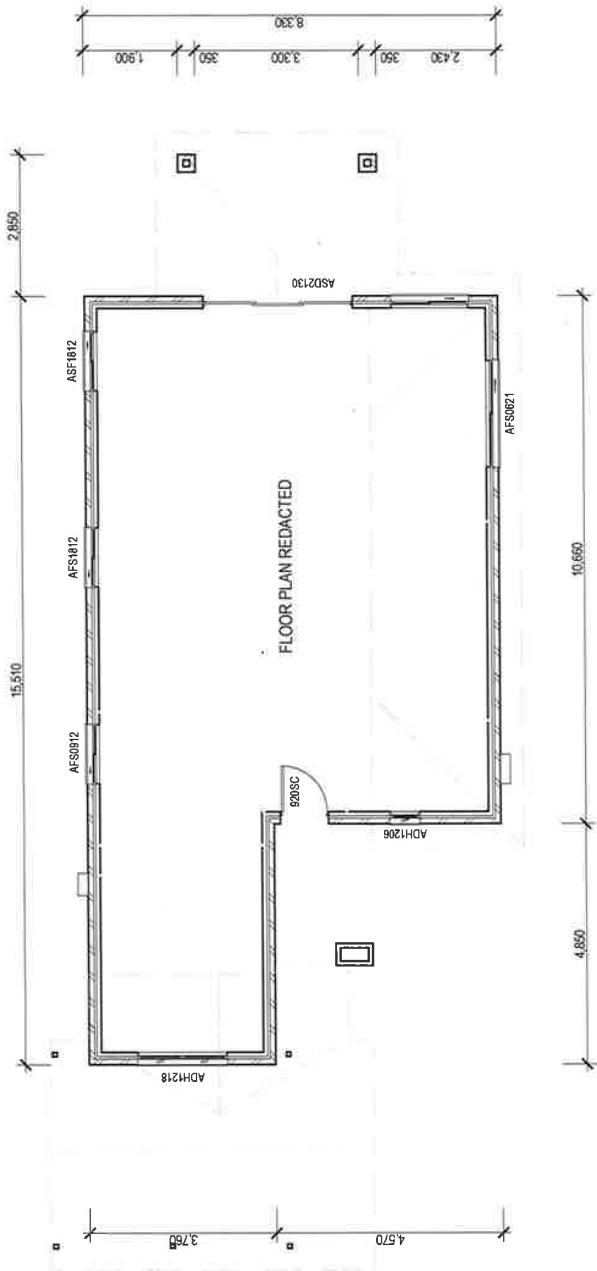
Cover Page
 DACC 01

Issue: Q
 Date: 06/02/19
 Project: BMD171866



P 02 6332 5885
M 0424 156 450
E BRETT@BMD.COM.AU
12 MAXWELL DRIVE, EGLINTON NSW 2795

- Legend**
- A Aluminium
 - B Basin
 - BDRY Boundary
 - BPB Bagged & Painted Brickwork
 - BV Brick Veneer
 - CL Ceiling Level
 - CL Concrete
 - CONC Concrete Paver
 - CPT Carpet
 - CRS Corrugated Roof Sheetting
 - CS Ceiling Sliding Door
 - CT Ceramic Tile
 - DH Double Hung
 - DP Downpipe
 - EMB Electrical Meterboard
 - ENS Ensuite
 - FB Face Brick
 - FC Fibre Cement
 - FFL Finished Floor Level
 - F Fixed Glass
 - FW Floor Waste
 - GM Gas Meter
 - HC Hollow Core
 - HWS Hot Water Service
 - LDRY Laundry
 - MH Manhole
 - MS Masterboard
 - PFC Painted Fibre Cement
 - FR Fibre Cement
 - O Obscure Glass
 - REF Refrigerator
 - RIH Rangehood
 - RL Rain Water Tank
 - RWT Reduced Level
 - SC Solid Core
 - SD Sliding Door
 - SHR Shower
 - SS Stainless Steel Sink
 - SV Stone Veneer
 - T Tub
 - TC Texture Coated Hebel
 - TYP Typical
 - UBO Under Bench Oven
 - WC Water Closet
 - WM Washing Machine
 - WM Water Meter
 - X Sliding Panel
- (W) Glazing code referring to pages 5 & 6 of BASIX Certificate
 (SD) Hard Wired Smoke Detectors
- Refer to DACC11 for all BASIX Requirements



Ground Floor Plan
Scale 1:100

Area Schedule

Ground Floor	115.6m ²
First Floor	127.2m ²
Garage	21.7m ²
Total Building Area	264.5m²
Existing Residence Carport	22.8m ²
Porch	12.0m ²
Allresco	12.0m ²
Deck	12.0m ²
Site	687.2m ²

BRETT MOULDS
DESIGN & DRAFTING

P 02 6332 5885
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E BRETT@BMD.COM.AU
12 MAXWELL DRIVE, EGLINTON NSW 2795

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Ground Floor Plan
DACC 03
Issue: Q
Scale: 1:100 @ A2

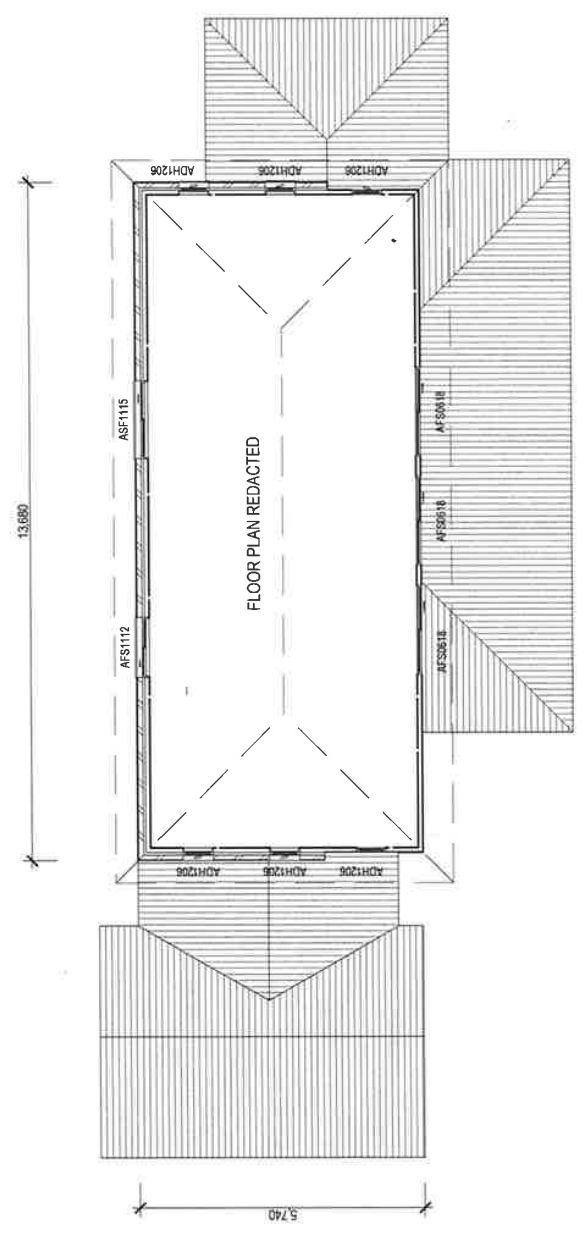
Date: 06/02/19
Project: BMD171666

Amendment	Date	Issue	Amendment	Date	Issue
Amendment	29/08/18	L	Amendment	06/02/19	O
Site coverage details added	13/09/18	M	Site coverage details added	15/01/19	P
Shadow Diagrams Amended	15/01/19	O	Shadow Diagrams Amended	23/01/19	O
Window privacy screen fittings added	23/01/19	P	Window privacy screen fittings added	23/01/19	O
Re-design - issued for comment	23/01/19	O	Re-design - issued for comment	23/01/19	O
Issued for DACC submission	06/02/19	O	Issued for DACC submission	06/02/19	O



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 E BRETT@BMOD.COM.AU
 12 MAXWELL DRIVE EGLINTON NSW 2795

- Legend**
- A Aluminium
 - B Basin
 - BDRY Boundary
 - BFB Bagged & Painted Brickwork
 - BV Brick Veneer
 - CL Ceiling Level
 - CONC Concrete
 - CP Concrete Paver
 - CPT Carpet
 - CRS Corrugated Roof Sheetting
 - CS Cavity Sliding Door
 - CSH Cast Stone
 - CH Double Hung
 - DP Downpipe
 - EMB Electrical Meterboard
 - ENS Ensuite
 - FB Face Brick
 - FC Fibre Cement
 - FFL Finished Floor Level
 - F Fixed Glass
 - FW Floor Waste
 - GM Gas Meter
 - HC Hollow Core
 - HWS Hot Water Service
 - LDRY Laundry
 - MH Manhole
 - PB Plasterboard
 - PFC Painted Fibre Cement
 - PF Panel
 - OG Opus Glass
 - REF Recessed
 - RH Recessed Hood
 - RL Rain Water Tank
 - RWT Rain Water Tank
 - SC Solid Core
 - SD Sliding Door
 - SHR Shower
 - SS Stainless Steel Sink
 - SV Stone Veneer
 - T Tub
 - TC Texture Coated Hebel
 - TYP Typical
 - UBO Under Bench Oven
 - WC Water Closet
 - W Washing Machine
 - WM Water Meter
 - X Sliding panel
- (W) Glazing code referring to pages 5 & 6 of BASIX Certificate
 (SD) Hard Wired Smoke Detectors
- Refer to DACCC11 for all BASIX Requirements



First Floor Plan
 Scale 1:100

Area Schedule

Ground Floor	115.6m ²
First Floor	127.2m ²
Garage	21.7m ²
Total Building Area	264.5m²
Existing Residence Carport	22.8m ²
Porch	2.9m ²
Alfresco	12.0m ²
Deck	12.0m ²
Site	687.2m ²



BUILDING DESIGNERS
 ASSOCIATION OF AUSTRALIA

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 DESIGN & DRAFTING

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Proposed New Dwelling
 Modernization Pty Ltd As Trustee For The
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 261 Lambert Street, Bathurst

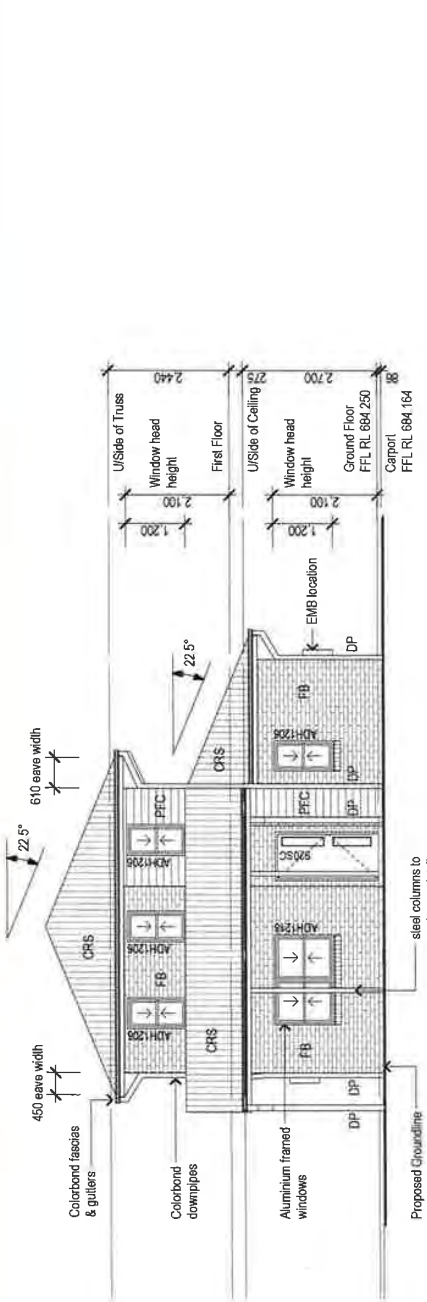
First Floor Plan
 DACCC 04
 Issue: Q
 Scale: 1:100 @ A2

Date: 06/02/19
 Project: BMD171866

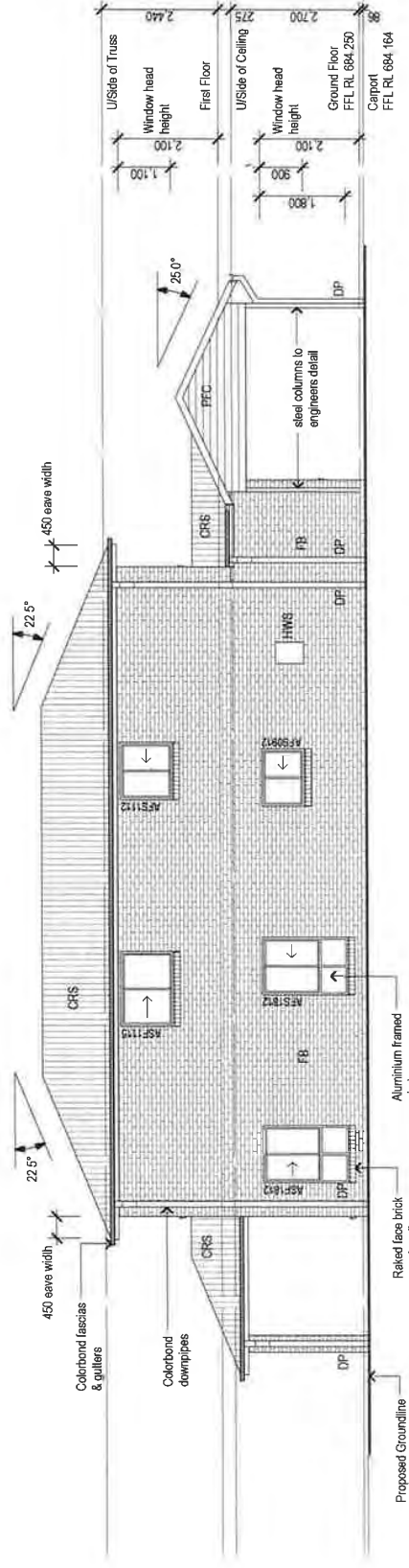


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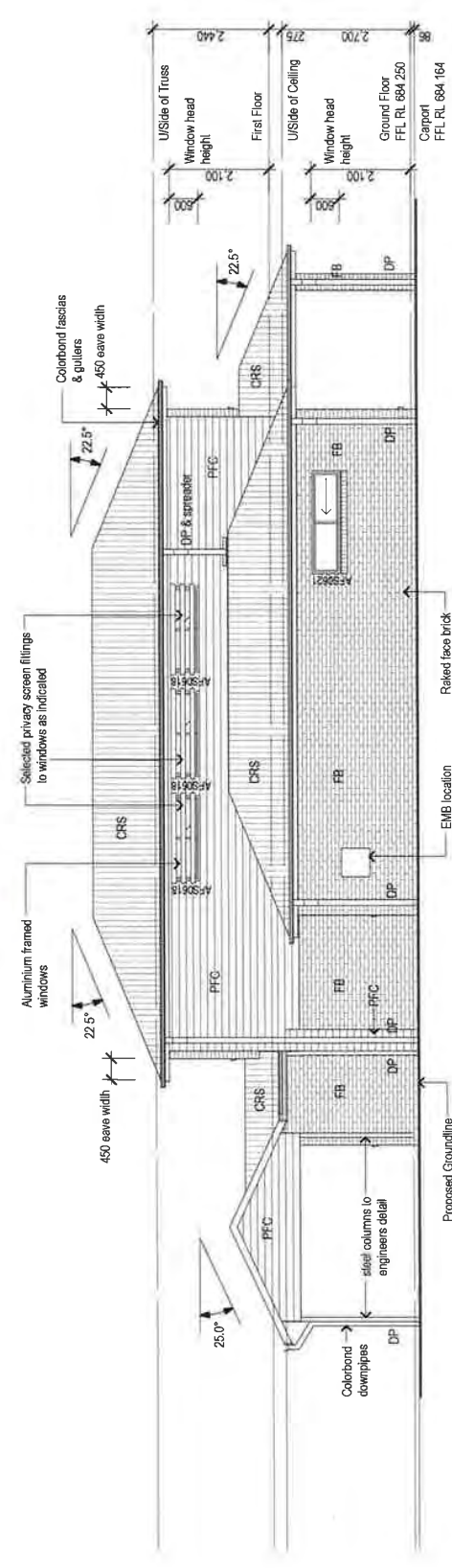
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- A Aluminium
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 - CCNC Concrete
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 - CPT Carpet
 - CRS Corrugated Roof Sheeting
 - CS Cavity Sliding Door
 - CT Ceramic Tile
 - DH Double Hung
 - DP Downpipes
 - EMB Electrical Meterboard
 - ENS Ensuite
 - FB Face Brick
 - FC Fibre Cement
 - FFL Finished Floor Level
 - F Floor Glass
 - FW Floor Waste
 - GM Gas Meter
 - HNS Hollow Core
 - LDRY Hot Water Service Laundry
 - MH Membrane
 - PB Plasterboard
 - PFC Painted Fibre Cement
 - O Obscure Glass
 - OG Obscure Glass
 - REF Refrigerator
 - RH Rangoon
 - RL Reduced Level
 - RWT Rain Water Tank
 - SC Solid Core
 - SD Sliding Door
 - SHR Shower
 - SS Stainless Steel Sink
 - SV Stone Veneer
 - T Tub
 - TC Texture Coated Hebel
 - TV Typical
 - UBO Typical Bench Oven
 - WC Water Closet
 - W Washing Machine
 - WM Water Meter
 - X Sliding panel
- Refer to DACCC11 for all BASIX Requirements



Elevation 2
Scale 1:100



Elevation 3
Scale 1:100



Elevation 1
Scale 1:100



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Proposed New Dwelling
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261 Lambert Street, Bathurst

Amendment
L Site coverage details added
M Shadow Diagrams Amended
N Window privacy screen fittings added
O Re-design - issued for comment
P Issued for comment
Q Issued for DACCC submission

Date
28/08/18 L
13/09/18 M
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23/01/19 O
06/02/19 P
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Amendment

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Elevations
DACCC 05
Issue: Q
Scale: 1:100 @ A2

Amendment
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Amendment
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Amendment
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Date
28/08/18 L
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Amendment

Date
Issue

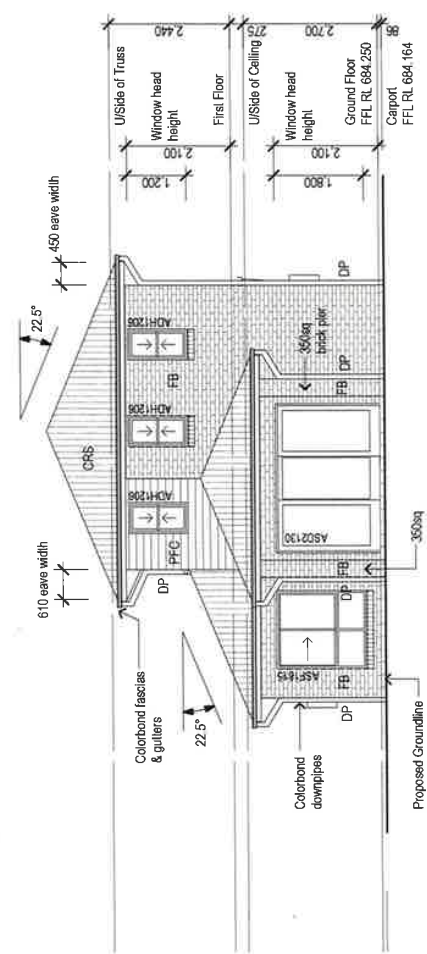




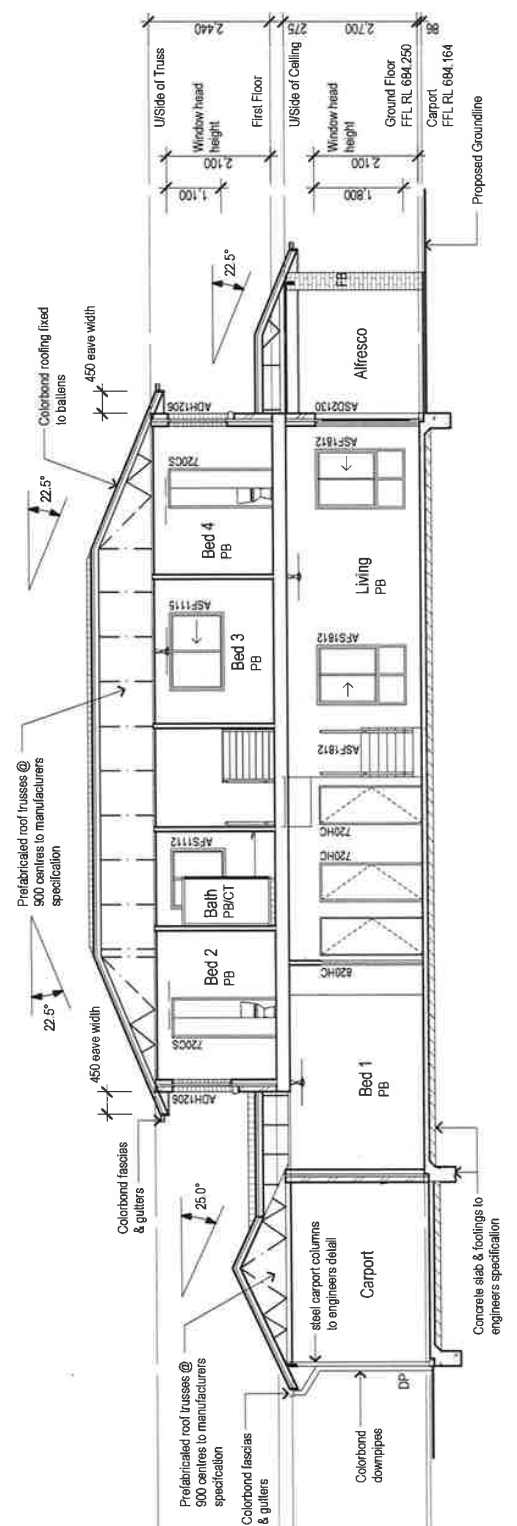
02 6332 5885
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Legend

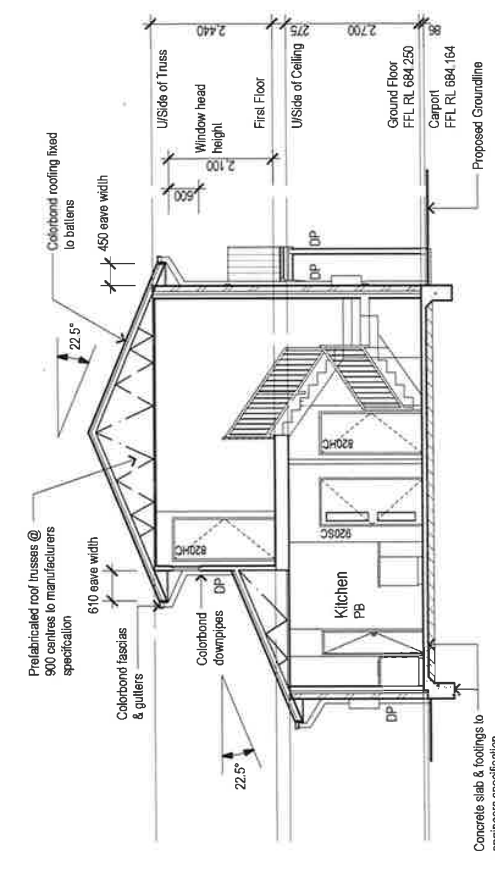
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 - DH Double Hung
 - DP Downpipe
 - EMB Electrical Meterboard
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 - HC Hollow Core
 - HWS Hot Water Service
 - LDRY Laundry
 - MH Manhole
 - PB Plasterboard
 - PFC Painted Fibre Cement
 - O On
 - OG On
 - OS On
 - REF Rangoor
 - RH Rain Head
 - RL Rainwater Tank
 - RWT Rainwater Tank
 - SC Solid Core
 - SD Sliding Door
 - SHR Shower
 - SS Stainless Steel Sink
 - SV Stone Veneer
 - T Tub
 - TC Texture Coated Hebel
 - TYP Typical
 - UBO Under Bench Oven
 - WC Water Closet
 - W Washing Machine
 - WM Water Meter
 - X Sliding panel
- Refer to DACC11 for all BASIX Requirements



Elevation 4
Scale 1:100



Section AA
Scale 1:100



Section BB
Scale 1:100



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BRETT MOULDS
DESIGN & DRAFTING



Elevation & Sections
DACC 06
Issue: Q
Scale: 1:100 @ A2

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Site coverage details added
Shadow Diagrams added
Window design added
Rb design - issued for comment
Issued for DACC submission

Amendment	Date	Issue
L	29/09/18	
M	13/09/18	
N	16/10/18	
P	13/01/19	
Q	08/02/19	

Date	Issue	Amendment	Date	Issue
			29/09/18	L
			13/09/18	M
			16/10/18	N
			13/01/19	P
			08/02/19	Q



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BRETT MOULDS
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Elevation & Sections
DACC 06
Issue: Q
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Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Site coverage details added
Shadow Diagrams added
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Amendment	Date	Issue
L	29/09/18	
M	13/09/18	
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Date	Issue	Amendment	Date	Issue
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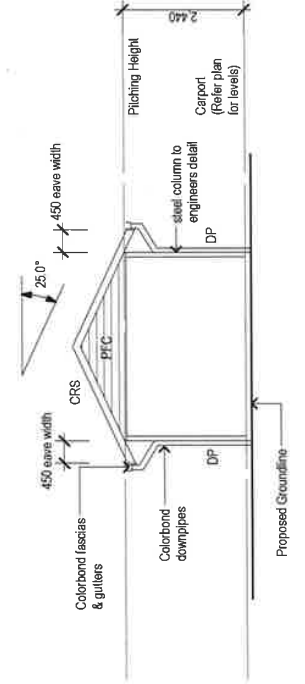
BRETT MOULDS
DESIGN & DRAFTING



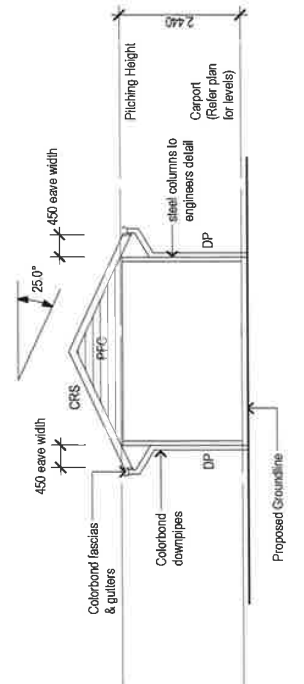


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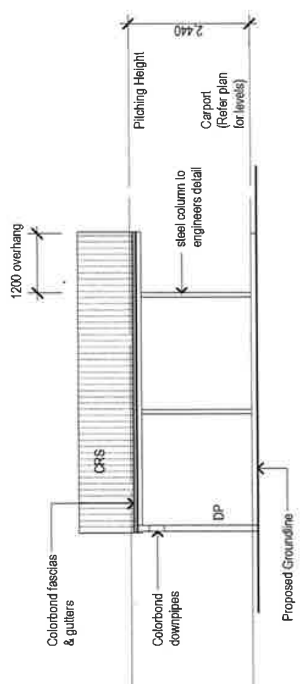
- Legend**
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 - SD Sliding Door
 - SHR Shower
 - SS Stainless Steel Sink
 - SV Stone Veneer
 - T Tub
 - TC Texture Coated Hebel
 - TYP Typical
 - UBO Under Bench Oven
 - WC Water Closet
 - WM Washing Machine
 - WM Water Meter
 - X Sliding Panel



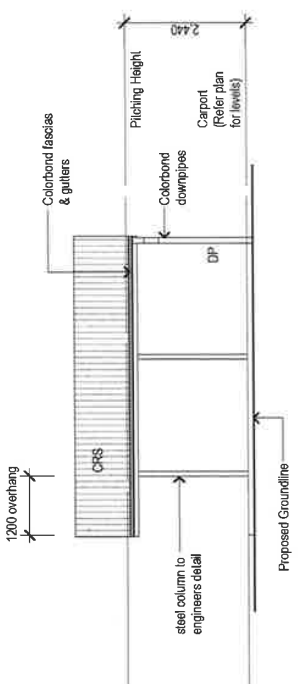
Elevation 6
Scale 1:100



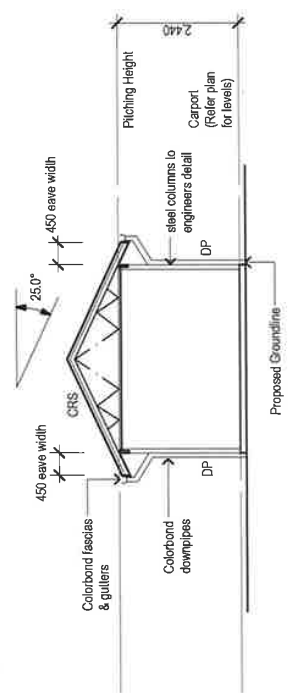
Elevation 8
Scale 1:100



Elevation 7
Scale 1:100



Elevation 7
Scale 1:100



Section CC
Scale 1:100

Carport Elevations & Section
DACC 07
Issue: Q
Scale: 1:100 @ A2

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Site coverage details added
Shower Design Approved
Window privacy screen fittings added
Re-design - issued for comment
Issued for DACC submission

Date	Issue
28/08/18	L
13/09/18	M
15/10/18	N
23/01/19	O
23/01/19	P
06/02/19	Q

Date	Issue	Amendment
28/08/18	L	
13/09/18	M	
15/10/18	N	
23/01/19	O	
23/01/19	P	
06/02/19	Q	

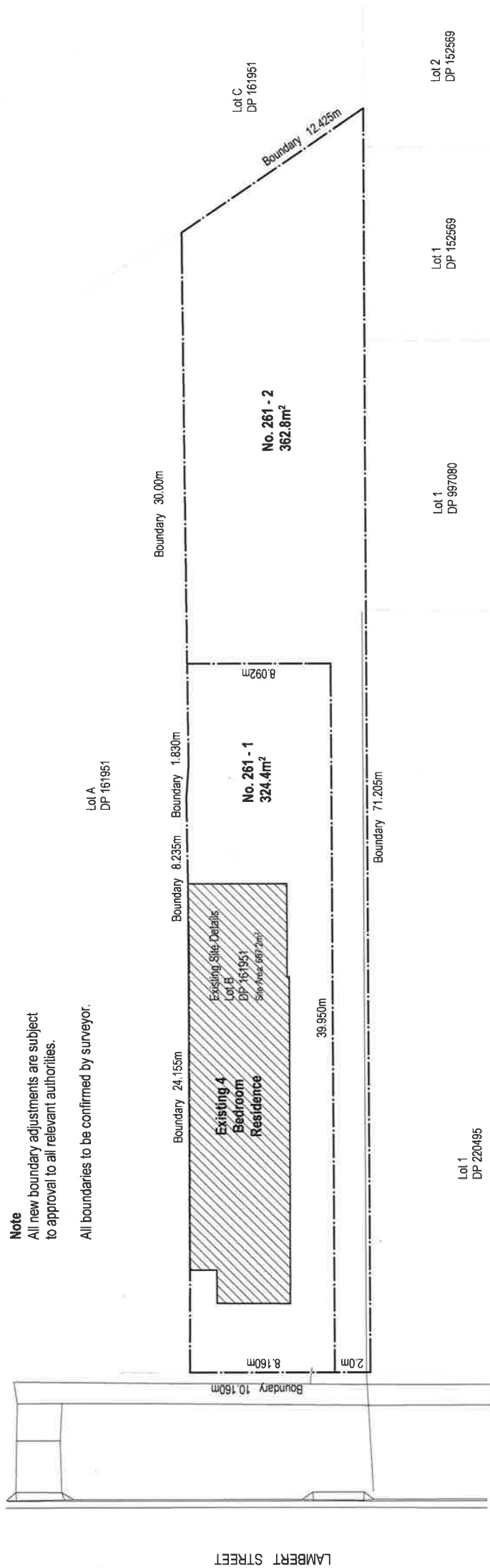


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BRETT MOULDS
DESIGN & DRAFTING



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Note
 All new boundary adjustments are subject to approval to all relevant authorities.
 All boundaries to be confirmed by surveyor.



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Date	Issue	Amendment
26/09/18	L	
13/09/18	M	
19/10/18	N	
19/10/18	O	
23/01/19	P	
06/02/19	Q	

Amendment
 Site coverage details added
 Shadow Diagrams added
 Window profiles and fittings added
 Window profiles added
 Re-design - issued for comment
 Issued for DACC submission

Proposed New Dwelling
 Modernization Pty Ltd As Trustee For The Modernization Trust
 261 Lambert Street, Bathurst



Sub-division Plan
 DACC 09
 Issue: Q
 Scale: NTS @ A2

Date: 06/02/19
 Project: BMD171868

General

- Drawings prepared from information supplied by the owner and/or builder.
- Dimensions are in millimetres unless otherwise noted.
- All dimensions shall be verified on site.
- Do not scale off drawings.
- These plans are to be read in conjunction with Engineer's details.
- It is the responsibility of the builder to verify documents as to their accuracy and suitability.
- BCA refers to the Building Code of Australia - Volume 2, Housing Provisions.

Statutory Requirements

- All work to be carried out in accordance with the BCA, conditions imposed by the local authority and the commitments outlined in the relevant BASIX Certificate.
- The builder is to comply with the requirements of all legally constituted authorities having jurisdiction over the building works and the provisions of the Home Building ACT.
- Prior to the commencement of building work, the builder shall provide temporary toilet facilities for the use of subcontractors. Where the local authority requires the temporary toilet to be connected to sewer mains, the additional cost shall be borne by the owner.
- On completion the builder shall remove the amenity.

BCA Requirements

- All earthworks shall be in accordance with the engineer's details and Part 3.1.1 of BCA.
- All excavations and underfloor fill shall be in accordance with the engineer's details and Part 3.2.2 of BCA.
- Primary building elements are to be protected from subterranean termites in accordance with Part 3.1.3 of BCA.
- Provide adequate cross ventilation to space under suspended ground floors in accordance with Part 3.4.1 of BCA. Sub Floor access to be provided as indicated on plan.
- Stormwater drainage shall be carried out in accordance with Part 3.1.2 of BCA.
- All timber framework shall comply with Part 3.4.3 of BCA or AS1684.
- Roof trusses shall be designed in accordance with AS1720, and erected, fixed and braced in accordance with manufacturer's instructions.
- All trip and sheet flooring shall be installed in accordance with AS1684.
- All ceilings and external walls shall be constructed in accordance with manufacturer's recommendations and Part 3.4.2 of BCA.
- All roof cladding shall comply with Part 3.5.1 of BCA and be installed in accordance with manufacturer's recommendations.
- Gutters and downpipes shall be in accordance with Part 3.5.2 of BCA.
- Sarking shall comply with Part 3.3.4 of BCA.
- Flashings shall comply with Part 3.3.4 of BCA.
- Clay brickwork shall comply with Part 3.3 of BCA, AS/NZS4455, AS/NZS4456 & AS3700.
- Concrete blockwork shall be constructed in accordance with Part 3.3 of BCA.
- Autoclaved aerated concrete products shall be installed in accordance with manufacturer's product specification.
- Damp proof courses shall comply with Part 3.3.4 of BCA.
- Cavity ventilation must be provided in accordance with Part 3.3.4 of BCA.
- Mortar shall comply with Part 3.3.1 of BCA and joint tolerances shall be in accordance with AS3700.
- Masonry accessories shall comply with Part 3.3.3 of BCA. Appropriate ties shall be provided to articulated masonry joints.
- Windows used to support bridlework over well openings shall comply with Part 3.3.3 of BCA.
- BCA projects in single leaf masonry walls shall be constructed in accordance with Part 3.4.4 of BCA.
- Engaged projects in single leaf masonry walls shall be constructed in accordance with Table 9.2 Plier spacings for one way spanning walls, of Australian Standard AS4773.1-2010
- Masonry in small buildings. Refer to the table extract below for details.
- Internal wet areas and balconies over habitable rooms to be waterproofed in accordance with Part 3.8.1 of BCA. Wet area wall lining is to be fixed in accordance with manufacturer's recommendations.
- All timber doors and door sets shall be manufactured in accordance with AS2686 & AS2689 unless listed otherwise in schedule of works.
- Windows and doors shall be manufactured and installed in accordance with AS2047.
- All glazing shall comply with Part 3.6 of BCA.
- Stair and ramp construction shall be in accordance with Part 3.9.1 of BCA.
- Balustrades shall be in accordance with Part 3.9.2 of BCA.
- All plumbing shall comply with the requirements of the relevant supply authority and AS3000, and be carried out by a licensed plumber.
- All gas installations shall comply with the requirements of the relevant supply authority and be carried out by a licensed gas fitter.
- Provide and install fire and smoke alarms in accordance with AS3786 and Part 3.7.3 of BCA.
- Building is to be sealed to the requirements of Part 3.1.2.3 of BCA, including chimneys, flues, roof lights, external windows and doors, exhaust fans, roof, walls and floors.
- Services are to be installed to the requirements of NSW Part 3.1.2.5 of BCA, including hot water supply, insulation of services, central heating water piping and heating and cooling ductwork.
- Mechanical ventilation is to be installed in accordance with Part 3.8.5 of BCA.
- Inward swinging WC doors are to be fitted with lift off hinges to comply with Part 3.8.3.3 of BCA if indicated on plans.

BASIX Requirements

- All showerheads to have a minimum 4 star rating (>4.5 but <=6.0/min plus spray force and/or coverage tests)
- All toilets to have a minimum 3 star rating
- Kitchen and basin taps to have a minimum 5 star rating

Thermal Commitments

- Ground floor - concrete slab on ground
- Floor cover - carpet
- External wall - brick veneer
- External wall - framed (weatherboard, fibre cement, metal clad)
- Internal wall shared with garage
- Ceiling and Roof (flat ceiling/pitched roof)
- Roof color - medium (solar absorptance >0.475 but <=0.7)
- All glazing to have minimum of standard aluminium frames and single clear glass

Energy Commitments

- The applicant must install an instantaneous gas hot water system with a minimum 3 star rating
- Cooling in at least one living room and at least one bedroom to be ceiling fans
- Heating in at least one living room to be a gas fired flue heater with a minimum rating of 1 stars
- Heating in at least one bedroom to be air conditioning cooling only
- At least 1 bathroom to have an individual fan, ducted or roof with a manual switch
- At least 2 bedrooms to have dedicated fluorescent or LED lighting
- All bedrooms to have dedicated fluorescent or LED lighting
- Kitchen to have dedicated fluorescent or LED lighting
- All bathrooms, laundry & hallways to have dedicated fluorescent or LED lighting
- 4 bathrooms/toilets to have a windows for natural lighting
- A gas cooktop and electric oven to be installed
- A fixed outdoor clothes drying line to be installed

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Amendment

Date	Issue	Amendment
26/09/18	L	
13/09/18	M	
19/10/18	N	
23/01/19	P	
06/02/19	Q	

Amendment
Site coverage details added
Shadow Design provided
Window profiles - screen fittings added
Re-design - issued for comment
Issued for DACC submission

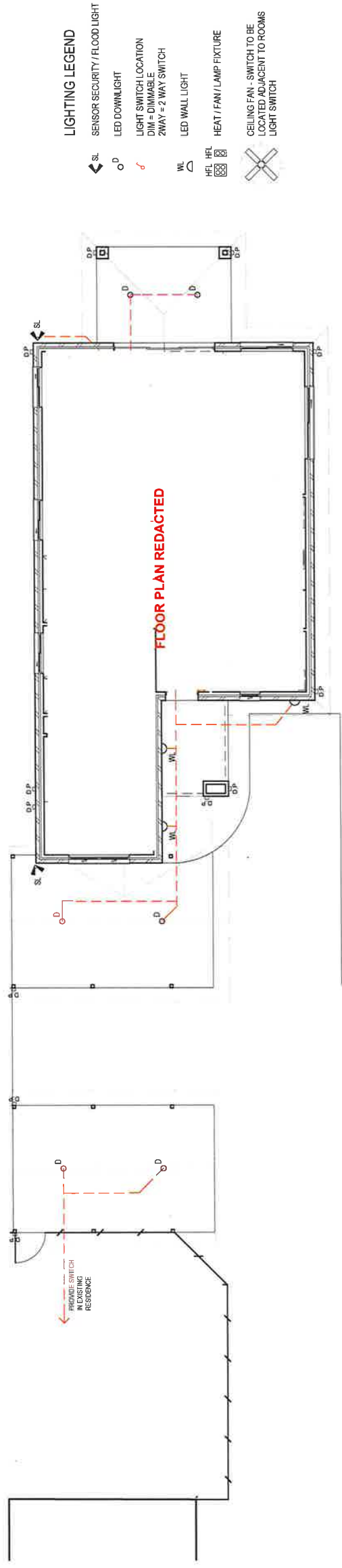
Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst



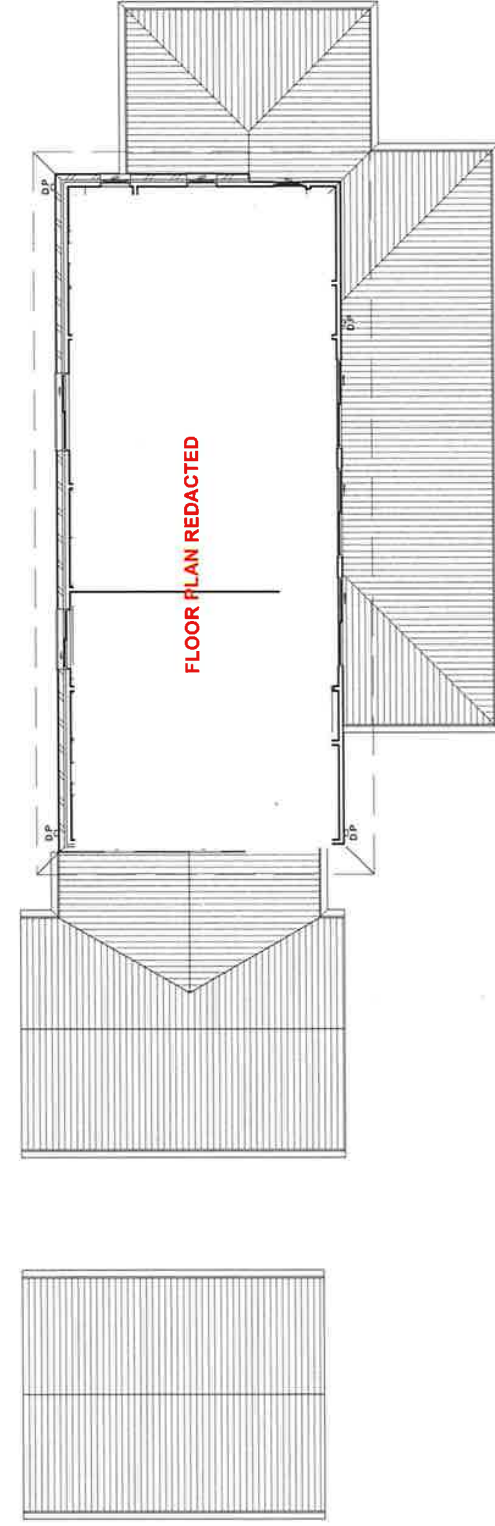
Specification
DACC 11
Issue: Q
Scale: NTS @ A2
Date: 06/02/19
Project: BMD171868



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Ground Floor Lighting Plan
Scale: 1:100



First Floor Lighting Plan
Scale: 1:100

- LIGHTING LEGEND**
- SL SENSOR SECURITY / FLOOD LIGHT
 - DL LED DOWNLIGHT
 - LS LIGHT SWITCH LOCATION
DIM = DIMMABLE
2WAY = 2 WAY SWITCH
 - WL LED WALL LIGHT
 - HFL HEAT / FAN / LAMP FIXTURE
 - HL CEILING FAN - SWITCH TO BE LOCATED ADJACENT TO ROOMS LIGHT SWITCH



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Amendment
Date Issue
28/08/18 L
13/09/18 M
19/10/18 O
23/01/19 P
06/02/19 Q

Amendment
Date Issue
28/08/18 L
13/09/18 M
19/10/18 O
23/01/19 P
06/02/19 Q

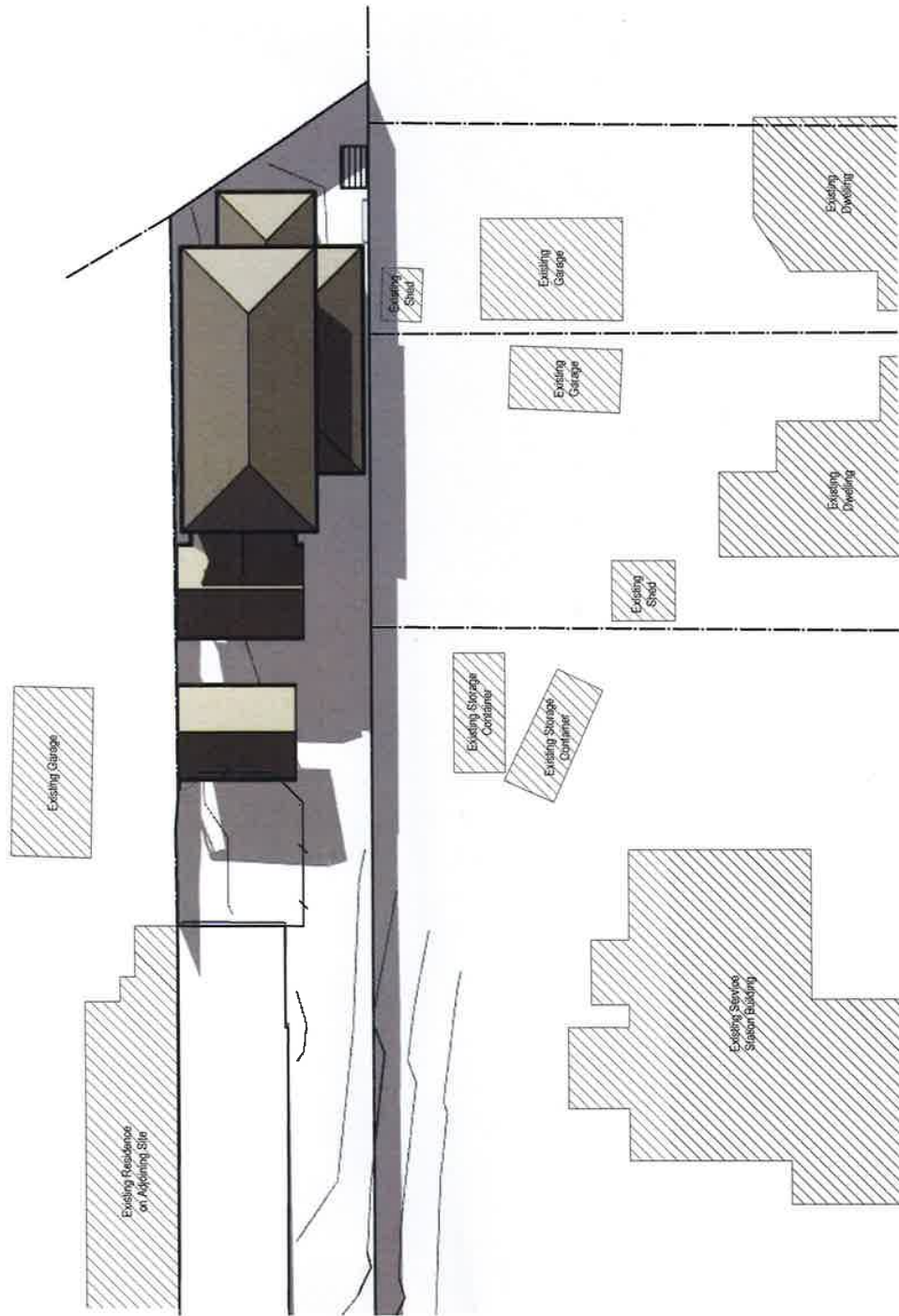
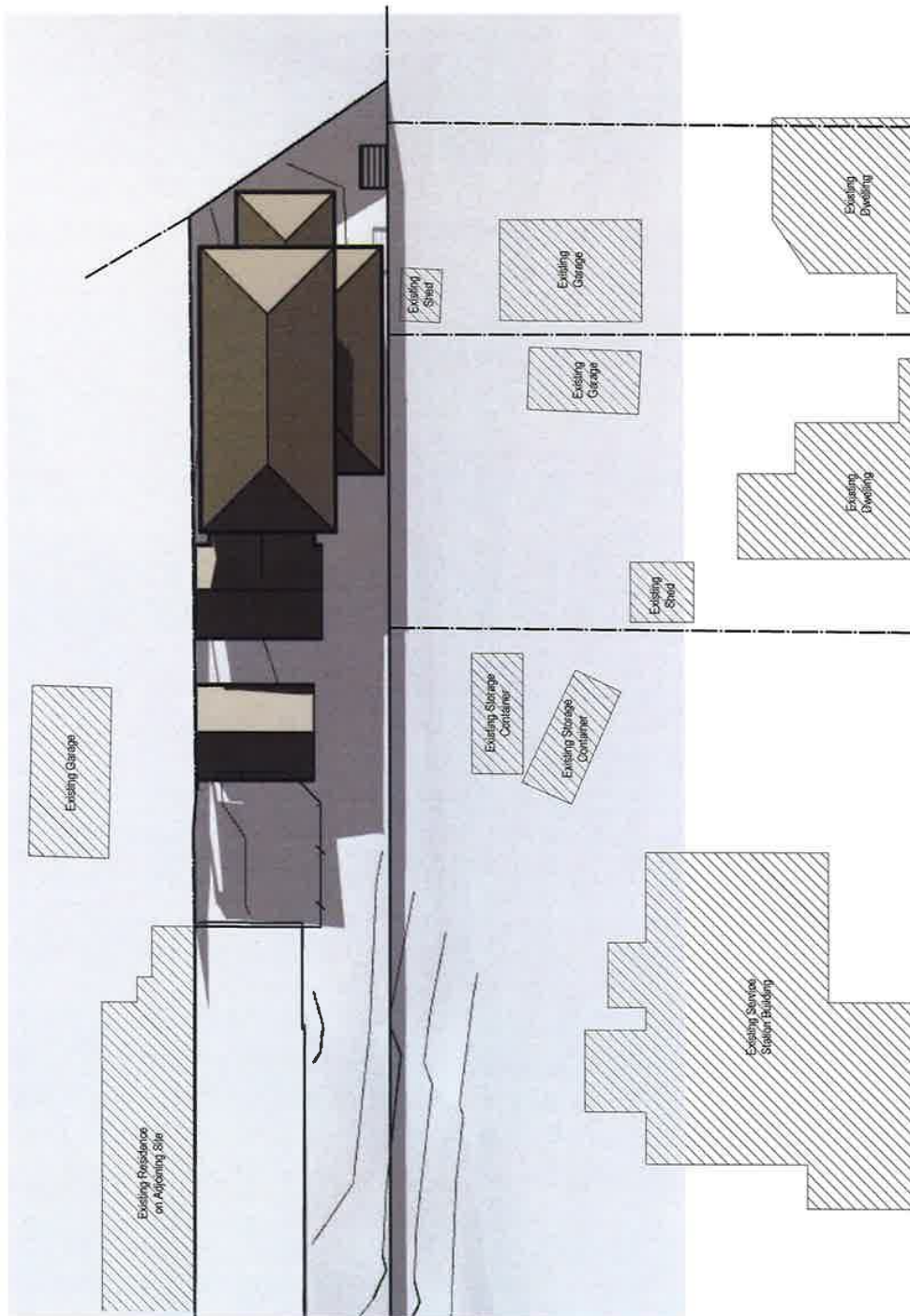
Amendment
Date Issue
28/08/18 L
13/09/18 M
19/10/18 O
23/01/19 P
06/02/19 Q

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
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Lighting Plans
DACC 12
Issue: Q
Scale: 1:100 @ A2

Date: 06/02/19
Project: BMD171666



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Date	Issue	Amendment
29/08/18	L	Site coverage details added
13/09/18	M	Shadow Diagrams Amended
16/10/18	N	Window privacy screen fittings added
15/01/19	O	Re-design - issued for comment
23/01/19	P	issued for comment
06/02/19	Q	issued for DACC submission



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Proposed New Dwelling
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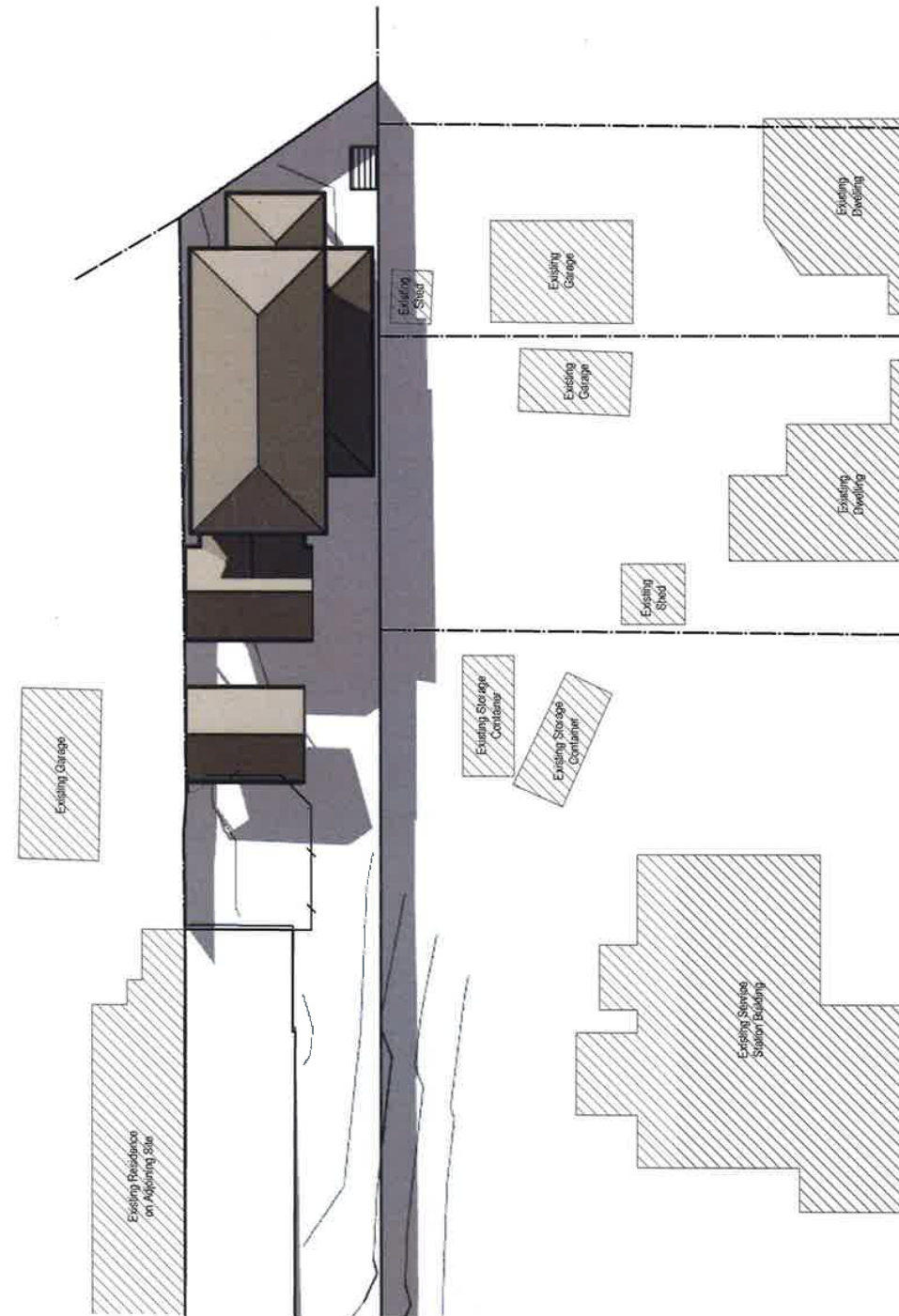
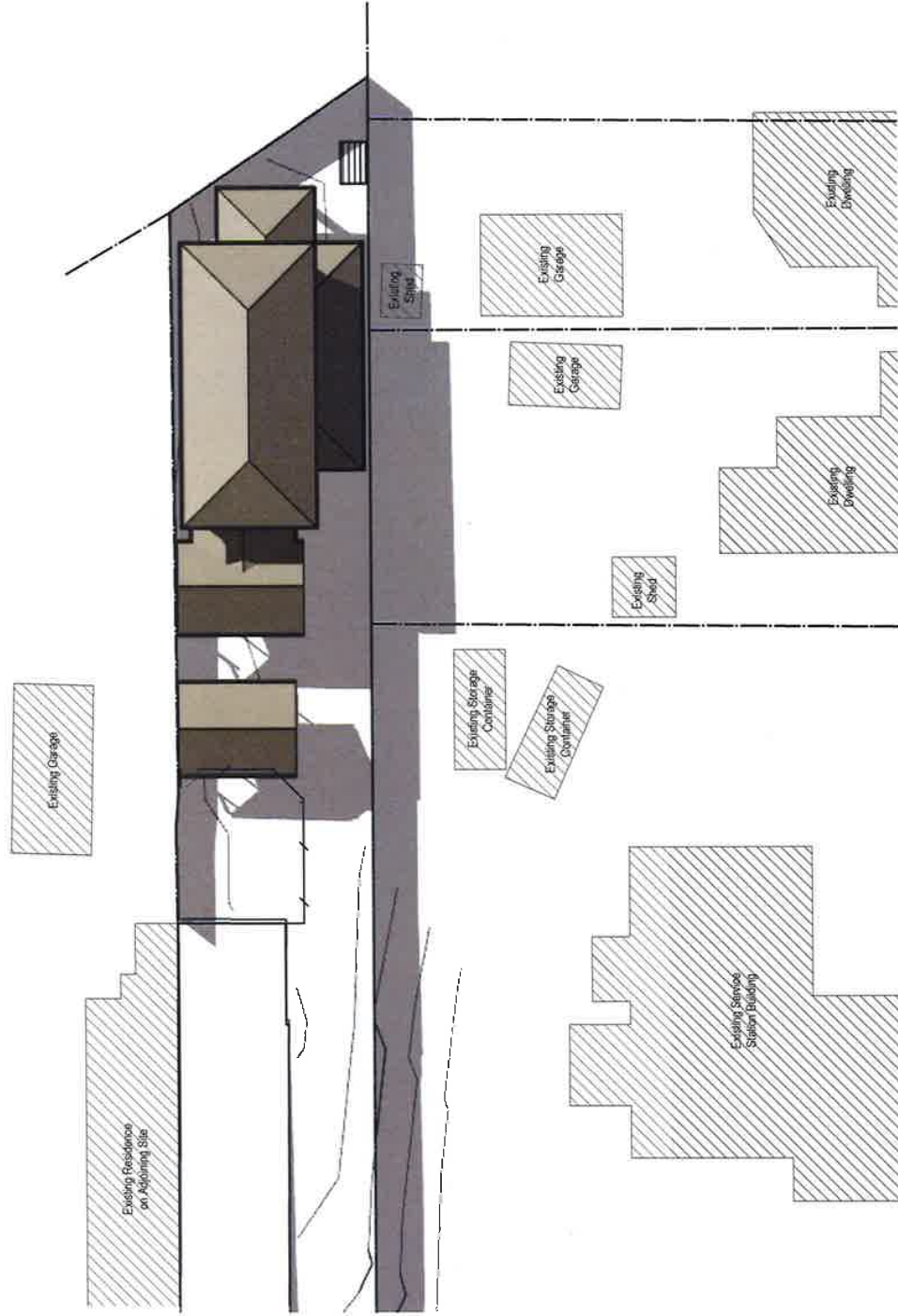


Shadow Diagrams 1
DACC 10A
Issue: Q
Scale: NTS @ A2

Date: 06/02/19
Project: BMD171866



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Shadow Diagrams 2
DACC 10B
Issue: Q
Scale: NTS @ A2

Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Site coverage details added
Shadow Diagrams Amended
Window privacy screen fittings added
Re-design - Issued for comment
Issued for DACC submission

Date	Issue	Amendment
29/08/18	L	
19/09/18	M	
16/10/18	N	
15/01/19	O	
23/01/19	P	
06/02/19	Q	

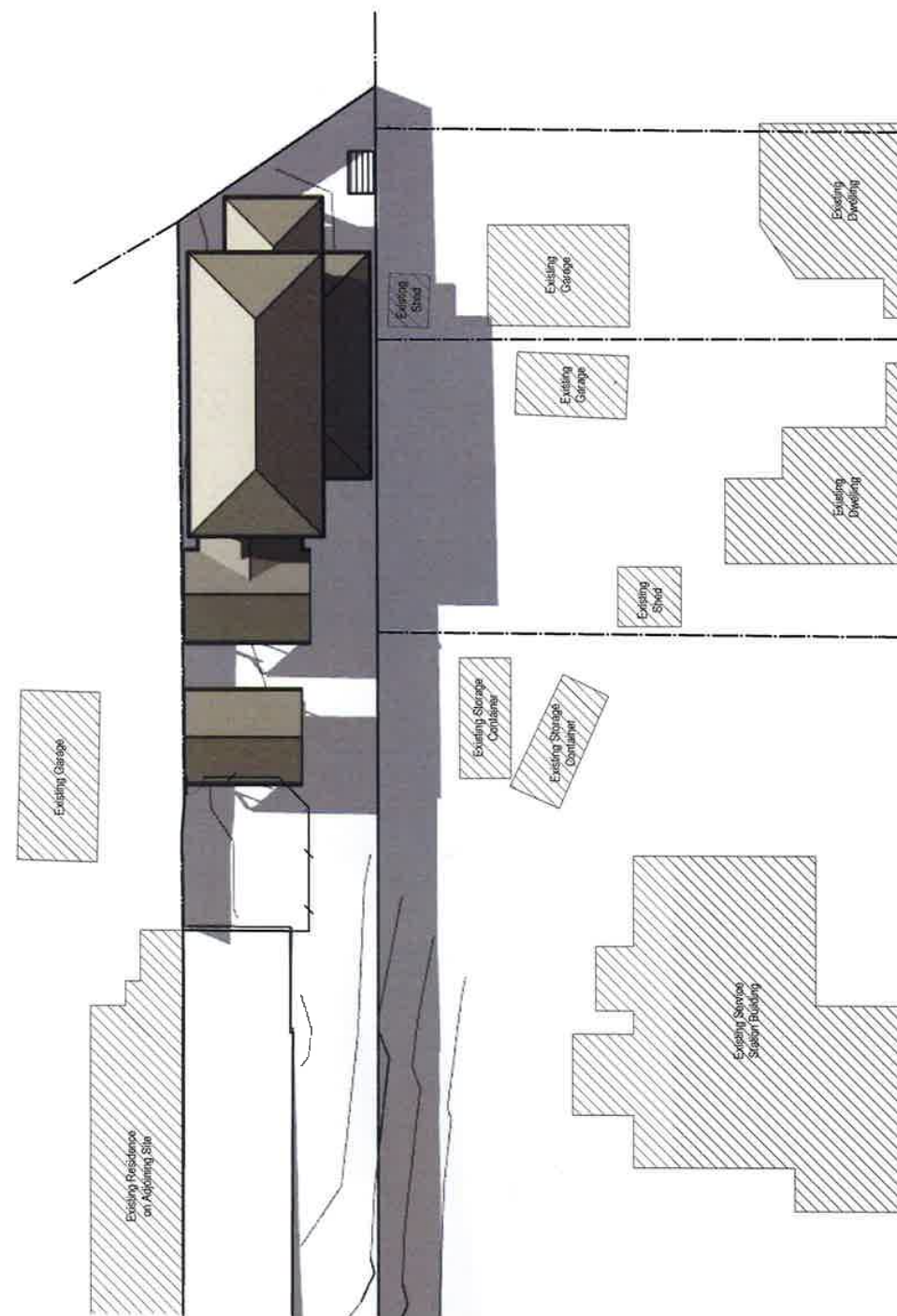
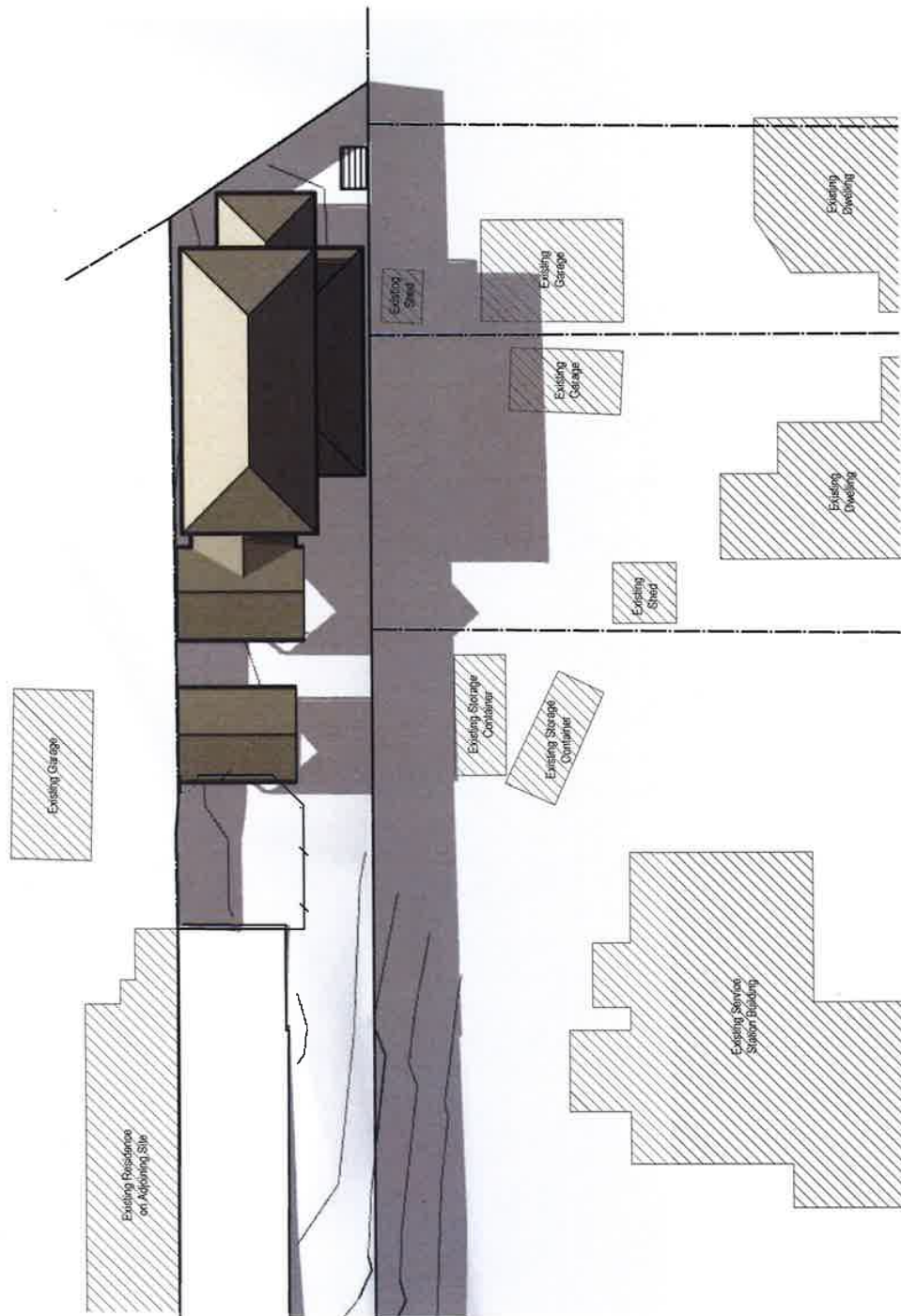


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21st June 2pm

21st June 1pm

Shadow Diagrams 3

DACC 10C

Issue: Q

Scale: NTS @ A2

Date: 06/02/19

Project: BMD171866



Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Amendment
Site coverage details added
Shadow Diagrams Amended
Window privacy screen fittings added
Re-design - Issued for comment
Issued for comment
Issued for DACC submission

Date	Issue
26/09/18	L
13/09/18	M
16/10/18	N
15/01/19	O
23/01/19	P
06/02/19	Q

Amendment

Date	Issue

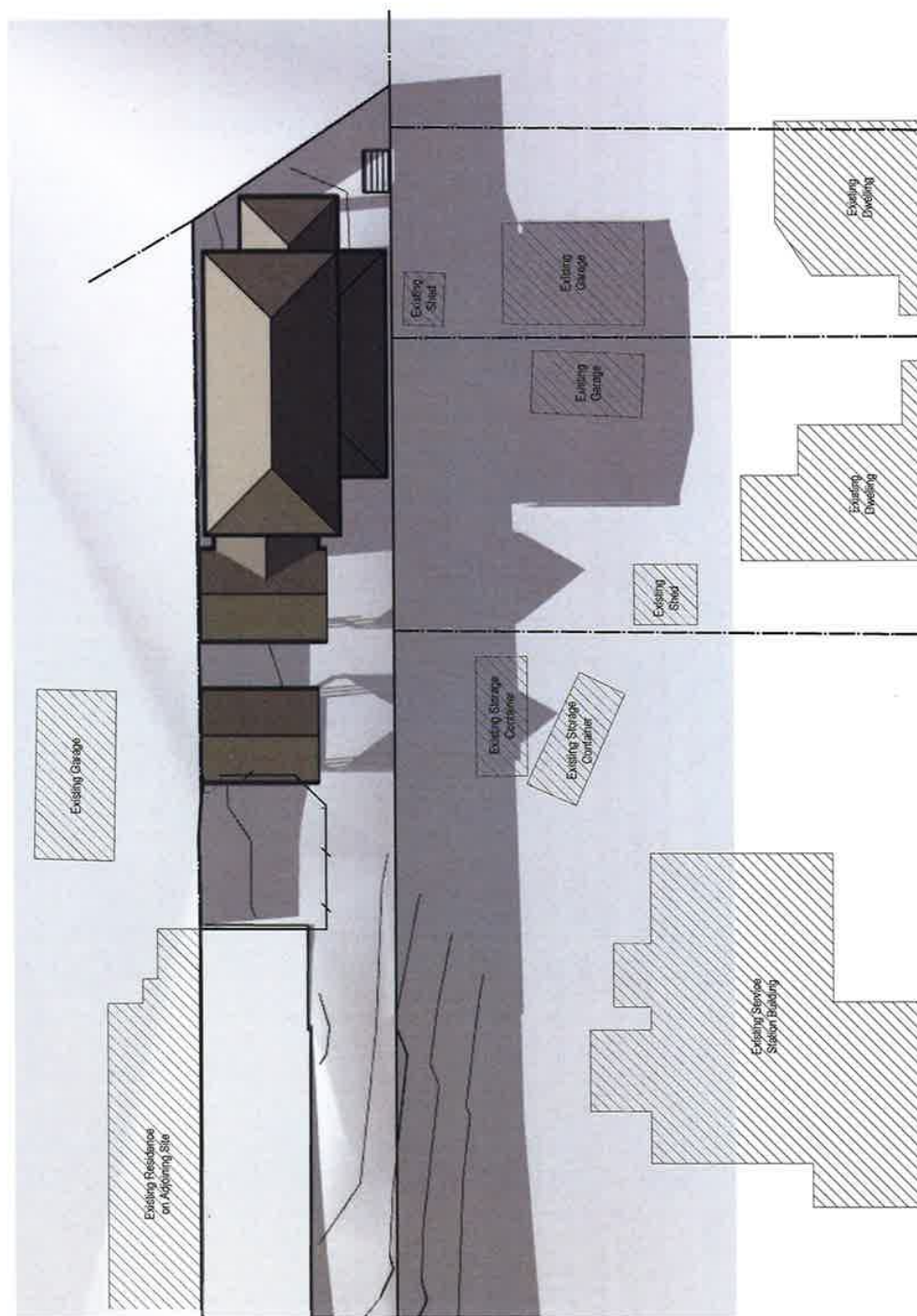


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21st June 3pm

Shadow Diagrams 4
DACC 10D
Issue: Q
Scale: NTS @ A2



Proposed New Dwelling
Modernization Pty Ltd As Trustee For The
Modernization Trust
261 Lambert Street, Bathurst

Date	Issue	Amendment
26/09/18	L	Site coverage details added
13/09/18	M	Shadow Diagrams Amended
16/10/18	N	Window privacy screen fittings added
15/07/19	O	Re-design - Issued for comment
23/07/19	P	Issued for comment
06/02/19	Q	Issued for DACC submission

Date	Issue	Amendment



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2018/303-03/011

**DA 2018/303****Donna O'Keeffe** to: council@bathurst.nsw.gov.au, Donna O'Keeffe

28/02/2019 03:58 PM

From: Donna O'Keeffe <dokeeffe07@yahoo.com.au>
To: "council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>, Donna O'Keeffe <dokeeffe07@yahoo.com.au>

Good Afternoon everyone,

I am writing to you in regards to the above Development Application at 261 Lambert Street, Bathurst NSW 2795,

I would like to strongly object to the proposed development on the following grounds:

1. The detrimental impact that the excavation for footings and the lopping of tree branches will have on my large, old trees.
2. The shadow will still encroach dramatically on my property-clothline, garden etc
3. The visual impact the new dwelling will have as surrounding houses are Late Victorian 1875-1901 and inter war 1920 in the Conservation Area of Bathurst

Please refer to
Bathurst Regional Council Tree Preservation
Tree Preservation and Management Policy
BCAMS Street scape Rating

Within the defined Heritage Conservation Areas, a person must not ringbark, cut down, top, lop, remove, injure or wilfully destroy any Prescribed Tree to which section 13.2 of the Bathurst Regional Development Control Plan 2014 applies, without development consent or a permit being granted by Council.

Areas where Council's Tree Preservation and Management Policy apply are all Heritage Items as listed under Schedule 5 of the Bathurst Regional Local Environmental Plan 2014:-

This development, although altered will still have unhealthy, environmental, personal and visual impact that I wish to object to.

Kind Regards

Donna O'Leary

63 Lorimer Street
Llanarth
2795

Ms L Sargeant
249 Stewart Street, Bathurst NSW 2795 M: 0415 133 482

Mr R Denyer
 Manager Development Assessment
 Bathurst Regional Council (BRC)
 158 Russell Street
 Bathurst NSW 2795

BATHURST REGIONAL COUNCIL

- 1 MAR 2019

REF. 2018/303-03/012

27th February 2019

Dear Mr Denyer,

RE: Review of Development Application No 2018/303

On behalf of my brother Alan, and myself, I write to inform you and BRC of our strong objection to above proposed amended development. Lorna and Gordon Hall, elderly residents of 247 Stewart, also object to proposed development. However they are both out of action at present due to Lorna being in hospital following a fall almost two weeks ago.

After seeing amended plans for proposed building, it is acknowledged that the number of bedrooms has been reduced from five to four, and dwelling has moved slightly away from our back fence. However, our original reasons for objecting to a monster two storey dwelling basically over the fence in our backyard have not changed.

Reasons include: (1) our property would be significantly **overshadowed**; (2) our **privacy would be reduced** with occupiers in a property of this height being able to look straight down into our property and surrounding properties; (3) excessive stormwater would still flood into our property due to the natural slope of the land and with little or no surrounding land of proposed building to soak up rainwater due to excessive concreting; (4) the **visual impact** in relation to the streetscape of a two storey inappropriate building is **out of character** in this conservation zoned heritage area of Bathurst; and, (5) my **quality of life would be reduced** due to all of above reasons.

Since learning of this proposed development my mental health has been adversely affected resulting in sleepless nights and of feeling anxious most of the time at the mere thought of this ugly building being approved by BRC.

I lived in the noisy concrete jungle of Sydney for more than 20 years before returning home to Bathurst to live in our home (in which we first took up residence in 1971) and to be now faced with a potential noisy concrete jungle here in our backyard is very distressing.

Finally, it would be greatly appreciated if BRC refuse this development application based on reasons provided herein.

Kind Regards


 Lorraine Sargeant


 Alan Sargeant

1

RECEIVED

28 FEB 2019

BATHURST REGIONAL COUNCIL

DEPBS

2018/303-03/015

DISCUSSION FORUM

DETAILS: SECTION 8.2 REVIEW OF DA 2018/303 – TWO SOTREY DUAL OCCUPACNY – 261 LAMBERT STREET, BATHURST

DATE: 18 MARCH 2019

PRESENT: **NEIL SOUTHORN, DANIEL DWYER, BRETT MOULDS, DONNA O'LEARY, ALAN SARGEANT**

FILE: DA 2018/303

Meeting Opened: 11.00am

N Southorn: Welcomed everyone to the meeting. Explained that the original DA was refused by Council because of parking and overshadowing. Explained that the applicant has since amended the plans and has sought a review of Council's decision.

B Moulds: Noted that the previous areas of concern were lack of visitor parking, zero side setback and overshadowing. Explained that a visitor car parking space had now been provided, that the building footprint had been reduced, that the bulk of the first floor had been reduced and that the side setback had been increased.

A Sargeant: Advised that he was attending on behalf of his sister and noted that her previous concerns remained unchanged.

D O'Leary: Acknowledged that significant changes had been made to the plans but noted her concerns about overshadowing of her yard remained.

B Moulds: Explained that early morning and later afternoon shadows were present but that shadows in the middle part of the day were smaller than the original proposal. Spoke to amended shadow diagrams. Noted that amended shadow diagrams included a 1.8 metre high boundary fence which is regardless of the proposed building form.

A Sargeant: Spoke to amended shadow diagrams and identified his sister's garden area near the rear of her property. Noted that the area is under shadow for a large part of the day. Noted that the main garden area was near the rear of the property, not at the back of the house.

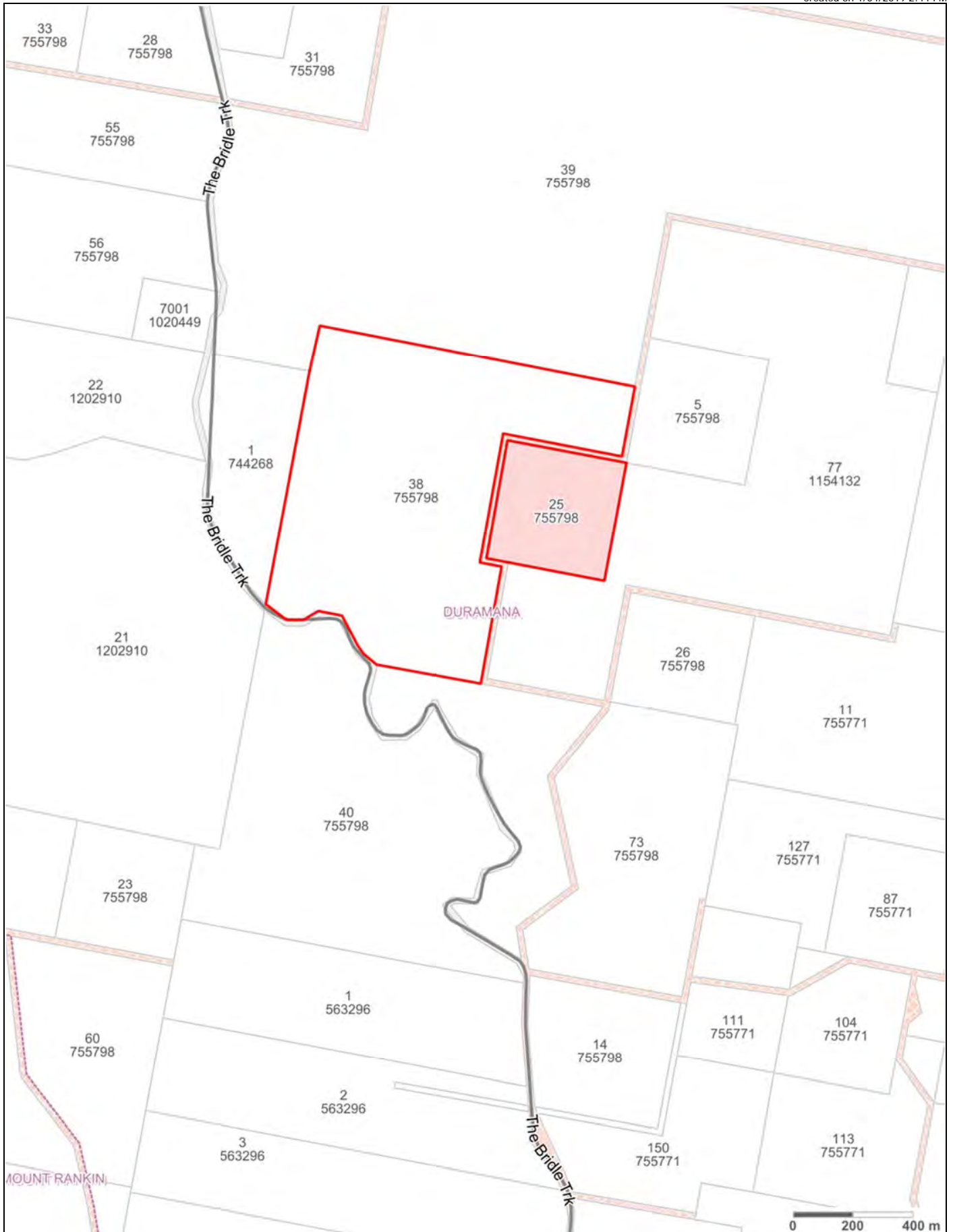
B Moulds: Reiterated that the amended shadow diagrams make provision for a 1.8 metre high boundary fence and that it casts its own significant shadow.

- D O'Leary: Asked what height the existing boundary fence was.
- D Dwyer: Estimated that the existing fence was about 1.5 metres.
- B Moulds: Explained that a standard 1.8 metre high fence would cast significant shadows on its own.
- D O'Leary: Explained that there is an apricot tree in her yard adjacent to the boundary and that she estimates that 40-50% of its branches and roots will be impacted by the development. Explained that with so much damage to branches and roots the tree will most likely die. Noted that other trees adjacent to the boundary will be impacted. Noted the existence of Council's Tree Preservation Order. Explained the impact that the loss of established shade trees would have on the amenity of her yard and the character of the area. Noted that even though the bulk and footprint had been reduced, the proposed building would still be imposing and would still be visible from the street – even more so if the existing trees died. Noted that there will be no room on the development site for tree planting.
- D Dwyer: Noted that there is no requirement in Council's DCP to provide landscaping for dual occupancy developments.
- N Southern: Noted that the potential impact on trees would still be the same even if a single storey dwelling was proposed. Noted that to achieve no impact would mean no development on the property.
- D O'Leary: Commented on the inappropriateness of the site for this scale of development.
- B Moulds: Noted that a smaller house would be easier to fit on the site but would have similar impacts. Noted that a smaller house would not be financially viable for his client. Noted that to avoid any impacts would mean no development at all – effectively sterilising the property.
- N Southern: Noted that exempt development structures such as a garage or gazebo could have the same impact on the trees and could be done without consent.
- D O'Leary: Asked if the ground level needed to be raised to get the stormwater back out to Lambert Street.
- B Moulds: Confirmed that some fill would be needed to fix the stormwater issues on the site. Noted that the finished level had been designed into the plans and therefore the shadow diagrams reflected it.
- D O'Leary: Reiterated her primary concerns about damage to trees, impact on amenity and impact on character. Acknowledged that the proposal now complies but noted she does not agree that its scale is appropriate for the locality.

- B Moulds: Reiterated that a single storey development would have the same impact on the trees.
- D O'Leary: Acknowledged the narrowness of the property and therefore the need for a two storey dwelling.
- A Sargeant: Noted that there are no other two storey dwellings in the vicinity of the property.
- D O'Leary: Noted that without the trees in her yard and without landscaping within the development site the house will stand out and be visible from the street. Acknowledged that significant changes had been made to the plans and that Mr Moulds had done a good job but that her objection remains. Noted Lorraine Sargeant's previous comments in relation to the low density character of the area.
- N Southorn: Summarised the key areas of concern being character/amenity, overshadowing and potential damage to trees.
- D O'Leary: Noted the aims/objectives of Council's planning controls to preserve the character of the Heritage Conservation Area. Noted that it would take 40-50 years to regrow the trees to the same maturity.
- N Southorn: Advised that the review/amended proposal would be reported back to Council and that this would likely be the April Council Meeting. Noted that some of the original concerns had been addressed with the amended plans.
- D O'Leary: Acknowledged changes made to the first floor windows – now highlight windows with privacy screens. Noted the increased side setback. Commented that despite the changes, the proposal would still destroy her yard. Noted Lorraine Sargeant's ongoing concerns about privacy.
- A Sargeant: Spoke to Lorraine Sargeant's latest submission. Noted her concerns about overshadowing, privacy, visual amenity, character and quality of life.
- D O'Leary: Reiterated her comments about damage to trees. Noted the likely impact on the lifestyle of the neighbouring residents. Acknowledged that the proposal now complies with Council's DCP – that all boxes have been ticked but noted that the neighbour agreement box has not been ticked.
- N Southorn: Thanked everyone for attending the meeting and closed the meeting.
- Meeting Closed: 11.30am



N Southorn
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES



Bathurst Regional Council
 PMB 17
 158 Russell Street
 BATHURST NSW 2795
 Telephone: 02 6333 6111
 Fax: 02 6331 7211
 Email: council@bathurst.nsw.gov.au

Important Notice!

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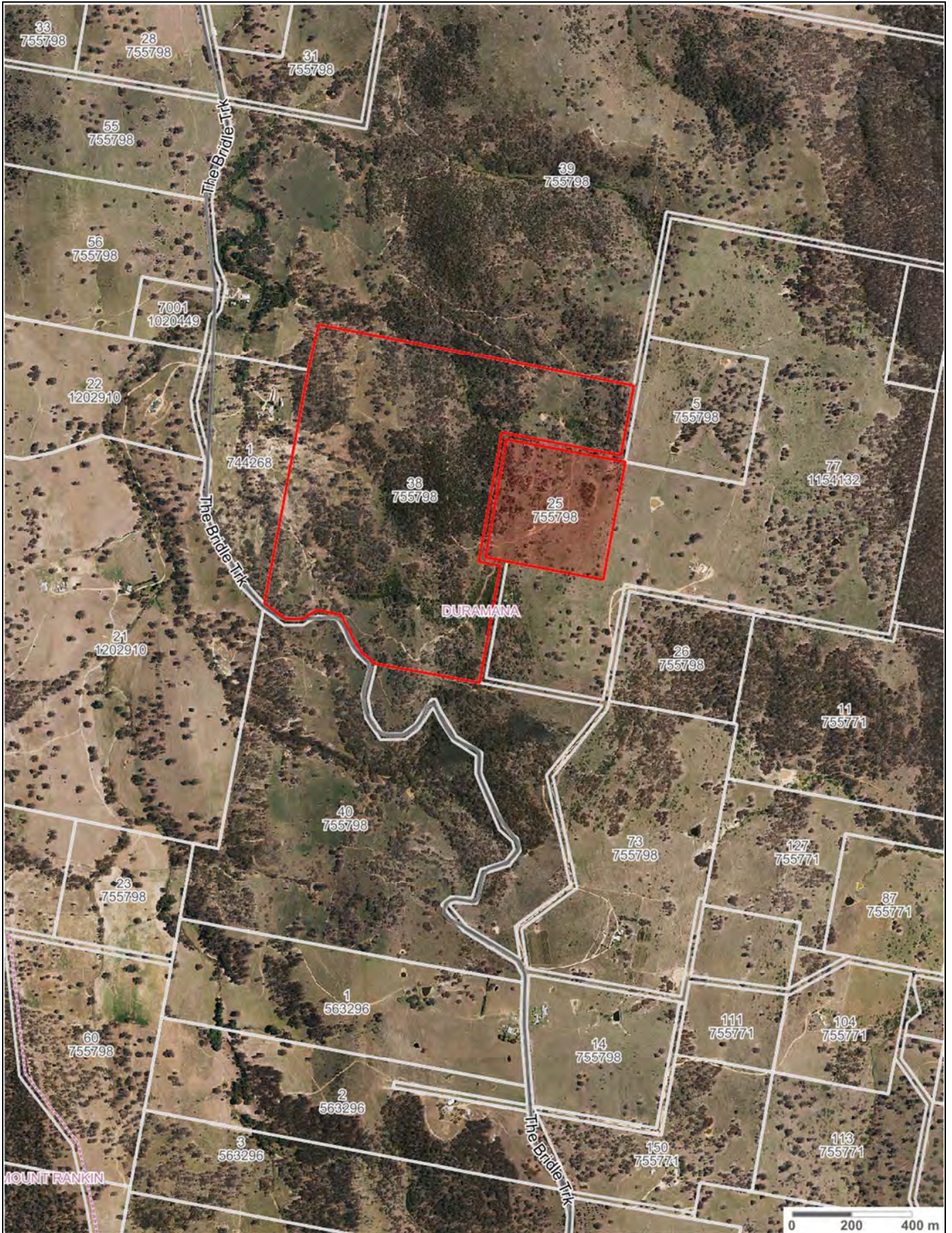


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Date: 1/04/2019

Projection: GDA94 / MGA zone 55

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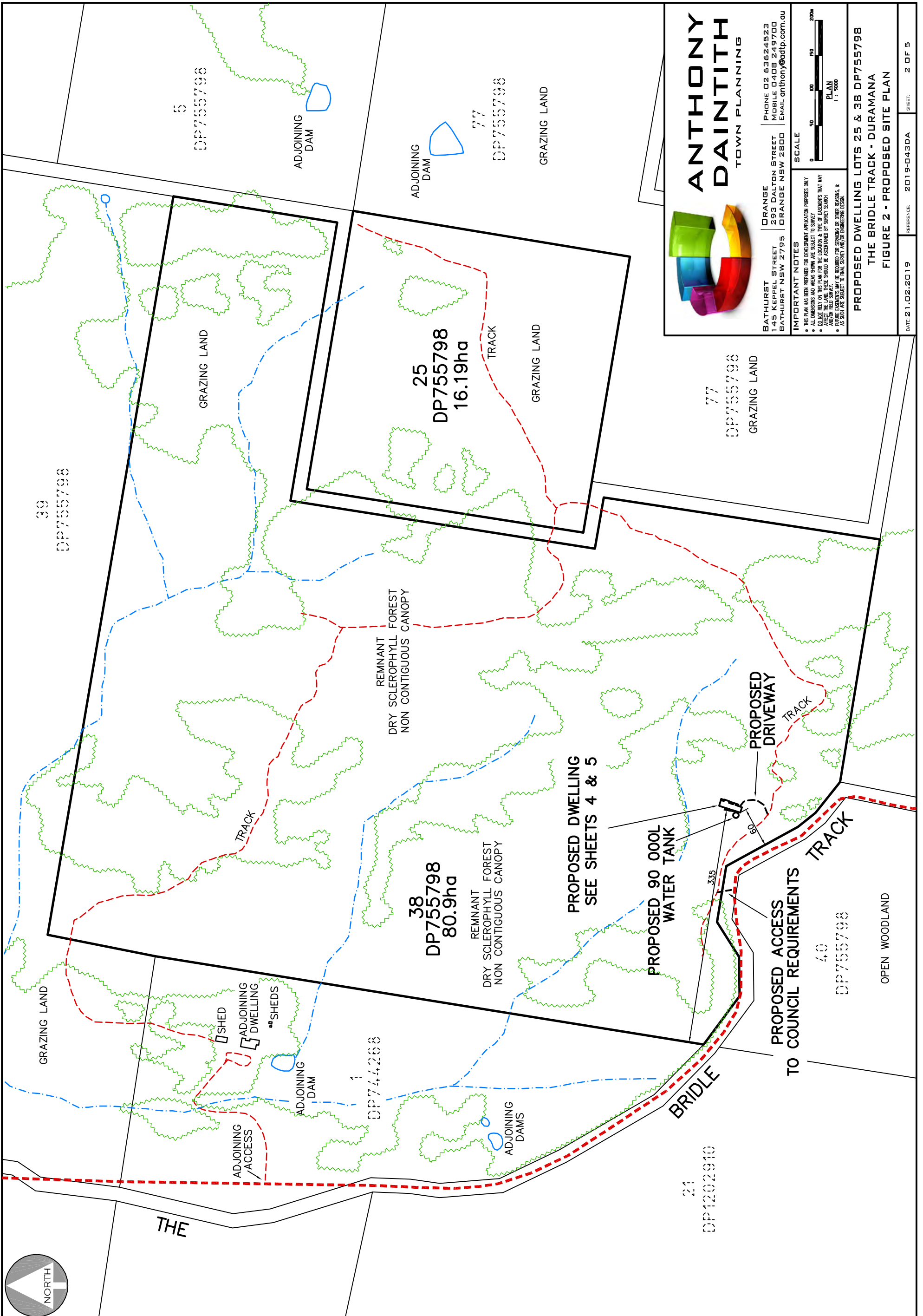


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ANTHONY DAINTITH TOWN PLANNING

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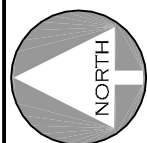
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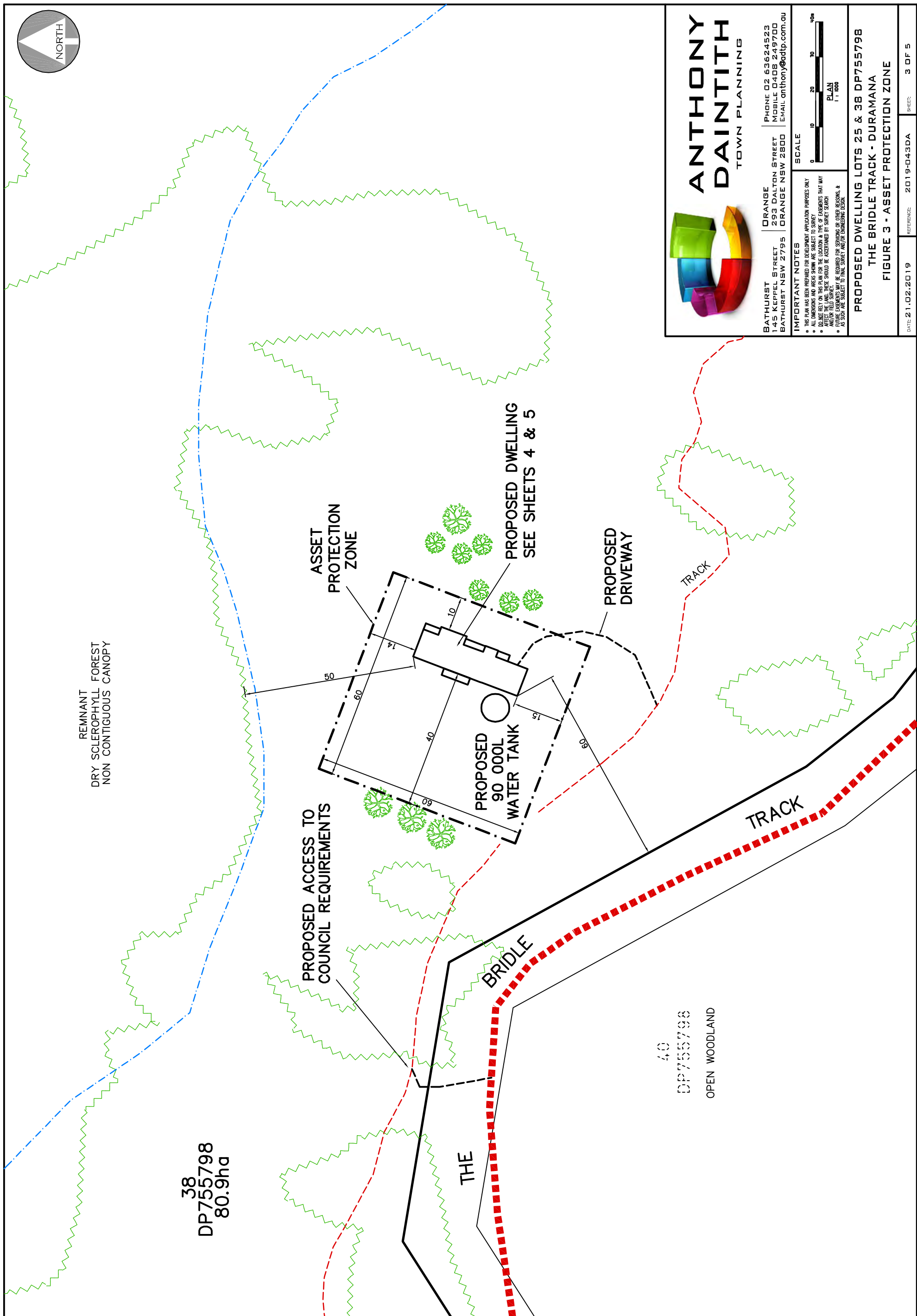
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**PROPOSED DWELLING LOTS 25 & 38 DP755798
 THE BRIDLE TRACK - DURAMANA
 FIGURE 2 - PROPOSED SITE PLAN**

DATE: 21-02-2019 REFERENCE: 2019-043DA SHEET: 2 OF 5





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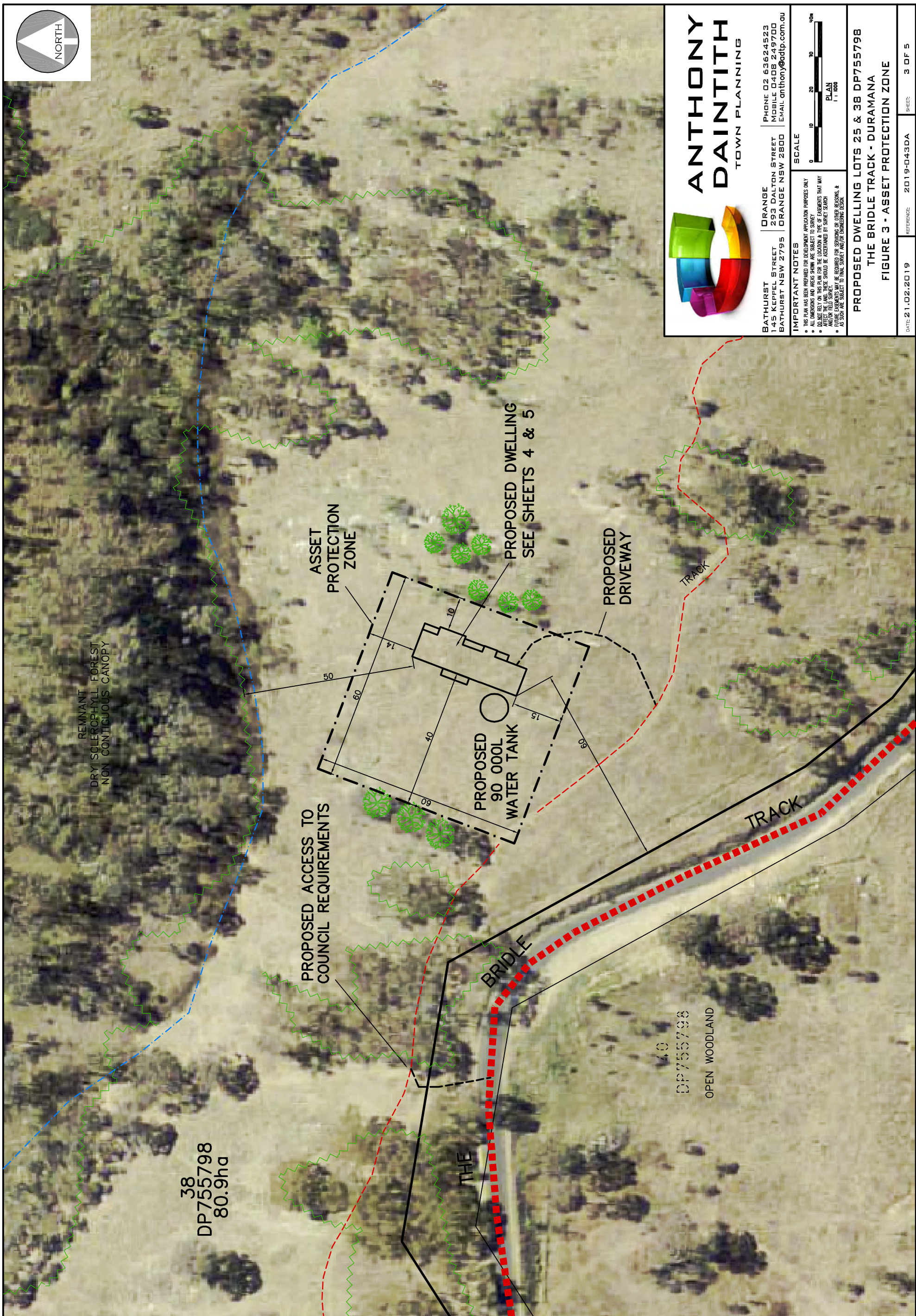
IMPORTANT NOTES

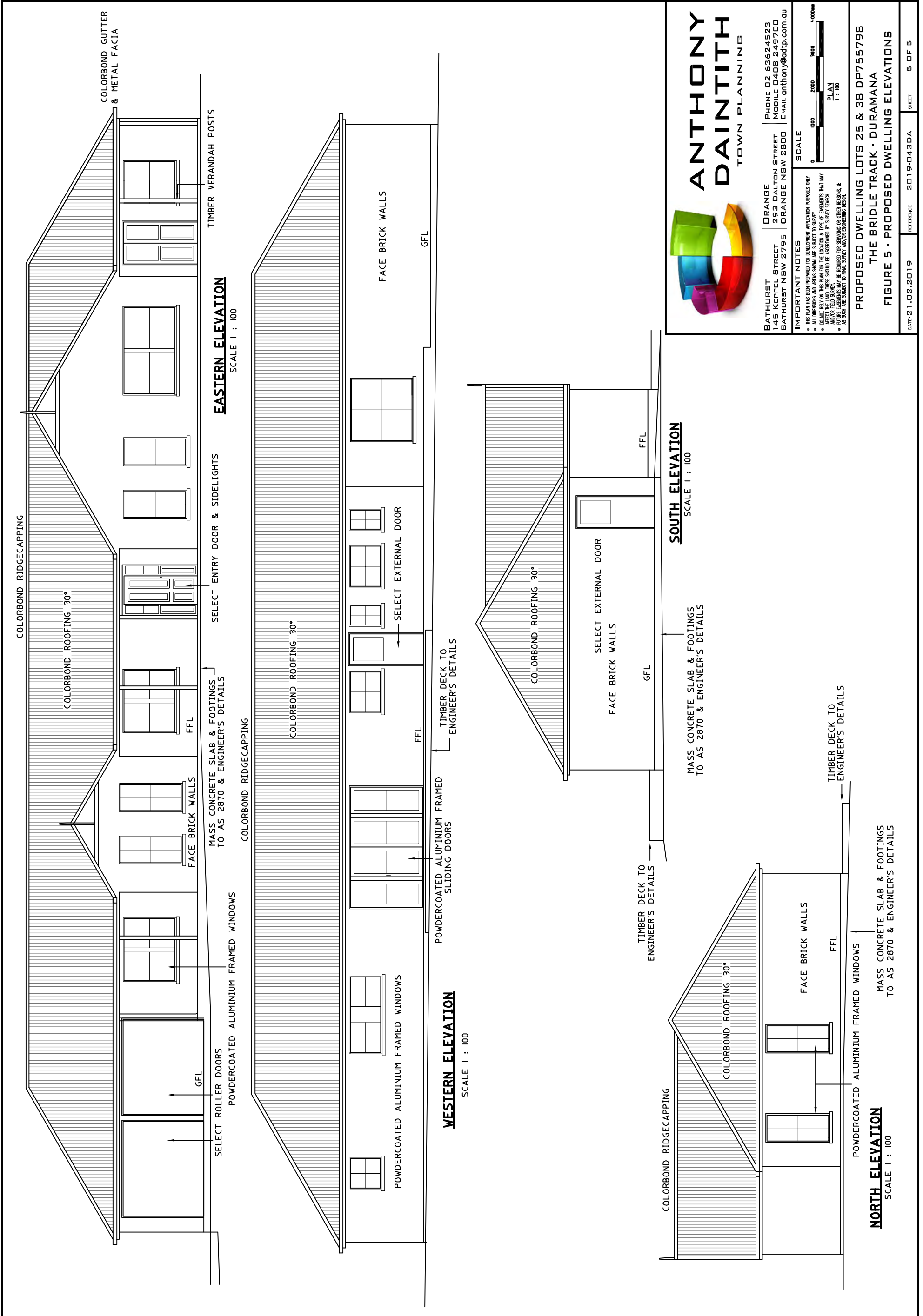
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SCALE
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PROPOSED DWELLING LOTS 25 & 38 DP755798
THE BRIDLE TRACK - DURAMANA
FIGURE 3 - ASSET PROTECTION ZONE

DATE: 21.02.2019 REFERENCE: 2019-043DA SHEET: 3 OF 5







ANTHONY
DAINTITH
TOWN PLANNING

STATEMENT OF ENVIRONMENTAL EFFECTS



PROPOSAL: Dwelling House

ADDRESS: 690 The Bridle Track, Duramana

DATE: 24 October 2018



PROPOSAL: Dwelling House

CLIENT: Grant & Simone Hill

Anthony Daintith Town Planning Pty Ltd
 ABN 46 121 454 153
 ACN 121 454 153

Contact: 145 Keppel Street, Bathurst
 293 Dalton Street, Orange
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Version	Date	Description	By
1.0	24/10/2018	Approved	AD

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A handwritten signature in black ink, appearing to read "AD", is positioned above a horizontal line.

This document has been authorised by

Anthony Daintith (Principal)
 Date: 24 October 2018



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CONTENTS

CONTENTS	3
1. BACKGROUND	4
1.1 INTRODUCTION	4
1.2 APPLICANT AND OWNER	4
2. SUBJECT LAND	5
2.1 SITE DESCRIPTION	5
2.2 GENERAL SITE DESCRIPTION	7
<i>Buildings and Infrastructure</i>	7
<i>Topography</i>	7
<i>Waterways</i>	7
<i>Vegetation</i>	7
3. PROPOSAL	9
4. TOWN PLANNING CONSIDERATIONS	10
(A)(I) THE PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT	11
(A)(II) ANY DRAFT ENVIRONMENTAL PLANNING INSTRUMENT	20
(A)(III) ANY DEVELOPMENT CONTROL PLAN	20
(A)(IIIA) ANY PLANNING AGREEMENTS	21
(A)(IV) ANY MATTERS PRESCRIBED BY THE REGULATIONS:	21
(A)(V) COASTAL ZONE MANAGEMENT PLAN:	21
(B) THE LIKELY IMPACTS OF THE DEVELOPMENT:	22
(C) SUITABILITY OF THE SITE FOR THE DEVELOPMENT	27
(D) ANY SUBMISSIONS	27
(E) THE PUBLIC INTEREST	27
5. CONCLUSION	28
FIGURE 1: EXISTING LOTS	5
FIGURE 2: LOCALITY PLAN	6
FIGURE 3: AERIAL PHOTO	6
FIGURE 4: SITE PLAN	9
FIGURE 5: BATHURST REGIONAL LEP - ZONING MAP	12
FIGURE 6: BIODIVERSITY VALUES MAP	24
FIGURE 7: BUSHFIRE PRONE LAND	25
PHOTO 1: PROPOSED BUILDING SITE (LOOKING NW)	8
PHOTO 2: PROPOSED ACCESS LOCATION AND TRACK TO BUILDING SITE	8
TABLE 1: LAND TITLE	5



1. BACKGROUND

1.1 INTRODUCTION

Grant & Simone Hill has engaged Anthony Daintith Town Planning (ADTP) to prepare a Statement of Environmental Effects (SOEE), in support of a Development Application to be lodged with Bathurst Regional Council for a proposed dwelling house at 690 The Bridle Track, Duramana. The application includes a Clause 4.6 variation to the 100ha development standard (under Clause 4.2B of the *Bathurst Regional Local Environmental Plan 2014*).

The purpose of this document is to:

- Describe the existing environment;
- Outline the proposed development;
- Consider relevant statutory matters; and
- Make conclusions and recommendations for Councils consideration.

The development application consists of the following components:

- Completed DA form;
- Statement of Environmental Effects;
- BASIX;
- Bushfire Report; and
- Site and Building Plans.

1.2 APPLICANT AND OWNER

The applicant is Grant & Simone Hill.

The registered owner of the subject land is Grant Luke Hill & Simone Michelle Hill. It is noted that the owners have provided their written consent to the lodgement of the application.



2. SUBJECT LAND

2.1 SITE DESCRIPTION

The subject land is identified as 690 The Bridle Track, Duramana.

The land title description is as follows:

Table 1: Land Title

Lot	DP
25	755798
38	755798

The area of the land is approximately 97 hectares

Figure 1: Existing lots

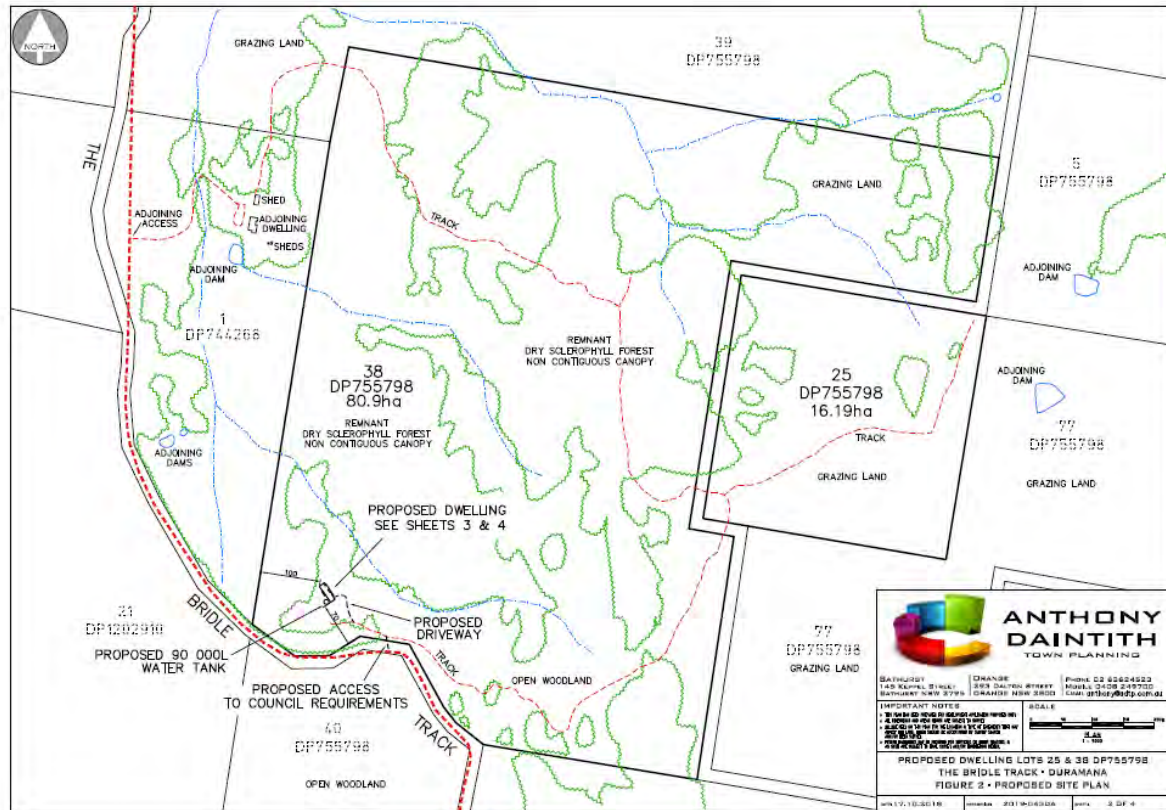




Figure 2: Locality Plan



Figure 3: Aerial Photo



Proposal: Dwelling House
690 The Bridle Track, Duramana

Page 6 of 28
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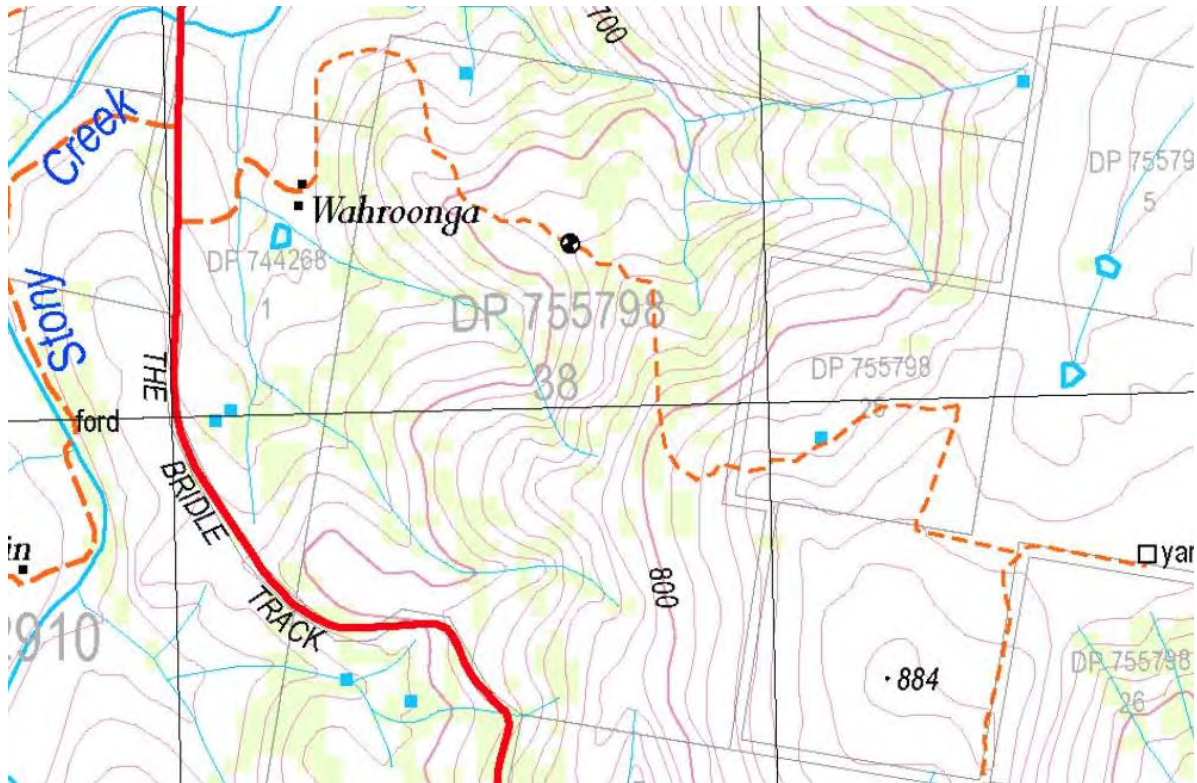


2.2 GENERAL SITE DESCRIPTION

Buildings and Infrastructure

The subject land is vacant of any dwellings

Topography



Waterways

There are a couple of minor non-perennial water courses across the site.

Vegetation

About $\frac{3}{4}$ of the site is covered in vegetation (refer to aerial photo).



Photo 1: Proposed building site (looking NW)



Photo 2: Proposed access location and track to building site





3. PROPOSAL

The development application seeks Council consent for the construction of a dwelling house on the subject land.

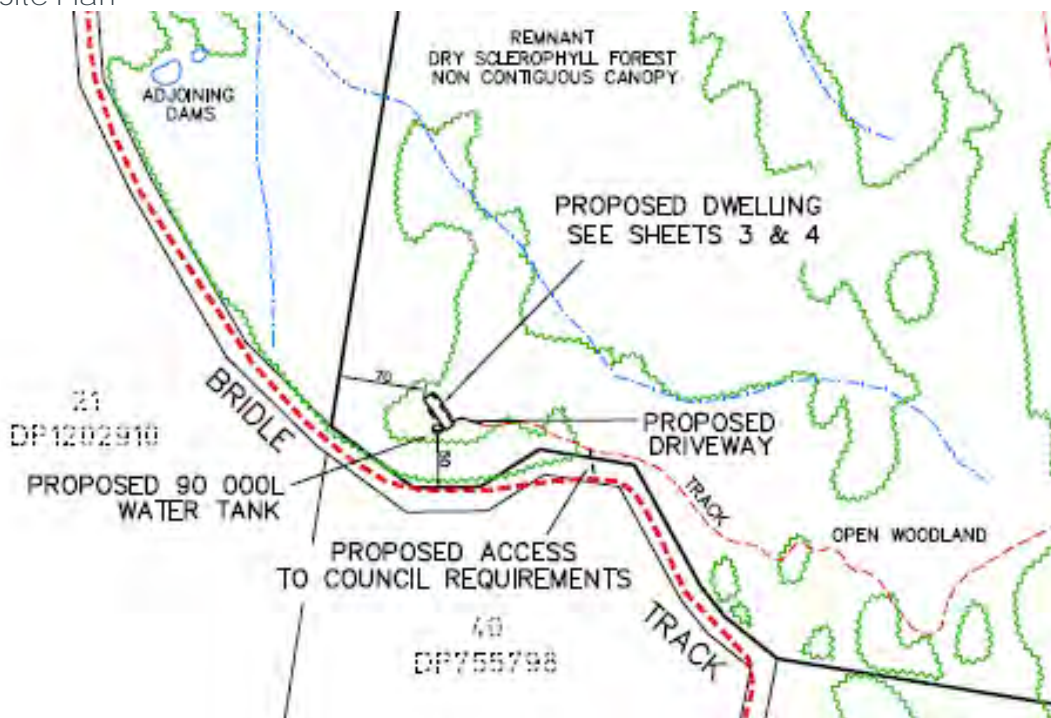
The proposal involves a variation of the 100ha development standard for a dwelling via Clause 4.6 of the *Bathurst Regional Local Environmental Plan 2014*.

The building will be single storey in construction and will have 4 bedrooms, 2 bathrooms, several living areas and 2 car garage.

The dwelling will be located to the south west of the subject land.

Refer to the site and building plans for greater detail.

Figure 4: Site Plan





4. TOWN PLANNING CONSIDERATIONS

Pursuant to Section 4.15 (formerly Section 79C) of the *Environmental Planning and Assessment Act 1979*, the following matters must be taken into consideration when assessing a development application:

4.15 Evaluation
(cf previous s 79C)

Matters for consideration—general

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

- (a) *the provisions of:*
 - (i) *any environmental planning instrument, and*
 - (ii) *any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - (iii) *any development control plan, and*
 - (iiia) *any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*
 - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - (v) *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979),*

that apply to the land to which the development application relates,

- (b) *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- (c) *the suitability of the site for the development,*
- (d) *any submissions made in accordance with this Act or the regulations,*
- (e) *the public interest.*



SECTION 4.15 ASSESSMENT

(a)(i) The provisions of any environmental planning instrument

LOCAL ENVIRONMENTAL PLANS

BATHURST LOCAL ENVIRONMENTAL PLAN 2014

The subject land is zoned RU1 Primary Production.

Zone RU1 Primary Production

4 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain the rural and scenic character of the land.
- To provide for a range of compatible land uses that are in keeping with the rural character of the locality, do not unnecessarily convert rural land resources to non-agricultural land uses, minimise impacts on the environmental qualities of the land and avoid land use conflicts.

2 Permitted without consent

Environmental protection works; Extensive agriculture; Home-based child care; Home businesses; Home occupations; Intensive plant agriculture; Roads

3 Permitted with consent

Cellar door premises; Dwelling houses; Extractive industries; Farm buildings; Food and drink premises; Funeral homes; Garden centres; High technology industries; Home industries; Hostels; Intensive livestock agriculture; Landscaping material supplies; Markets; Neighbourhood shops; Open cut mining; Plant nurseries; Roadside stalls; Rural supplies; Rural workers' dwellings; Secondary dwellings; Any other development not specified in item 2 or 4

4 Prohibited

Amusement centres; Commercial premises; Exhibition homes; Exhibition villages; Heavy industrial storage establishments; Home occupations (sex services); Industries; Public administration buildings; Residential accommodation; Restricted premises; Sex services premises; Storage premises; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Wholesale supplies

Comments

The following comments are made in relation to the zone objectives:

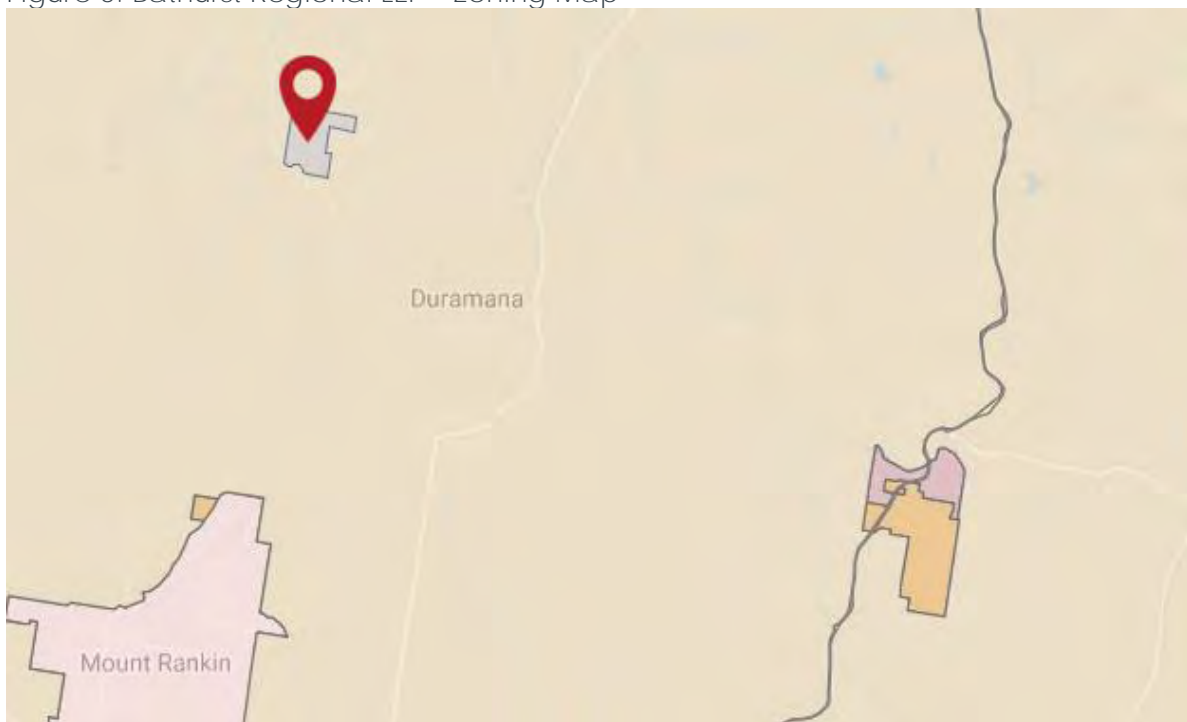


- The land will still be used for grazing purposes (the land is not considered to be agricultural land – as are the surrounding lots) and will have negligible impact on the natural resource base. The soils are poor, and the topography is generally too steep to facilitate any significant agricultural use. There is no permanent water source on the property.
- The proposed dwelling will not have any negative impact upon surrounding agricultural land uses – it is noted that there are a number of existing dwellings in relative proximity of the site.
- No further fragmentation of the land will occur as a result of the proposed dwelling.
- The siting of the dwelling will not have a negative impact on the use of surrounding rural properties.
- The rural and scenic character of the land will not be compromised. The dwelling will not be readily seen from the road.

As detailed throughout this report, the proposed dwelling can generally be shown to be consistent with the relevant objectives of the RU1 zone.

The proposed dwelling is permissible with consent subject to a Clause 4.6 variation.

Figure 5: Bathurst Regional LEP - Zoning Map





4.2B *Erection of dwelling houses on land in certain rural zones*

(1) *The objectives of this clause are as follows:*

- (a) *to minimise unplanned rural residential development,*
- (b) *to enable the replacement of lawfully erected dwelling houses in rural zones.*

(2) *This clause applies to land in the following zones:*

- (a) *Zone RU1 Primary Production,*
- (b) *Zone RU2 Rural Landscape,*
- (c) *Zone RU4 Primary Production Small Lots.*

(3) *Development consent must not be granted for the erection of a dwelling house on land to which this clause applies unless the land does not have a dwelling house erected on it and the land:*

- (a) *is a lot that is at least the minimum lot size shown on the Lot Size Map in relation to that land, or*
- (b) *is a lot resulting from a subdivision for which development consent (or equivalent) was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible before that commencement, or*
- (c) *is an existing holding, or*
- (d) *is a lot resulting from a subdivision for the purposes of intensive plant agriculture for which development consent was granted before this Plan commenced and on which the erection of a dwelling house would have been permissible before that commencement but only if the consent authority is satisfied that the lot is being used for the purpose of intensive plant agriculture, or*
- (e) *would have been a lot or a holding referred to in paragraph (a), (b), (c) or (d) had it not been affected by:*
 - (i) *a subdivision creating or widening a public road or public reserve or for another public purpose, or*
 - (ii) *a consolidation with an adjoining public road or public reserve or for another public purpose.*

Note. A dwelling cannot be erected on a lot created under clause 9 of State Environmental Planning Policy (Rural Lands) 2008 or clause 4.2.

(4) *Despite subclause (3), development consent may be granted for the erection of an additional dwelling house on land in Zone RU1 Primary Production if there is already a lawfully erected dwelling house on the land, but only if the additional dwelling house is located on the same lot or parcel of land as the existing lawfully erected dwelling house.*

(5) *Development consent may be granted for the erection of a dwelling house on land to which this clause applies if there is a lawfully erected dwelling house on the land and the consent authority imposes a condition of consent that the existing dwelling house*



must be demolished or altered so that the dwelling house can no longer be used as a dwelling.

(6) In this clause:

existing holding means:

- (a) a lot, portion or other parcel as it was at the relevant date, or
- (b) if, at the relevant date, a person owned 2 or more adjacent lots, portions or parcels—the aggregation of the area of those lots, portions or parcels as they were at the relevant date.

relevant date means:

- (a) in relation to land within the former local government area of the City of Bathurst—27 March 1987, or
- (b) in relation to land within the former local government area of Evans Shire to which Interim Development Order No 1—Shire of Turon applied—19 April 1968, or
- (c) in relation to land within the former local government area of Evans Shire to which Interim Development Order No 2—Shire of Abercrombie applied—31 March 1967.

Note. The owner in whose ownership all the land is at the time the application is lodged need not be the same person as the owner in whose ownership all the land was on the relevant date.

Comments

The minimum lot size for the subject land is 100 ha. Accordingly, a variation to the 100ha development standard is sought in this instance (3%) – refer to Clause 4.6 comments.

4.6 Exceptions to development standards

(1) The objectives of this clause are as follows:

- (a) to provide an appropriate degree of flexibility in applying certain development standards to particular development,
- (b) to achieve better outcomes for and from development by allowing flexibility in particular circumstances.

(2) Development consent may, subject to this clause, be granted for development even though the development would contravene a development standard imposed by this or any other environmental planning instrument. However, this clause does not apply to a development standard that is expressly excluded from the operation of this clause.

(3) Development consent must not be granted for development that contravenes a development standard unless the consent authority has considered a written request from the applicant that seeks to justify the contravention of the development standard by demonstrating:



- (a) that compliance with the development standard is unreasonable or unnecessary in the circumstances of the case, and
 - (b) that there are sufficient environmental planning grounds to justify contravening the development standard.
- (4) Development consent must not be granted for development that contravenes a development standard unless:
- (a) the consent authority is satisfied that:
 - (i) the applicant's written request has adequately addressed the matters required to be demonstrated by subclause (3), and
 - (ii) the proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out, and
 - (b) the concurrence of the Secretary has been obtained.
- (5) In deciding whether to grant concurrence, the Secretary must consider:
- (a) whether contravention of the development standard raises any matter of significance for State or regional environmental planning, and
 - (b) the public benefit of maintaining the development standard, and
 - (c) any other matters required to be taken into consideration by the Secretary before granting concurrence.
- (6) Development consent must not be granted under this clause for a subdivision of land in Zone RU1 Primary Production, Zone RU2 Rural Landscape, Zone RU3 Forestry, Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone R5 Large Lot Residential, Zone E2 Environmental Conservation, Zone E3 Environmental Management or Zone E4 Environmental Living if:
- (a) the subdivision will result in 2 or more lots of less than the minimum area specified for such lots by a development standard, or
 - (b) the subdivision will result in at least one lot that is less than 90% of the minimum area specified for such a lot by a development standard.

Note. When this Plan was made it did not include Zone RU4 Primary Production Small Lots, Zone RU6 Transition, Zone E2 Environmental Conservation or Zone E4 Environmental Living.

- (7) After determining a development application made pursuant to this clause, the consent authority must keep a record of its assessment of the factors required to be addressed in the applicant's written request referred to in subclause (3).
- (8) This clause does not allow development consent to be granted for development that would contravene any of the following:
 - (a) a development standard for complying development,



- (b) a development standard that arises, under the regulations under the Act, in connection with a commitment set out in a BASIX certificate for a building to which State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 applies or for the land on which such a building is situated,
- (c) clause 5.4.
- (ca) clause 6.1, 6.2, 6.3, 7.7, 7.8 or 7.11.

Comments

A variation to the minimum lot size for a dwelling house development in the RU1 Primary Production zone is sought for this proposal (i.e. 100ha development standard – the subject land has an area of 97 ha or 3% variation).

Following provides justification for the support of the proposed variation to the development standard.

Is the Requirement a Development Standard?

Clause 4.2B of the *Bathurst Local Environmental Plan 2014 (LEP)* contains a development standard that allows for a dwelling house on the subject site.

A written justification for the proposed variation to the minimum lot size is required in accordance with Clause 4.6 of the LEP.

The objectives of Clause 4.6 'Exceptions to Development Standards' are as follows:

- (a) To provide an appropriate degree of flexibility in applying certain development standards to particular development; and
- (b) To achieve better outcomes for and from development by allowing flexibility in particular circumstances.

Clause 4.6 allows for the contravention of a development standard with approval of the consent authority.

A development standard is defined under the *Environmental Planning and Assessment Act, 1979* as:

"Provisions of an environmental planning instrument or the regulations in relation to the carrying out of development, being provisions by or under which requirements are specified or standards are fixed in respect of any aspect of that development"

Subclause (3) requires the consent authority to consider a written request from the applicant that demonstrates:



- a) *That compliance with the development standard is unreasonable or unnecessary in the circumstances of the case; and*
- b) *That there are sufficient environmental planning grounds to justify contravening the development standard.*

Subclause (4) requires the consent authority to be satisfied that:

- i) *The applicants written request has adequately addressed the matters required to be demonstrated by subclause (3); and*
- ii) *The proposed development will be in the public interest because it is consistent with the objectives of the particular standard and the objectives for development within the zone in which the development is proposed to be carried out.*

Clause 4.2B is a development standard.

Extent of Variation to the standard

3%.

Is the Requirement a Development Standard and does subclause 8 apply?

Clause 4.2B of the *Bathurst Regional Local Environmental Plan 2014* contains a development standard that allows for dwellings in the RU1 zone on lots greater than the MLS of 100 ha for the subject land.

Subclause 8 does not apply to the subject development.

What is the underlying object or purpose of the standard?

- (1) *The objectives of this clause are as follows:*
 - (a) *to minimise unplanned rural residential development,*
 - (b) *to enable the replacement of lawfully erected dwelling houses in rural zones.*

Is compliance with the development standard unreasonable or unnecessary in the circumstances of the case?

The development standard is considered unreasonable in the circumstances due to the following reasons:

- The variation is very small (only 3%).
- The development remains consistent with the objectives of the zone.
- The development is consistent with the provisions of the Bathurst Development Control Plan 2014 (there are no other non-compliances being sought).



- There will be no impact on the agricultural viability of the subject land or neighbouring lands.
- The development standard unreasonably restricts a positive development outcome by inhibiting a variety of housing types and densities to be established in the area.
- The standard will unreasonably prevent an ancillary dwelling supporting grazing activities on the site.
- The standard unreasonably restricts effective utilisation of the land to achieve the objectives of the zone.
- The development will not impact on surrounding land uses.
- The site of the dwelling will have negligible impact on the production capacity of the property.
- The dwelling can be sited so as to not have any negative environmental outcomes (no tree removal is necessary).

Are there sufficient environmental planning grounds to justify contravening the standard?

Following on from the points above, there are no environmental issues that would have an impact on the use of the site as a dwelling.

On the basis of the discussion in this report and the points above, there are sufficient environmental planning grounds to justify the contravention.

The site of the dwelling is within a cleared area – there is no tree removal required.

There is adequate area for onsite effluent disposal.

There is significant setback from any watercourse.

The proposed location allows for appropriate boundary setbacks which will reduce the potential for conflict with adjoining and surrounding land uses.

Will the proposed development be in the public interest because it is consistent with objectives of the particular standard and the objectives for development within the zone in which the development proposed is to be carried out?

As detailed throughout this report, the proposed dwelling can generally be shown to be consistent with the relevant objectives of the RU1 zone.

The neighbouring lands are generally used for grazing and residential purposes and it is highly unlikely that there would be any aerial spraying undertaken. No other conflict with neighbouring land uses have been identified if the site was utilised for residential purposes.

There are no known mineral resources in close proximity of the subject land.



Therefore it is considered that the proposed dwelling house will not have a negative impact on neighbouring agricultural enterprises.

Whether or not non-compliance with the development standard raises any matter of significance for State or Regional environmental planning?

The variation to the lot size for the proposed development will not raise any matter of significance for State or regional environmental planning.

The public benefit of maintaining the development standard

There is no public benefit of maintaining the development standard in this instance – the variation request is only 3%. The surrounding area is characterised by dwellings located on smaller holdings – there is no significant farming operations being undertaken. A dwelling on the subject land will have no negative impact on any surrounding properties.

This report has determined that the variation to the planning control will result in an outcome that is acceptable on this site.

Any other matters required to be taken into consideration by the Director General before granting concurrence?

There are no other matters that are required to be taken into consideration.

STATE ENVIRONMENTAL PLANNING POLICYS

STATE ENVIRONMENTAL PLANNING POLICY NO 55—REMEDICATION OF LAND

Council must consider Clause 7 of the SEPP when determining a Development Application:

- 7 *Contamination and remediation to be considered in determining development application*
- (1) *A consent authority must not consent to the carrying out of any development on land unless:*
- (a) *it has considered whether the land is contaminated, and*
 - (b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
 - (c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*



The potential for contamination appears minimal. In terms of potential soil contamination, the subject land has been evaluated for:

- Evidence of previous mining activity;
- Evidence of existing and previous dip sites and other associated infrastructure;
- Evidence of orcharding or any other horticultural activities; and
- Vegetative and other features which could indicate possible soil contamination.

Accordingly, it is recommended that a detailed investigation is not necessary or warranted in this instance.

(a)(ii) Any draft environmental planning instrument

There are no known draft environmental planning instruments applicable to this property.

(a)(iii) Any development control plan

BATHURST REGIONAL COUNCIL DCP 2014

Chapter 6 – Rural and Rural Lifestyle Development

- There are no sensitive lands or waterways in the close proximity of the proposed dwelling site.
- The site plan shows all existing topographical and environmental features on the site.
- No vegetation removal required for the construction of the dwelling.
- The dwelling is located 50 metres off the western & southern boundaries (which are the closest). All other setbacks are significantly greater.
- It is proposed to construct a new access off The Bridle Track that has good sight distances in both directions.
- No new fencing is proposed.
- Driveway to be constructed to an all-weather surface (following the existing track to the dwelling site).
- Effluent disposal to be conducted on site in accordance with a future onsite effluent disposal assessment.
- Water supply to be provided as per Council requirements (on site water tank) – with fire fighting reserve.
- The bulk and scale of the dwelling is appropriate in the locality. It is single storey and is cut into the landscape to reduce any impact.
- Materials and colour scheme to blend into the landscape.
- Appropriate erosion and sediment controls to be implemented as part of the construction of the dwelling.



(a)(iiia) Any Planning Agreements

There are no known planning agreements affecting the property.

(a)(iv) Any matters prescribed by the regulations:

Clauses 92 to 97A of the *Environmental Planning and Assessment Regulation 2000* prescribes certain matters that must be considered by Council in determining a development application.

Demolition

Not applicable.

Fire Safety

Not applicable.

Consent authority may require buildings to be upgraded

Not applicable.

Deferred commencement consent

Not applicable.

Imposition of conditions ancillary aspects of development

Not applicable.

Modification or surrender of development consent or existing use right

Not applicable.

Fulfilment of BASIX commitments

BASIX Certificate provided.

(a)(v) Coastal Zone Management Plan:

Not applicable.



(b) The likely impacts of the development:

CONTEXT AND SETTING

The surrounding area is generally characterised by grazing and agricultural properties with ancillary dwellings.

The proposal is considered compatible with the surrounding area and will have minimal impact in regards to:

- Impacts on adjacent properties and land uses; and
- Interruptions of important views and vistas

The proposal is within the context of the locality and Council's current planning provisions

ACCESS AND TRANSPORT

It is proposed to construct a new access to the site as shown on the site plan off The Bridle Track. The access location has good sight distance in both directions.

It is likely that the development will generate additional traffic movements per day (likely to be up to 6 AADT) as result of the construction of the new dwelling.

It is considered that the existing road system (bitumen road) is more than adequate to cater for the modest additional traffic generation from the development without the need for any upgrading.

PUBLIC DOMAIN

It is considered that the development will have a negligible impact on the public domain in terms of:

- Public recreational opportunities in the locality;
- Amount, location, design, use and management of public spaces in and around the development; and
- Pedestrian linkages and access between the development and public areas.

UTILITIES & SERVICES

Electricity

Electricity will be connected to the dwelling in consultation with Essential Energy.



Telecommunications

The dwelling will be connected to available telecommunications services to the requirements of Telstra.

Water

Future water supply for the dwelling will be via rainwater tanks.

Sewer

Will be conducted onsite in accordance with an Onsite Effluent Management Assessment.

HERITAGE

There are no listed heritage items on the subject land.

FLORA AND FAUNA

No vegetation removal is considered necessary as a result of the proposed dwelling.

A detailed Flora and Fauna study has not been conducted and is not considered necessary in this instance.

Biodiversity Offsets Scheme

Following is an assessment of the risk-based test to determine when the Offsets Scheme will apply to local developments under the *Biodiversity Conservation Act 2016*.

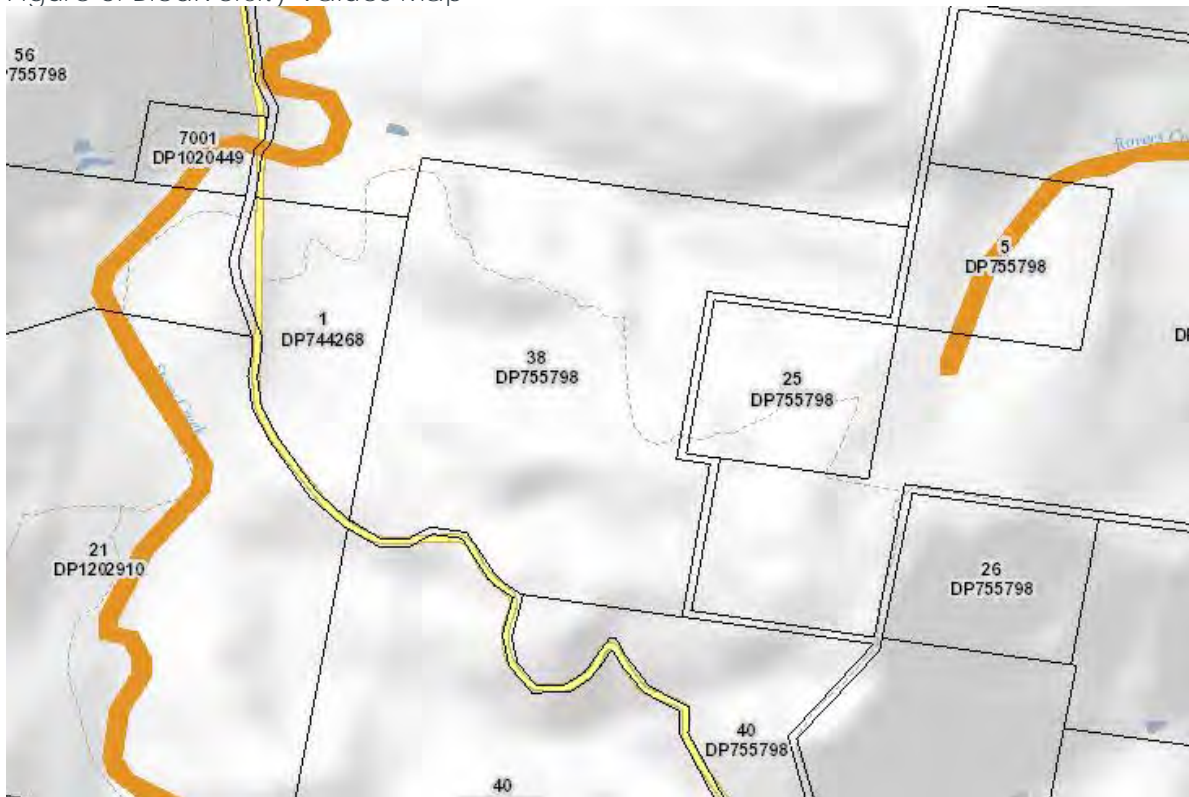
Area Criteria:

The area of the subject land is 97ha. The threshold for clearing is, above which the BAM and offsets scheme applies is 1 ha or more. As there is no removal required, the area criteria will not apply.



Biodiversity Values Map:

Figure 6: Biodiversity Values Map



The subject land is not mapped.

Test of Significance:

That part of the subject land where the dwelling is proposed is highly disturbed (with poor soils and vegetation cover). Accordingly, a detailed investigation is considered warranted. No vegetation removal is required to facilitate the proposed dwelling (including access track which is existing).

ENERGY

A BASIX certificate has been prepared for the dwelling that demonstrates that the design meets energy efficiency and water consumption targets.

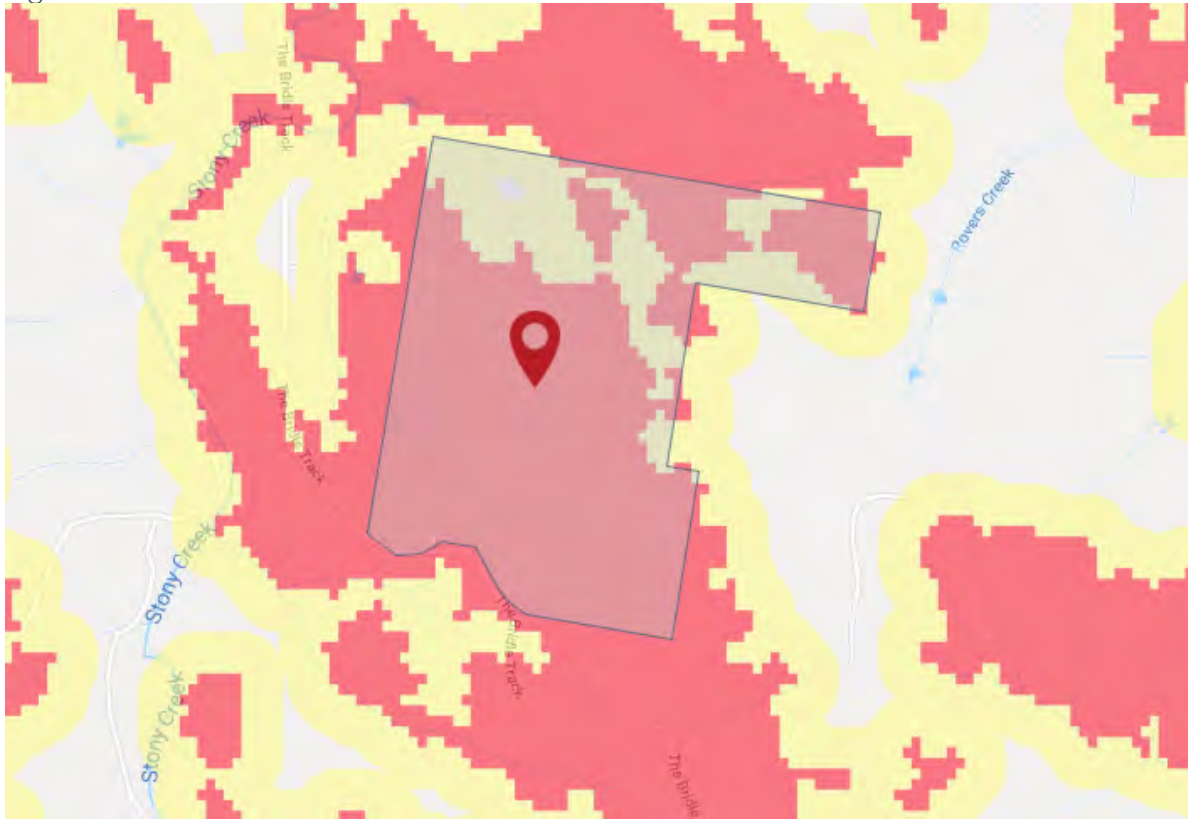
NOISE AND VIBRATION

Not applicable.

NATURAL HAZARDS

There are no known natural hazards affecting the subject land other than bushfire.

Figure 7: Bushfire Prone Land



The subject land is bushfire prone. Refer to the bushfire report.

POTENTIAL CONTAMINATION

See comments under SEPP 55 – Remediation of Land.

SAFETY, SECURITY & CRIME PREVENTION

No specific safety or security measures are proposed to be implemented as part of the proposed dwelling.

SOCIAL & ECONOMIC IMPACTS IN THE LOCALITY

The likely social and economic impacts of the dwelling are negligible. There will be positive benefits by:

- The continuance of existing community facilities by the possible provision of more users and volunteers for such activities as the school bus service and local bushfire brigades;
- Economic and employment flow-ons to the real estate, surveying and construction industry with the commencement of development and the ongoing support of service businesses such as shops will be



- required by the occupiers of the future dwellings; and
- An increased need for community services, such as schools, bus services, bushfire services and road maintenance.

CONSTRUCTION

All construction work is to be undertaken in accordance with conditions of consent, stamped plans, BCA and Australian Standards.

Construction impacts are not anticipated to have an adverse impact on the locality. Works would occur during daytime hours, thus not impacting on the local amenity. The site would have temporary containment fencing erected and signage to warn and exclude the public from entering the site during the construction phase.

Erosion and Sedimentation Control measures would be implemented during construction to minimise any erosion risk at the site. All measures will be established prior to the commencement of staged engineering works and maintained for an agreed period after completion of all subsequent stages.

All waste generated during construction would be taken and disposed of at Council's Waste Disposal Facility.

Construction activities would be tailored to minimise the impact on site, with all disturbed areas rehabilitated as soon as practical. All construction machinery would be fitted with appropriate muffling devices to limit noise generation during construction. The construction period would be for a limited period, and thus any impacts would be limited to that time frame.

Refer to building plans for greater detail.

CUMULATIVE IMPACTS

It is considered there will be no negative cumulative impacts as a result of the proposed dwelling.



(c) Suitability of the site for the development

Does the proposal fit in the locality?

- There are no constraints posed by surrounding development to render the proposal prohibitive;
- The proposal is complimentary to the surrounding land use pattern and zoning;
- It is considered that the proposal will not create any unmanageable access or transport concerns in the locality;
- No impact on public spaces will eventuate as a result of the proposal proceeding;
- No upgrading to services is required;
- There are no issues in relation to air quality and microclimate; and
- There are no identified surrounding hazardous land uses or activities.

Are the site attributes conducive to development?

It is considered that the site is conducive to the dwelling based on the following:

- The site is not affected by any known natural hazards (other than bushfire which has been addressed);
- There are no heritage considerations;
- There is no known soil characteristics that would render the proposal prohibitive; and
- There are no flora and fauna considerations that will have an impact on the proposal.

(d) Any submissions

The application may be notified to adjoining neighbours for comment.

(e) The public interest

The proposed development is considered to be only of minor interest to the wider public due to the relatively localised nature of potential impacts. It is believed that by the imposition of appropriate conditions of consent and the safeguards discussed in this report, potential impacts would be modest.



5. CONCLUSION

This report includes an analysis of the existing environment, details of the proposed subdivision and consideration of applicable statutory requirements.

Based upon the investigations of the proposal it can be concluded that:

- The impacts upon or by surrounding development will not be altered significantly as a result of the dwelling proceeding;
- The topography of the site can accommodate the proposal;
- Very limited additional traffic generation that can be accommodated on the existing road network without upgrading;
- Utilities and services are available for connection; and
- The proposal is generally consistent with the objectives and provisions of Councils relevant planning documents and the variation to the development standard for the construction of a dwelling is justified in this instance.

The proposal is considered to be acceptable in terms of Section 4.15 of the *Environmental Planning and Assessment Act 1979* (as amended) and potential impacts are expected to be minor.

Accordingly, it is recommended that the Development Application be approved subject to appropriate standard conditions.

Section 9 Please include any further information which you feel will assist Council in considering your application.

Refer to the SOEE and inparticular Clause 4.6 variation

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The information on this form is being collected to allow Council to process your application and/or carry out its statutory obligations. All information collected will be held by Council and will only be used for the purpose for which it was collected. An individual may view their personal information and may correct any errors.

GENERAL INFORMATION

What is a clause 4.6 variation?

The Local Environmental Plan contains development standards which set minimum standards for the carrying out of a specified activity. For example the maximum height of a building.

Clause 4.6 of the LEP allows Council or the Department of Planning and Environment to vary a development standard under the LEP where, under the specific circumstances relating to a development, the application of the standards are considered unreasonable or unnecessary in the circumstances of the case.

The purpose of the request for the variation is to clearly spell out why the development standard is unreasonable or unnecessary under the specific circumstances relating to your application.

Who can lodge a variation?

An application may be prepared and lodged by any person. The level of information required is sometimes quite detailed and therefore you may need to consult with an appropriate professional.

Other things which you should be aware of

- The lodgement of a request to vary a standard under clause 4.6 of the Bathurst Regional Local Environmental Plan 2014 does not guarantee that Council will support the request. The decision will be based on an assessment of all the matters relevant to the application, of which the request is one component.
- Council cannot consider a variation to a development standard unless you formally lodge a written request to vary the standard. A letter is sufficient provided that it accurately sets out your case.
- You should consult Council from the outset as to the reasoning and intent behind the standard you wish to vary. In order to know why Council should support a variation to the standard you have to know why the standard was imposed in the first place. In addition, each zone in a planning instrument will have a number of specific objectives which clearly outline Council's intent for areas of land. Your development will have to be consistent with the zone objectives if it is to be successful.
- In some cases Council will require the concurrence of the Department of Planning and Environment. In respect of rural land, Council may only assume the Department's concurrence under the following circumstances:
 - ⇒ where in the case of a dwelling or a subdivision on or of rural land only one allotment does not comply with the minimum standard in Council's planning instrument; and
 - ⇒ that allotment has an area equal to or greater than 90 percent of the minimum area specified in the development standard.

3 MODIFICATION TO DEVELOPMENT APPLICATION NO. 2018/52 – TOURIST & VISITOR ACCOMMODATION AT 453 CONROD STRAIGHT, MOUNT PANORAMA. APPLICANT: MRS J BAUMBERGER. OWNER: MRS J BAUMBERGER (DA/2018/52)

Recommendation:

That Council:

- (a) as the consent authority, modify the existing consent granted to Development Application 2018/52 pursuant to Section 4.55(2) of the Environmental Planning and Assessment Act 1979 by:
 - i. Approving the amended plans;
 - ii. Waiving Condition 3; and
- (b) not support the waiver of Condition 1; and
- (c) call a division.

Report:

Summary

Council has received an application to modify the consent issued for DA2018/52, Tourist and Visitor Accommodation at 453 Conrod Straight, Mount Panorama, on behalf of Mrs J Baumberger. Part of the modification application is to delete the requirement for disabled access imposed in the consent by way of a condition requiring compliance with specific parts of the National Construction Code. The application for modification does not provide detailed justification for this request, relying as a precedent on a recent decision of Council in relation to DA2018/37 also for Tourist and Visitor Accommodation, at 449 Conrod Straight, Mount Panorama on behalf of Mr A Dunshea. The decision by Council in relation to DA2018/37 (Dunshea) came after determination under delegation of DA2018/52 (Baumberger), hence the application for modification that is now to be determined.

This application is brought to Council for determination to give certainty to Council's position and policy direction. The difficulty arises because the Bathurst LEP prohibits an additional dwelling in the Mount Panorama precinct, other than for tourist and visitor accommodation with limitations on the number and duration of stay of visitors. Whilst acknowledging the decision of Council for DA2018/37 (Dunshea), Council policy has been and remains to require buildings used for tourist and visitor accommodation to be classified as Class 1(b) under the National Construction Code (or some other Class depending on the floor area or number of occupants), and not Class 1(a). This is relevant because Class 1(b) buildings require disability access under the Federal Government's Premises Standard, whereas Class 1(a) does not.

The Council Policy - Operation of Tourist and Visitor Accommodation Establishments is at **attachment 1**. In addition to describing how the buildings should be classified, the Policy also lists the standards expected for public health and fire safety, which exceed those required for a residential dwelling because they are used by visitors and tourists for (potentially) commercial purposes. The Notice of Determination for DA2018/37 (Dunshea) is silent in regard to the classification of the building, leaving that to the Certifier of a

Director Environmental Planning & Building Services' Report to the 20/02/2019 Released

GENERAL MANAGER

MAYOR

Page 1

Construction Certificate. The other aspects of the Policy are expected to be complied with. Whilst there has been discussion about whether the Policy should refer to the classification of a building at all, the intent of the Policy is to expect certain building standards be met, including disability access.

If Council determines that the decision for DA2018/52 (Dunshea) should apply to all similar applications, the Policy will need review in this respect. However, there are grounds to consider the decision for DA2018/52 (Dunshea) as a justified but isolated departure from the Policy, in particular because Mr Dunshea argued that the plans for that development could not be redesigned. That argument has not been made for DA2018/37 (Baumberger) and the recommendation is that the request to delete the condition not be agreed to.

A further consideration is the obligation, which Council staff believe rests with the operator of the premises, to consider the requirements of the Disability Discrimination Act and guidelines from the Australian Human Rights Commission on the application of the Premises Standard. Further discussion of these issues is contained in the report

There are other aspects to the application for modification that relate to the floor plan and water service that are not in contention.

The Site

Council has received an application to modify existing Development Application (DA) No. 2018/52 for tourist and visitor accommodation at 453 Conrod Straight, Mount Panorama, described as Lot 2, DP 1180626.

See location plan and aerial photo at **attachment 2**.

Lot 2, DP 1180626 has an area of 1.688 hectares and currently contains a single storey dwelling with attached garage, separate shed and swimming pool.

History of the proposal

On 22 May 2018 Council approved, under Delegated Authority, a Development Application 2018/52 for "Tourist & Visitor Accommodation".

In essence the approval was for the construction of a detached single storey self-contained unit for tourist and visitor accommodation.

Condition 1 of the consent required the submission of amended plans demonstrating compliance with the performance requirements DP1, DP2 and FP2.1 of the National Construction Code (NCC) 2016 Volume One relating to access for persons with a disability; that is the consent requires the building should be made to be "accessible".

The proposal

The proposed modification seeks three changes to the consent as granted as follows:

- Approval for amended plans;
- Waiver of Condition 1 of the consent which reads as follows:

Prior to the issue of a Construction Certificate the applicant is to submit to Council for approval amended plans demonstrating compliance with the performance requirements DP1, DP2 and FP2.1 of the National Construction Code (NCC) 2016 Volume One.

- Waiver of Condition 3 of the consent which reads as follows:

The water service is to be of adequate size and of a design adequate to serve the development in accordance with the requirements of AS/NZS 3500 and The Plumbing Code of Australia. Any necessary upgrading of the existing service is to be at full cost to the applicant.

NOTE 1: Application form for water is attached. This form is to be returned to Council with payment.

NOTE 2: The service will be a 25mm short service at \$1,330.00 at full cost to the applicant.

NOTE 3: The applicant is to advise Council to remove the existing service upon connection to the new service.

Condition 3 of the existing consent requires an increase in the water service size. It is typically applied where two buildings will access a single water service. Increasing the water service size ensures adequate pressure for both buildings. In this case the applicant has advised that their water supply is already boosted and will also be supplemented with a tank and pump. An upsized water service is therefore not necessary in this instance. Accordingly it is appropriate to waive this condition.

Amendments to the plans comprise the following key elements:

- Reducing the habitable floor space (living area) from 115.76m² to 107.73m²; and
- Joining the two covered outdoor areas (verandah & alfresco) and increasing the total area of the covered outdoor areas from 20m² to 35.11m².

The proposed amendments to the approved plans do not raise any significant environmental issues and it is appropriate to approve the amended plans. Amended plans of the proposed development are at attachment 3.

The proposed waiver of Condition 1 requiring the building to be accessible is the significant outstanding issue and forms the body of this report. It is noted that the modification application provides no justification/commentary on the request to waive this requirement. It is understood that the applicant relies upon the decision made by Council at its 12 December 2018 meeting regarding a similar proposal for tourist and visitor accommodation as precedent for this request.

Whilst the surrounding legislative regime remains the same, it necessarily means that the assessment repeats many of the matters previously considered by Council. It also means that the staff recommendation (in the absence of any new policy direction of the Council) remains the same.

Previous resolution for similar application

Council at its Ordinary Meeting on 12 December 2018 considered a Development Application (DA2018/37) for alterations and additions to an existing dwelling, erection of a separate detached garage and the erection of a detached two storey self-contained unit for use as tourist and visitor accommodation, at 449 Conrod Straight, Mount Panorama.

The applicants' contention was that the proposed tourist and visitor accommodation building was most appropriately considered under the NCC to be a Class 1a and accordingly should not be required to be accessible. The applicant also advised that "*redesign of the unit is not an option given the floor area and parking*".

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

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

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

At the Ordinary Meeting on 12 December 2018 it was resolved that Council:

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

Unlike DA2018/37, there is no suggestion or evidence in the case now before Council (DA2018/52) that the design of this building cannot be altered to make it accessible.

The following assessment applies to the modification of DA2018/52. Many of the matters to be assessed were considered in the report to Council for DA2018/37 and are repeated here.

Planning Context

Bathurst Regional Local Environmental Plan 2014

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

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

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

racing circuit.

Tourist and visitor accommodation is permissible with consent in the RU2 zone.

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

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

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

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

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

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

but does not include:

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

Accordingly, dual occupancy (being 2 dwellings on the land) is prohibited development. As the property currently contains an existing dwelling, Council cannot lawfully grant consent to a further dwelling on the land (with the exception of a secondary dwelling). Whilst the proposed building has the physical characteristics of a dwelling, it cannot lawfully be used as such. The size of the proposed dwelling exceeds that allowable as a secondary dwelling (i.e. 60m² or 20% of the gross floor area of the principle dwelling). Approval was therefore granted for "tourist and visitor accommodation".

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

Clause 7.6 Mount Panorama environs

- (1) *The objectives of this clause are as follows:*
 - (a) *to ensure development in and around the Mount Panorama Racing Circuit accounts for potential noise and other land use conflicts associated with motor racing and related events,*

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

Comment

The site is located in close proximity to the Mount Panorama Racing Circuit and will be subject to noise during race events. The proposal for a detached single storey self-contained unit for tourist and visitor accommodation will not increase the number of permanently occupied dwellings in the locality of the motor racing circuit. The existing house is situated approximately 180 metres away from the edge of the circuit. The proposed tourist accommodation unit will be situated approximately 240 metres from the circuit.

Clause 7.7 Mount Panorama tourist and visitor accommodation and eco-tourist facilities

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

Comment

The proposed unit will be situated approximately 25 metres from the primary dwelling and some 240 metres from the edge of the circuit.

The proposed unit has a gross floor area of approximately 115m².

Condition 32 of the consent provides that:

Director Environmental Planning & Building Services' Report to the 20/02/2019 Released

GENERAL MANAGER

MAYOR

Page 6

The proposed building must not be used as a dwelling by the same person for more than 42 days (whether consecutive or not) in any calendar year.

The applicant is not seeking to alter Condition 32.

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

Clause 7.8 Mount Panorama commercial motor race hosting

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

Comment

Condition 33 of the consent provides that:

The property is not to be used for commercial motor race hosting meaning the use of land to provide viewing areas for motors racing for a fee or reward for 13 or more persons. This may or may not include the provision of accommodation, food or drink.

The applicant is not seeking to alter Condition 33.

Requirement for building to be accessible

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

Currently the proposal makes no provision for access for persons with a disability, hence the imposition of Condition 1 on the original consent.

Typically access for persons with disability is taken to be:

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

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

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

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

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

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

(a) **Class 1a** — a single dwelling being—

(i) a detached house; or

(ii) one of a group of two or more attached dwellings, each being a building, separated by a fire-resisting wall, including a row house, terrace house, town house or villa unit; or

(b) **Class 1b** —

(i) a boarding house, guest house, hostel or the like—

(A) with a total area of all floors not exceeding 300 m² measured over the enclosing walls of the Class 1b building; and

(B) in which not more than 12 persons would ordinarily be resident; or

(ii) 4 or more single dwellings located on one allotment and used for short-term holiday accommodation,

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

The NCC provides the following explanatory note:

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

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

Application of the Premises Standards and the Disability Discrimination Act

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

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

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

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

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

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

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

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

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

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

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

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

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

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

What is expected?

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

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

- *Refuse to provide a person with a disability with goods, services and facilities. For example, a person cannot be refused service in a restaurant because he or she has a guide dog. A person cannot be refused hospital treatment because he or she is HIV positive. Provide goods, services and facilities on less favourable terms and conditions. For example, charging a person with a disability a higher kilometre rate for a taxi because he or she uses a wheelchair or not providing a*

- *TTY line for deaf people to contact emergency services.*
- *Provide the goods, services and facilities in an unfair manner. For example, making insulting remarks while serving a person with a disability or serving a person with a disability after everyone else has been served.*

It also means that a person with a disability has a right to enter the premises of providers of goods, services and facilities if people without a disability can do so.

Like other areas of the D.D.A. a defence of "unjustifiable hardship" may be available in some circumstances.

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

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

Options available to Council

In regard to the current modification Council has two options available to it:

1. Firstly, it could resolve to waive Condition 1 of the consent, noting that this would mean that the building will not be accessible (this would ensure consistency with Council's previous resolution in relation to DA2018/37, outlined above): or
2. Secondly, resolve not to waive Condition 1 of the consent and therefore maintain the requirement for the building to be accessible (this would be consistent with Council policy but inconsistent with Council's previous resolution outlined above).

Council's existing policy – Operation of Tourist and Visitor Accommodation Establishments

Council should also be aware that on 19 February 2014 it adopted the *Operation of Tourist and Visitor Accommodation Establishments Policy* which provides for the overall regulation of tourist and visitor accommodation. The Policy deals with a number of issues including approval pathways, public health requirements and fire safety, and also contains references to the requirement for the buildings to be accessible. The Policy is contained in **attachment 1**.

Council's existing Operation of Tourist and Visitor Accommodation Establishments Policy provides the following:

The conversion of a dwelling house to a Tourist and Visitor Accommodation establishment represents a change of classification under the Building Code of Australia (BCA) from Class 1a to Class 1b or Class 3. (refer to Part A3 of the Building Code of Australia)

*A **Class 1b** building has been defined as "a boarding house, guest house, hostel or the like with a total floor area not exceeding 300 m² and in which not more than twelve (12) persons would ordinarily be resident, which is not located above or below another class of building other than a private garage".*

*In the event of the floor area exceeding 300 m² or the building accommodating more than twelve (12) persons the classification of the premises may change to **Class 3** under the BCA. This may require additional fire safety measures and compliance with*

disabled access provisions.

Should Council resolve to waive Condition 1 of the consent and not require the building to be accessible it would be appropriate for it to initiate a broader policy review of its requirements for making buildings accessible. This would avoid the current ad hoc situation. A broader policy issue arises from this application and the previous application outlined above.

Conclusion

Council has received an application to modify existing Development Application (DA) No. 2018/52 for tourist and visitor accommodation at 453 Conrod Straight, Mount Panorama, described as Lot 2, DP 1180626. On 22 May 2018 Council approved, under Delegated Authority, a Development Application 2018/52 for "Tourist & Visitor Accommodation". Condition 1 of the consent required the submission of amended plans demonstrating that the building is "accessible" pursuant to the National Construction Code (NCC) 2016 Volume One. The applicant seeks approval for amended plans, waiver Condition 1 of the consent and waiver of Condition 3 of the consent. For the reasons outlined in this report it is recommended that Council not waive Condition 1 but approve the amended plans and waive Condition 3.

Financial Implications

Nil.

Bathurst Community Strategic Plan - Objectives and Strategies

- Objective 4: Enabling sustainable growth Strategy 4.6

Community Engagement

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

POLICY:	OPERATION OF TOURIST AND VISITOR ACCOMMODATION ESTABLISHMENTS
DATE ADOPTED:	Director Environmental, Planning & Building Services Report #1 Policy 6 November 2013 Council 19 February 2014 Minute Book No. 11660
ORIGINAL ADOPTION:	
FILE REFERENCE:	11.00003
OBJECTIVE:	To facilitate the development of tourist and visitor accommodation as a sustainable, low impact activity which maintains the amenity of both the property and locality; maintains a satisfactory standard of management and service; and to ensure the premises meet acceptable planning, community health and fire safety standards

1. OBJECTIVES

The objectives of the policy are:

- 1.1 To maintain the existing amenity of both the property, and where relevant, the locality where a tourist and visitor accommodation establishment is located. In order to do so Council will consider the following:
 - (a) the location and number of any other tourist and visitor accommodation establishments in the neighbourhood; and
 - (b) the potential noise generating ability of the tourist and visitor establishments and its effect on neighbouring dwellings; and
 - (c) where reticulated sewerage is not available (onsite waste water management system area) the capacity and efficiency of any proposed effluent disposal system and its potential to create a nuisance for the adjoining properties.
- 1.2 To maintain a satisfactory standard of management and service.
- 1.3 To ensure that the premises meet acceptable planning, community health and fire safety standards.

2. DEFINITIONS

NOTE: The definitions used in this Policy reflect the definitions of the standard instrument, Local Environmental Plan.

"bed and breakfast accommodation" means an existing dwelling in which temporary or short-term accommodation is provided on a commercial basis by the permanent residents of the dwelling and where:

- (a) meals are provided for guests only, and
- (b) cooking facilities for the preparation of meals are not provided within guests' rooms, and
- (c) dormitory-style accommodation is not provided.

“backpackers’ accommodation” means a building or place that:

- (a) provides temporary or short-term accommodation on a commercial basis, and
- (b) has shared facilities, such as a communal bathroom, kitchen or laundry, and
- (c) provides accommodation on a bed or dormitory-style basis (rather than by room).

“eco-tourist facility” means a building or place that:

- (a) provides temporary or short-term accommodation to visitors on a commercial basis, and
- (b) is located in or adjacent to an area with special ecological or cultural features, and
- (c) is sensitively designed and located so as to minimise bulk, scale and overall physical footprint and any ecological or visual impact.

It may include facilities that are used to provide information or education to visitors and to exhibit or display items.

“farm stay accommodation” means a building or place that provides temporary or short-term accommodation to paying guests on a working farm as a secondary business to primary production.

“floor area” is deemed to include the area of any storey of the floor of the dwelling measured from the outer extremity of the enclosing walls.

“serviced apartment” means a building (or part of a building) providing self-contained accommodation to tourists or visitors on a commercial basis and that is regularly serviced or cleaned by the owner or manager of the building or part of the building or the owner’s or manager’s agents.

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

- (a) backpackers’ accommodation,
- (b) bed and breakfast accommodation,
- (c) eco-tourist facilities
- (d) farm stay accommodation,
- (e) serviced apartments,

3. COUNCIL APPROVALS

There are two pathways that a tourist and visitor accommodation establishment can follow when seeking Council approval for the establishment of a tourist and visitor accommodation establishment:

- 3.1 The development may be considered “Complying Development” where it complies with all the criteria contained in Schedule 3 of the Bathurst Regional Local Environmental Plan 2013. A Complying Development Certificate application form and appropriate fees and plans are to be submitted to Council or an appropriately qualified private certifier for determination; or

- 3.2 Where the development cannot be considered Complying Development, a Development Application must be submitted for determination under the Environmental Planning and Assessment Act 1979. A Development Application form, appropriate fee and plans are to be submitted to Council for determination.
- 3.3 In non-reticulated sewerage areas a current 'approval to operate' the onsite waste water system must be maintained at all times. This may require further approval(s) for new septic systems under Section 68 of the Local Government Act. A fee will be charged in accordance with Council's Revenue Policy.

3.4 Building Classification

The conversion of a dwelling house to a Tourist and Visitor Accommodation establishment represents a change of classification under the Building Code of Australia (BCA) from Class 1a to Class 1b or Class 3. (refer to Part A3 of the Building Code of Australia)

A Class 1b building has been defined as *"a boarding house, guest house, hostel or the like with a total floor area not exceeding 300 m² and in which not more than twelve (12) persons would ordinarily be resident, which is not located above or below another class of building other than a private garage"*.

In the event of the floor area exceeding 300 m² or the building accommodating more than twelve (12) persons the classification of the premises may change to **Class 3** under the BCA. This may require additional fire safety measures and compliance with disabled access provisions.

- 3.5 Where a swimming or spa pool is installed at the establishment, or at any premises used for tourist and visitor accommodation, at the time of initial application, the owner must also provide evidence the swimming pool has been registered on the NSW Swimming Pool register. The swimming pool is to be inspected at least once every three years. A fee will be charged in accordance with Council's Revenue Policy.

4. STANDARDS FOR CONSIDERATION

Development Standards:

- 4.1 It is desirable that off-street car parking be made available for the resident's vehicle and also one space per guest room. The parking space should be appropriately provided, behind the front building line.
- 4.2 Off-street car parking provided should be constructed so as to reduce as far as possible the noise of vehicles entering and leaving the property.
- 4.3 Council may permit one sign on the property to indicate the house is a tourist and visitor accommodation establishment and the name of the proprietor. The sign shall not exceed 0.5 square metres in area.
- 4.4 The tourist and visitor accommodation establishment shall be operated in a manner which has regard to the health and residential amenity of the surrounding neighbourhood. It is important in residential areas that noise levels are in keeping with those which are normally experienced in the locality.

Public Health Standards:

- 4.5 Premises and furnishings are to be kept clean and free from vermin.
- 4.6 No animals are allowed in a guest room, dining room or kitchen. However, Guide dogs for the visually impaired and hearing dogs are acceptable within a dining room or guest room only.
- 4.7 Unless otherwise approved by the Council, toilet and bathroom facilities are required for guests separate from those used by the permanent residents of the house, and without the need to enter another separate bedroom. One bathroom per 3 bedrooms will be required. Bathroom carpet is not permitted unless it is laid on an approved, impervious floor surface.
- 4.8 For guest bedrooms, a minimum of 5.5 m² of bedroom floor area per person is required for long term (> 28 days); otherwise 2m² per person is required. Children under 5 years old are not included in the calculation (Clause 46 of the Public Health Regulation 2012).
- 4.9 In areas which do not have a reticulated town water supply, premises are to ensure all water used on the premises are to comply with the 'Private Water Supply Guidelines' as determined by NSW Health.
- 4.10 A room used for the preparation or storage of guests' food shall comply with the following acceptable standards and solutions:
- Notify the NSW Food Authority of the food business. This can be done by logging into the NSW Food Authority website.
 - No live animals allowed in food preparation areas.
 - Those preparing meals should have demonstrated skills and competencies in food hygiene. A Food Safety Supervisor's Certificate may be required if meals are prepared on the premises.
 - Benches used for food preparation should be finished in a material that is smooth and durable, impervious to moisture and easily cleaned and maintained in good condition.
 - Provide hygienic cleaning of utensils, a double bowl sink with dishwasher preferred.
 - Provide hand washing facility – a designated hand wash basin either as third bowl of sink, or separate facility in or near kitchen.
 - Provide liquid soap dispenser, nail brush and single use hand towels to ensure regular hand washing and hand drying by food handlers.
 - Refrigerators are to maintain food at below 5 degrees celsius and hot food storage equipment to maintain hot food above 60 degrees celsius.
 - Provide a thermometer to allow for systematic checking of temperatures accurate to $\pm 1^{\circ}\text{C}$.
 - Clearly document and display management arrangements outlining particulars on daily cleaning and hygiene standards, equipment maintenance, check systems for food storage and a program for approved pest control treatment.
 - A small kitchen sink, fridge, toaster, microwave are permitted in guest rooms.
 - All food contact surfaces are to be cleaned and sanitised after each use.

Fire Safety Standards:

- 4.11 **Kitchen:** A 1.2 m² **fire blanket** and a 3.5 kg **portable fire extinguisher** suitable to fight Class A, B & E fires, are to be suitably wall mounted within the kitchen area with clear instructions for use.
- 4.12 **Locks:** Deadlocks requiring an internal key release are not to be provided on doors to guests' rooms or exit doors. Doors must be able to be opened from inside the room without a key or special knowledge.
- 4.13 **Smoke Alarms:** Approved (compliant with AS3786 Smoke Alarms) single-station smoke detector alarms (connected to a permanent 240 volt electricity supply with a battery operated backup device) are to be installed in locations in accordance with the *National Construction Code* requirements.
- 4.14 **Fire Prevention and Management Plan – Mandatory:** A Fire Prevention and Management Plan shall be prepared and displayed within a common area of the building. Instructions for action in the event of a fire shall be placed in each guest room, eg an evacuation plan affixed to the bedroom door.
- 4.15 **Provision for Escape – Mandatory:** There must be adequate provision for escape in the event of fire or other emergency from the building to a place of safety.

Stairways, ramps and balconies shall be designed so as to provide a safe passage in relation to the nature, volume and frequency of the likely usage. All paths of travel are to be maintained free of obstruction at all times.

4.16 Swimming and Spa Pools:

- a) Fencing must comply with the requirements of the Swimming Pools Act 1992 and Regulation 1998 and the legislation generally requires that:
- The pool is to be separately fenced from residential buildings with a child-resistant barrier as set out in AS1926.
 - A prescribed warning notice is to be displayed in the pool area.
 - Permits inspections and provides for penalties for non-compliance.
 - Inspection required minimum every three years.
- b) Pools at a Tourist and Visitor Accommodation establishment are a public swimming or spa pool pursuant to the Public Health (Swimming Pools and Spa Pools) Regulation 2000. Pool water is to be disinfected including the pool surrounds and toilets associated with the pool or spa to prevent the transmission of disease. The legislation permits:
- For the inspection of the pool and the sampling of water. If a pool is a risk to public health, the legislation allows for the closure of the pool.

The NSW Health Department's *Guidelines for Disinfecting Public Swimming Pools and Spa Pools*, which includes daily recording of disinfectant levels when the pool is available for patrons.

Compliance the NSW Health Department's guidelines will be inspected as part of council's annual inspection of the premises.

- 4.17 **Noise Control:** The Protection of the Environment Operations Act 1997 (POEO Act) and POEO (Noise Control) Regulation 2000 include means to address neighbourhood noise.

The regulation restricts times during which articles and vehicles may not be used if they can be heard in a neighbouring residence. The following is a summary of the restrictions.

Domestic Noise Sources	Times during which special restrictions apply
Power tools and equipment Swimming & spa pool pumps Motor vehicles – except when entering and leaving premises	8pm to 7am on weekday and Saturdays 8pm to 8am on Sundays and Public Holidays
Domestic air conditioner	10pm to 7am on weekdays 10pm to 8am on Weekends and Public holidays
Musical instruments and sound equipment, eg TV's	12 midnight to 8am every day

Outside of these hours, restrictions can be imposed if they cause “offensive noise”. In urban areas Council may require noise barriers in the form of solid boundary fences to mitigate noise from the premises and to maintain the amenity.

5. BUSH FIRE

- a) If the property is located on bushfire prone land identified on the map located at council's offices, application can only be considered as a Development Application.
- b) An application for tourist and visitor accommodation will be considered as a 'special fire protection purpose' and will require referral to the Rural Fire Service for a bush fire safety authority.
- c) An application for a tourist and visitor accommodation establishment will require a bush fire report lodged with the Development Application.
- d) A bush fire evacuation plan must form part of the bush fire report lodged with the Development Application.

6. ADMINISTRATION

- 6.1 If any alterations or additions to the building are proposed and these building works are not Exempt Development under Council's Local Environmental Plan, a Development Application/Construction Certificate application is required to be submitted to Council for determination.
- 6.2 An inspection of the premises and surrounds of a tourist and visitor accommodation establishment is required annually, and a fee is payable in accordance Council's Management Plan and Revenue Policy.
- 6.3 A Fire Safety Certificate is to be provided to Council annually.



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Important Notice!

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Drawn By: Daniel Dwyer

Date: 1/02/2019

Projection: GDA94 / MGA zone 55

Map Scale: 1:3583 @ A4

DA 2018/52
 453 Conrod Straight,
 Mount Panorama

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PROPOSED DWELLING

Client : Mr & Mrs Baumberger

Lot : 2 (453) Conrod Straight,
Mount Panorama Bathurst

DP : 1180626

Date 18 / 01 / 19

Scale 1:100

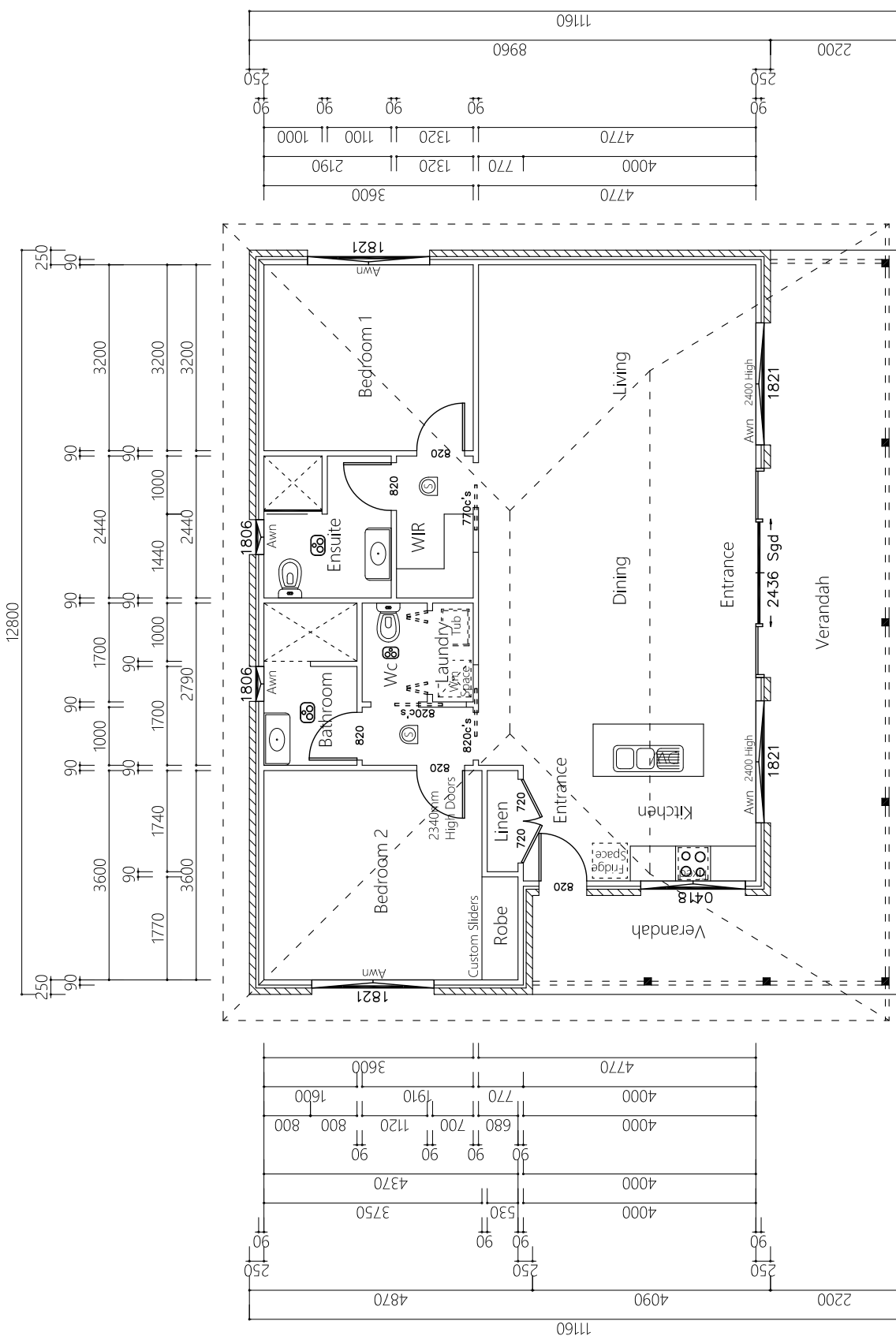
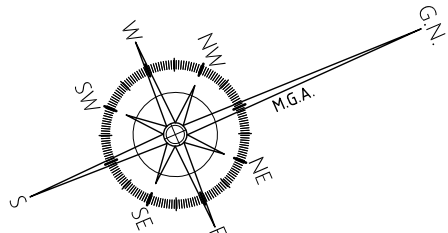
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Verandah Area : 35.11 Sqm

Total Area : 142.84 sqm

File No. : 2018 / 011

Page 1 of 6



FLOOR PLAN
SCALE 1:100

AMENDED PLAN

Date 06 / 02 / 18
Date 15 / 02 / 18
Date 18 / 01 / 19

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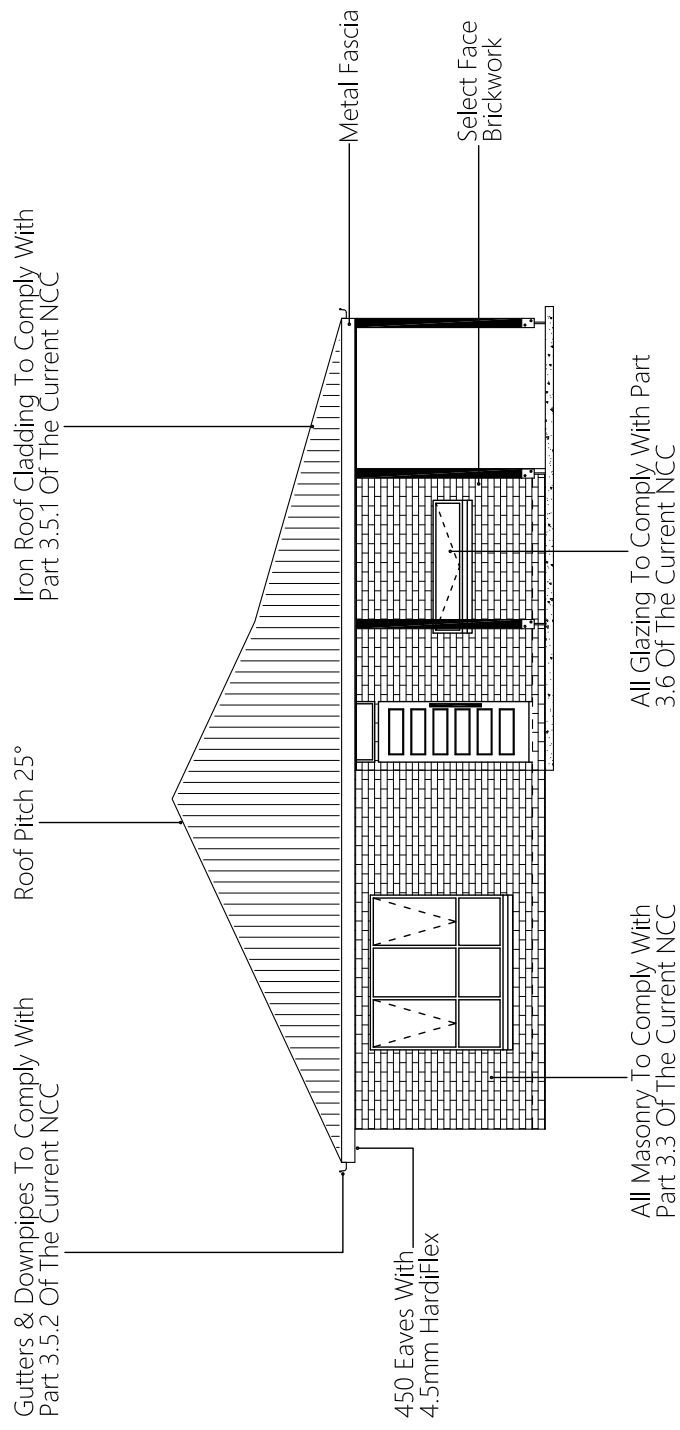
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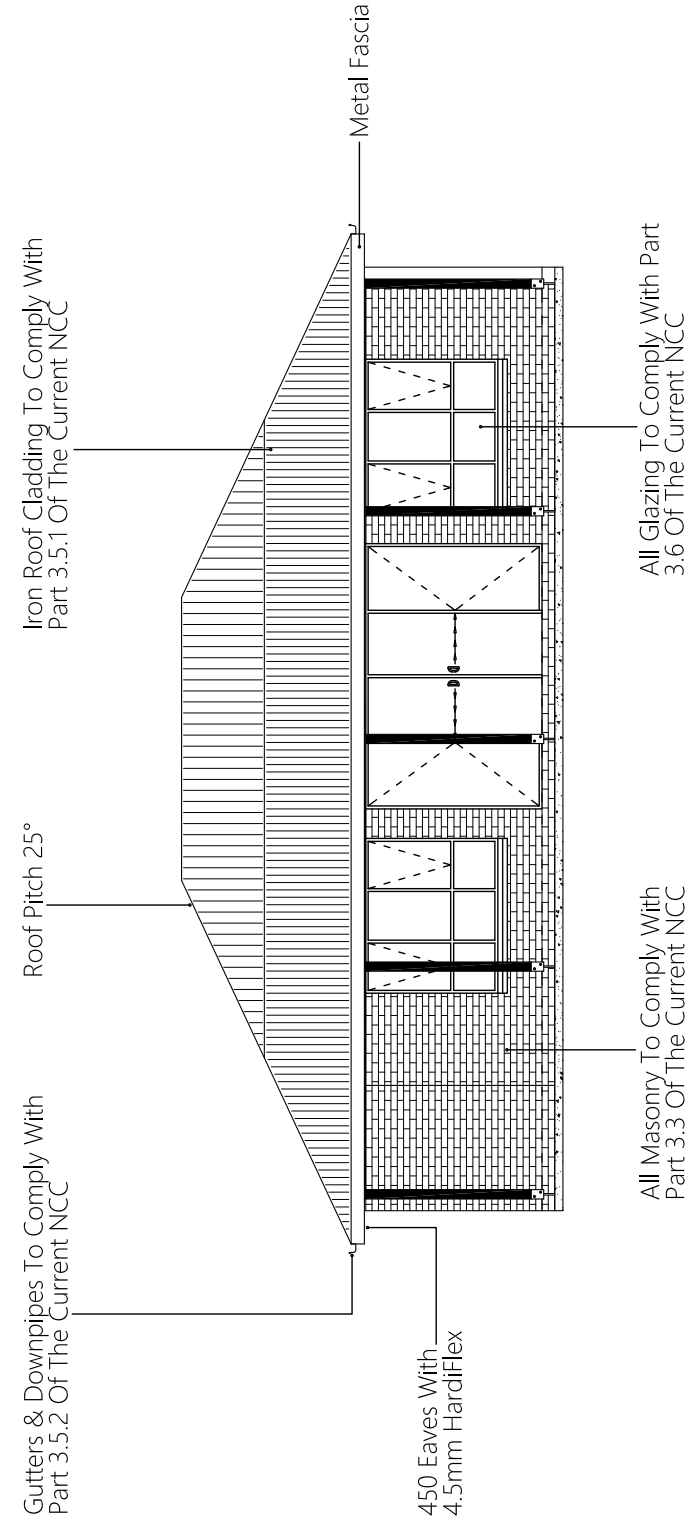
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DP : 1180626
Date 18 / 01 / 19
Scale 1:100
Living Area : 107.73 Sqm
Verandah Area : 35.11 Sqm
Total Area : 142.84 sqm
File No. : 2018 / 011

Page 2 of 6



LEFT ELEVATION
SCALE 1:100



FRONT ELEVATION
SCALE 1:100

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Date 06 / 02 / 18
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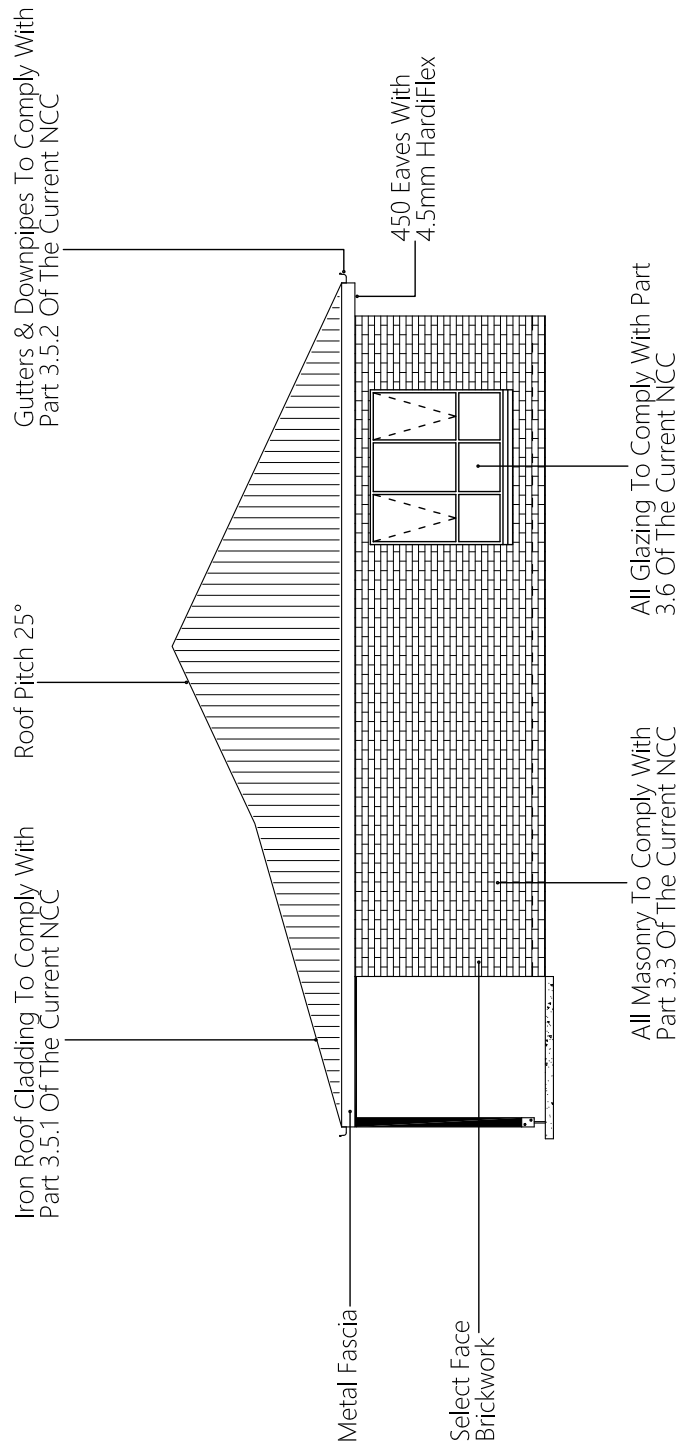
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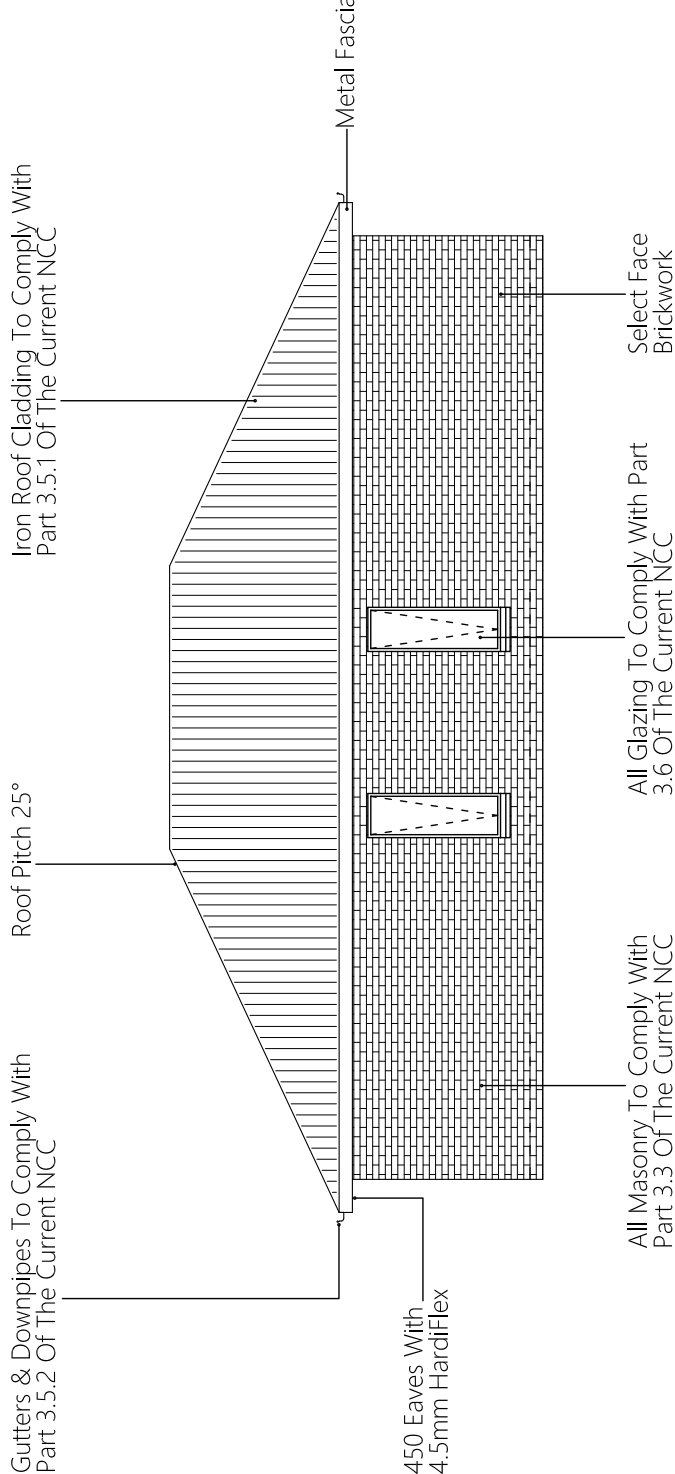
Total Area : 142.84 sqm

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Page 3 of 6



RIGHT ELEVATION
SCALE 1:100



REAR ELEVATION
SCALE 1:100

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Email : ssds@westnet.com.au

PROPOSED DWELLING

Client : Mr & Mrs Baumberger

Lot : 2 (453) Conrod Straight,
Mount Panorama Bathurst

DP : 1180626

Date 18 / 01 / 19

Scale 1:50

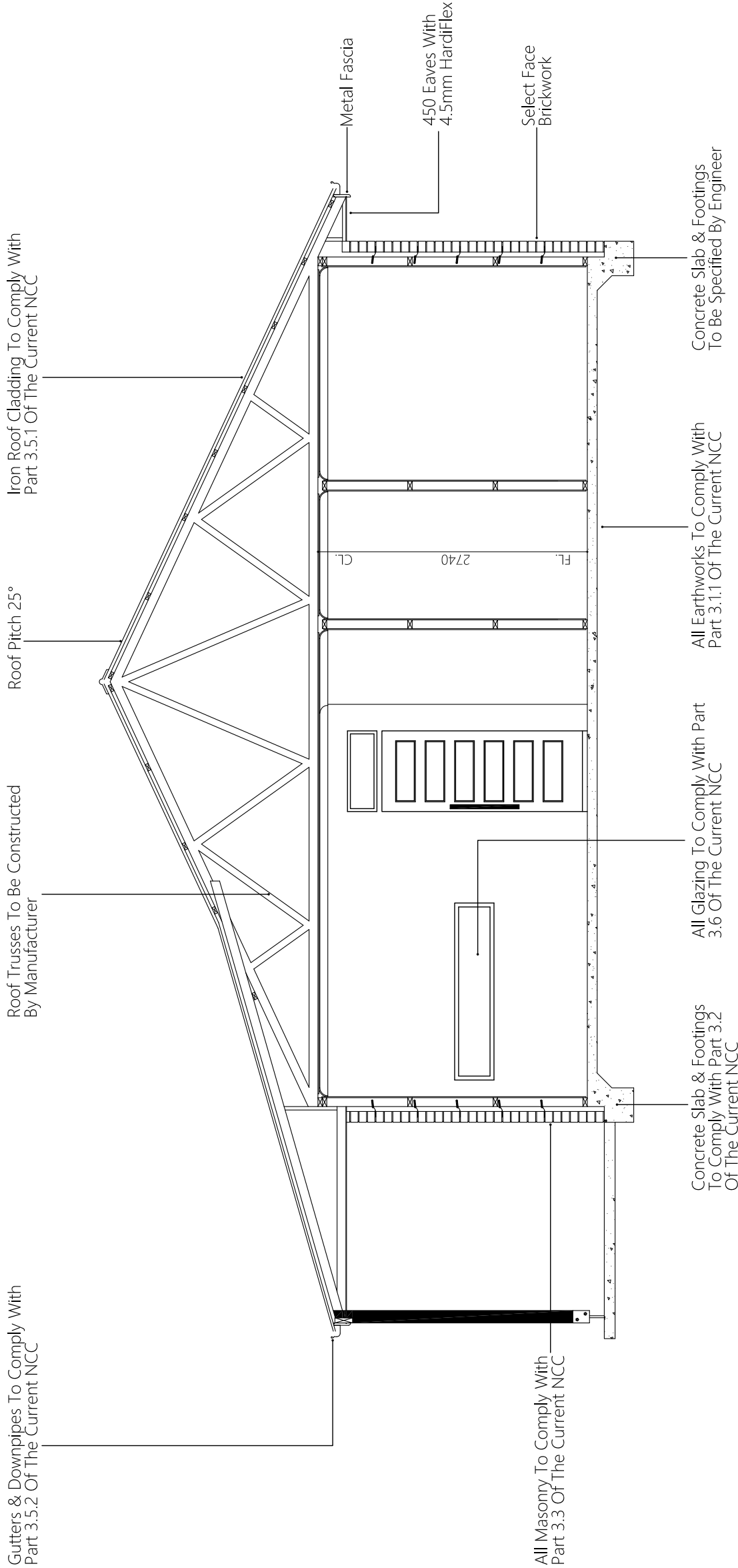
Living Area : 107.73 Sqm

Verandah Area : 35.11 Sqm

Total Area : 142.84 sqm

File No. : 2018 / 011

Page 4 of 6



SECTION THROUGH
SCALE 1:50

AMENDED PLAN
Date 06 / 02 / 18
Date 15 / 02 / 18
Date 18 / 01 / 19

Page Size (A3)

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BASIX COMMITMENTS

Certificate Number : 9029385_02

Project Address

: 2018 / 011 Baumberger_02
: 453 Conrod Straight Mount Panorama, Bathurst 2795
: Bathurst Regional Council
Plan Type / Plan Number : Deposited Plan 1180626
Lot Number : 2

SITE DETAILS

Site Area : 16880 Sqm
Roof Area : 156 Sqm
Conditioned Floor Area : 80 Sqm
UnConditioned Floor Area : 13 Sqm
Total Area of Garden & Lawn : 300 Sqm

WATER COMMITMENTS

- ~ Fixtures : Showerhead(s) Min 3 * Rating (>6.0 but <= 7.5 L/min)
- ~ Toilets Flushing System(s) Min 5 * Rating
- ~ Kitchen Tap(s) Min 5 * Rating
- ~ Basin Tap(s) Min 5 * Rating

ALTERNATIVE WATER

- ~ Minimum 6000 ltr Rainwater Tank To Be Installed On Site.
- ~ Minimum 156 Sqm. of Roof Catchment Area To Be Diverted To Rainwater Tank

~ Rainwater Tank To Be Connected To :

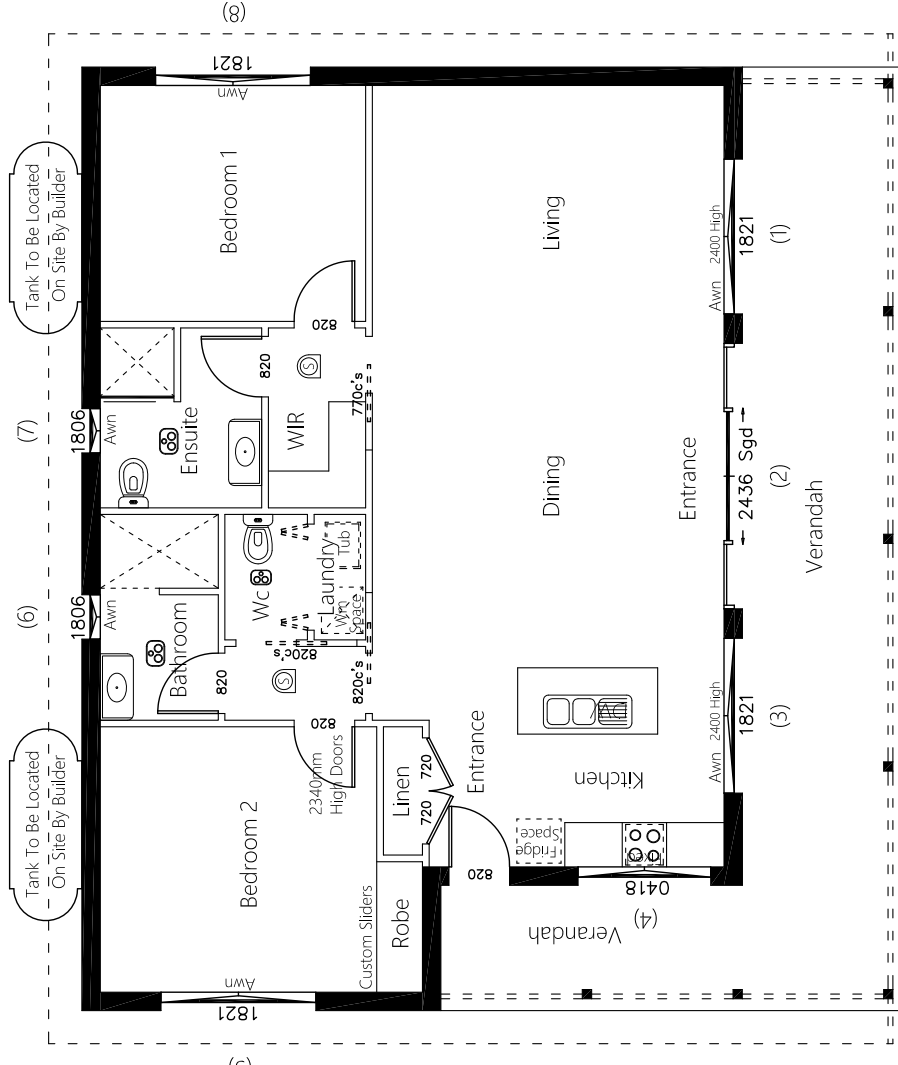
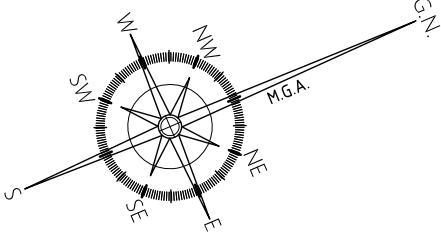
- ~ All Toilets In Development
- ~ Cold Water Tap That Supplies Each Clothes Washer
- ~ Atleast One Outdoor Tap In The Development

THERMAL COMFORT COMMITMENTS

- ~ Floors, Walls & Ceiling / Roof : Please Refer To Page 4 of The "Basix Certificate"
- ~ Windows, Glazed Doors & Skylights : Please Refer To Page 5 & 6 of The "Basix Certificate"

ENERGY COMMITMENTS

- ~ Hot Water System(s) : Gas Instantaneous 6 * Rating
- ~ Cooling System : Living Area(s) : 1 / Phase Air conditioning EER 3.5 / 4.0
: Bedroom(s) : 1 / Phase Air conditioning EER 3.5 / 4.0
- ~ Cooling System Day / Night Zoning (Yes)
- ~ Heating System : Living Area(s) : 1 / Phase Air conditioning EER 3.5 / 4.0
: Bedroom(s) : 1 / Phase Air conditioning EER 3.5 / 4.0
- ~ Ventilation : Bathroom(s) : Individual Fan, Not Ducted, Manual Switch On / Off
: Kitchen : Individual Fan, Ducted, Manual Switch On / Off
: Laundry : Individual Fan, Not Ducted, Manual Switch On / Off
- ~ Artificial Lighting : At Least 2 Bedrooms (Non Dedicated)
: At Least 2 living / Dining Rooms (Non Dedicated)
: The Kitchen (Non Dedicated)
: All Hallways (Non Dedicated)
- ~ Natural Lighting : Must Install Window & / Or Skylight In 2 Bathroom(s) Toilets
: Must Install Window In Kitchen
- ~ Other : Electric Cooktop & Electric Oven
: Fixed Outdoor Clothes Drying Line
: Must Construct A Well Ventilated Space For Each Refrigerator Unit.



BASIX COMMITMENTS
SCALE 1:100

AMENDED PLAN

Date 06 / 02 / 18
Date 15 / 02 / 18
Date 18 / 01 / 19

NOTES

- * All Measurements Drawn In MM Unless Otherwise Shown
- * All Measurements Take Preference Over Scale At All Times
- * This Plan Is To Be Read In Conjunction With A Specification Booklet Supplied By Builder
- * All Work Is To Comply In Accordance With The Relevant Australian Standards & Current NCC
- * All Measurements Must Be Checked On Site Before Any Construction Is To Be Started
- * All Construction Is To Be Approved & Built In Accordance With Engineers & Local Council / Shire Approval & Specifications
- * It Is The Responsibility Of The Builder To Verify All Document Of This Plan As To The Accuracy & Suitability
- * Ground Levels To Be Taken On Site By Builder
- Ⓢ = Hard Wired Smoke Alarm To Comply With Part 3.7.2 Of The Current NCC
- * All Wet Areas To Comply With Part 3.8.1 Of The Current NCC
- * All Amenity Rooms To Comply With Part 3.8 Of The Current NCC
- * Construction Must Comply With Part 3.12 (Energy Efficiency) of The Current NCC
- * Construction of Roof, Wall & Floors To Comply Part 3.12.3 Of The Current NCC
- * All External Doors & Windows To Contain Seals To Comply With Part 3.12.3 Of The Current NCC
- * All Building Fabric / Materials Must Comply With Part 3.12.1 Of The Current NCC
- * All Building Services To Comply With 3.12.5 Of The Current NCC
- * Termitte Protection Must Comply With Part 3.1.3 Of The Current NCC
- * All Timber Framing To Comply With Part 3.4 Of The Current NCC
- * Stormwater / Drainage To Comply With Part 3.1.2 Of The Current NCC
- * Ⓢ Mechanical Ventilation To Comply With Part 3.8.5 Of The Current NCC
- * All Heating Appliances To Comply With Part 3.7.3 Of The Current NCC

SCOTTBUILD
PTY LTD
Sam Baumberger
(0417201036)
Liz Scott
(0417281036)
1 Ranken Bridge Road
BATHURST NSW 2795



Stephen Sewell Drafting Services
Mobile : 0409 635 939
Email : ssds@westnet.com.au

PROPOSED DWELLING

Client : Mr & Mrs Baumberger

Lot : 2 (453) Conrod Straight,

Mount Panorama Bathurst

DP : 1180626

Date 18 / 01 / 19

Scale 1:100

Living Area : 107.73 Sqm

Verandah Area : 35.11 Sqm

Total Area : 142.84 sqm

File No. : 2018 / 011

NOTES

- * All Measurements Drawn In MM Unless Otherwise Shown
- * All Measurements Take Preference Over Scale At All Times
- * This Plan Is To Be Read In Conjunction With A Specification Booklet Supplied By Builder
- * All Work Is To Comply In Accordance With The Relevant Australian Standards & Current NCC
- * All Measurements Must Be Checked On Site Before Any Construction Is To Be Started
- * All Construction Is To Be Approved & Built In Accordance With Engineers & Local Council / Shire Approval & Specifications
- * It Is The Responsibility Of The Builder To Verify All Document Of This Plan As To The Accuracy & Suitability
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- * All Heating Appliances To Comply With Part 3.7.3 Of The Current NCC

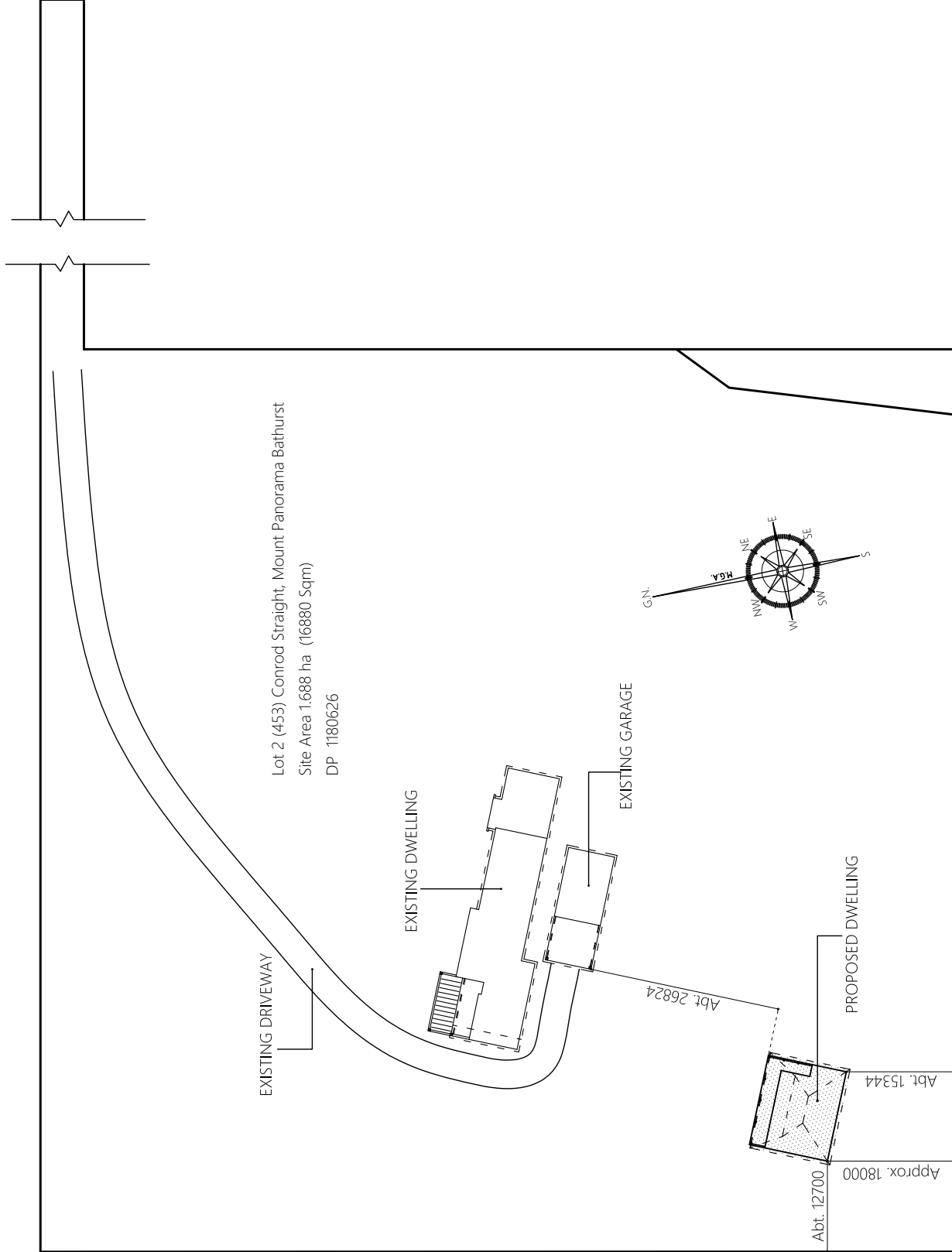
SCOTTBUILD
PTY LTD
Sam Baumberger
(0417201036)
Liz Scott
(0417281036)
1 Ranken Bridge Road
BATHURST NSW 2795



Stephen Sewell Drafting Services
Mobile : 0409 635 939
Email : ssds@westnet.com.au

PROPOSED DWELLING
Client : Mr & Mrs Baumberger
Lot : 2 (453) Conrod Straight, Mount Panorama Bathurst
DP : 1180626
Date 18 / 01 / 19
Scale 1:800
Living Area : 107.73 Sqm
Verandah Area : 35.11 Sqm
Total Area : 142.84 sqm
File No. : 2018 / 011

CONROD STRAIGHT



SITE PLAN
SCALE 1 : 800

AMENDED PLAN
Date 06 / 02 / 18
Date 15 / 02 / 18
Date 18 / 01 / 19

Page Size (A3)

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DRAFT DCP PROVISIONS

10 URBAN DESIGN AND HERITAGE MANAGEMENT

10.9.2 Bathurst Early Government Settlement (1815-1840) Sensitive Lands

Land to which this Section applies

Amend: This section applies to the land identified as the Bathurst Early Government Settlement (1815-1840) within the Bathurst Heritage Conservation Area on Map 35 - Archaeological Sensitive Lands Map.

Insert new section as follows:

10.9.3 MILLTOWN CEMETERY SENSITIVE LANDS

Land to which this Section Applies

This section applies to land identified as Milltown Cemetery Area on Map No. 35 Archaeological Sensitive Lands Map.

Objectives

To minimise the potential for the disturbance of archeological relics likely to be located on the site.

Statement of Significance

The Milltown cemetery, also known as the “Old Bathurst Cemetery” and the “South Bathurst Cemetery”, dates back to 1839, when two adjoining “burial grounds”, each of one acre, were granted to the Wesleyan Church and the Roman Catholic Church. The cemetery was used by the two churches only for a couple of decades and then abandoned, first by the Wesleyans and then by the Roman Catholics, when cemetery land was provided to them in the new Bathurst Cemetery (on the Orange Road). By the turn of the 20th Century the cemetery fell into the control of the City Council and was in such a poor state. Exhumation and reburial was an arrangement already associated with the cemetery. Over the years, bodies had been exhumed for reburial, in some cases leaving open graves contributing to the desolation of the site. In 1881, half of the Wesleyan cemetery had already been resumed for construction of Havannah Street. The 1927 Town Plan indicates the land had been rezoned to residential land subsequently subdivided.

Milltown Cemetery is a significant part of Bathurst’s history and heritage. It is unclear if both human remains and cemetery rubble still lie buried on the site.

Development Standards

- A development application for works on any site within the area identified as Milltown Cemetery Area on Map 35 - Archaeological Sensitive Lands of the DCP is to be accompanied by a Heritage Impact Statement prepared by a suitably qualified heritage consultant which outlines the likelihood of archaeological relics and/or remains being onsite, the likelihood of development disturbing the relics and/or remains and how the disturbance of the relics and/or remains is to be minimised.

Note: It is recommended that where appropriate, sites should be filled rather than excavated in order to minimise the potential disturbance of any archaeological relics on the site.

- Where land is identified within the area identified as Milltown Cemetery Area on Map 35 - Archaeological Sensitive Lands of the DCP, Council must not grant consent unless it imposes the following conditions of consent:
 - a) The applicant is to lodge, prior to the issue of a construction certificate, a Construction Heritage Management Plan to Council which addresses the following:
 - i) Mitigation measures in relation to the likely archaeology onsite;
 - ii) The proposed monitoring that will be in place for any archaeological relics uncovered;

- iii) Training, resources and consultation for staff on the site during excavation;
- iv) Incident management protocol; and
- v) Methods dealing with unexpected finds during works.

b) During the development, if any archaeological remains are discovered, the developer is to stop works immediately and notify the NSW Heritage Division and Council. Any such find is to be dealt with appropriately, in accordance with the Heritage Act 1977, and recorded, and details given to Council prior to the continuing of works.

Note: Refer to the following research completed by Council:

- McLachlan. R, 2018, Report on Brief History of Milltown Cemetery

10.9.4 WATTLE FLAT MINING AREAS SENSITIVE LANDS

Land to which this Section Applies

This section applies to land identified on Map No. 37 Wattle Flat Mining Areas Archaeological Sensitive Lands.

Objectives

To minimise the potential for the disturbance of archeological relics likely to be located on the site.

Statement of Significance

Gold was first found at Wattle Flat in September 1853. Two phases of mining are discernible at Wattle Flat: an early period of alluvial mining in rich gold bearing shallow soils, and reef mining, to extract the gold contained in underground quartz veins wedged between the region's rock formations. By 1855, Wattle Flat had a population of several hundred, a permanent main store (still standing today), two hotels, a police barracks and lock-up, a National School (opened in mid-1858), and an Anglican Church. By 1859, the gold mining industry at Wattle Flat was in full swing with alluvial and reef mining, but change was under way. Alluvial gold was becoming more difficult to find so miners began joining together to form companies with increased capital that could cover the costs of exploiting the quartz veins.

The historical items associated with the mining in Wattle Flat range in condition from good to poor, but are still noteworthy representations of these types of historical features in the NSW rural landscape. The remains within the area are considered to span the entire archaeological potential spectrum, from low to high, depending on the actual relic. The gold mining sites at Wattle Flat are important for understanding NSW settlement, the Wattle Flat region, lifestyle, industry and commerce in a way that historical documents cannot convey.

Development Standards

- A development application for works on sites identified on Map No. 37 Wattle Flat Mining Areas Archaeological Sensitive Lands of the DCP is to be accompanied by a Heritage Impact Statement prepared by a suitably qualified heritage consultant which outlines the likelihood of archaeological relics and/or remains being onsite, the likelihood of development disturbing the relics and/or remains and how the disturbance of the relics and/or remains is to be minimised.

Note: It is recommended that where appropriate, development is to be located away from any relics in order to minimise the potential disturbance of any archaeological relics on the site.

- Where land is identified on Map No. 37 Wattle Flat Mining Areas Archaeological Sensitive Lands of the DCP, Council must not grant consent unless it imposes the following conditions of consent:

a) The applicant is to lodge, prior to the issue of a construction certificate, a Construction Heritage Management Plan to Council which addresses the following:

i) Mitigation measures in relation to the likely archaeology onsite;

ii) The proposed monitoring that will be in place for any archaeological relics uncovered;

iii) Training, resources and consultation for staff on the site during excavation;

iv) Incident management protocol; and

v) Methods dealing with unexpected finds during works.

b) During the development, if any archaeological remains are discovered, the developer is to stop works immediately and notify the NSW Heritage Division and Council. Any such find is to be dealt with appropriately, in accordance with the Heritage Act 1977, and recorded, and details given to Council prior to the continuing of works.

Note: Refer to the following research completed by Council:

- Bowen Heritage Management, 2017, Archeological Management Plan for Mining Areas at Wattle Flat

**MAP 35 BATHURST EARLY GOVERNMENT SETTLEMENT (1815-1840) SENSITIVE LANDS MAP
ARCHAEOLOGICAL SENSITIVE LANDS**

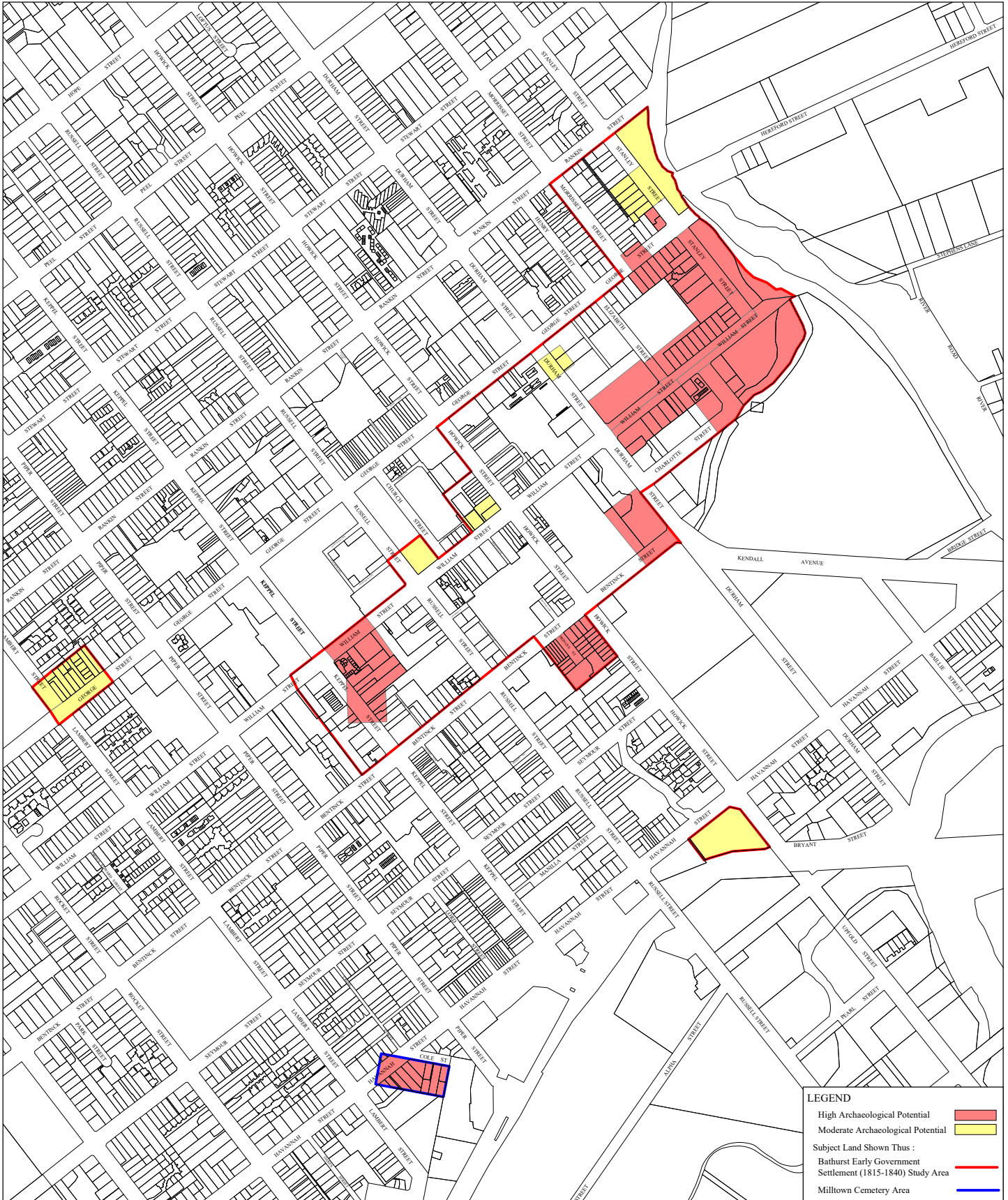
Amend Title: Map No. 35 - Archaeological Sensitive Lands

MAP 37 – WATTLE FLAT MINING AREAS ARCHAEOLOGICAL SENSITIVE LANDS

Insert new map

BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014

MAP No. 35 - ARCHAEOLOGICAL SENSITIVE LANDS **DRAFT**



LEGEND

- High Archaeological Potential
- Moderate Archaeological Potential
- Subject Land Shown Thus :
 - Bathurst Early Government Settlement (1815-1840) Study Area
 - Milltown Cemetery Area

ADOPTION DATE:		
AMENDMENTS		
No.	DATE	DESCRIPTION.
12.	15/03/2017	Addition of 20 George Street, Bathurst to High Archaeological Potential
#.	—	Amended to include the Milltown Cemetery area.

LOCALITY: BATHURST

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

BATHURST REGIONAL LOCAL GOVERNMENT AREA.

SCALE: 1:10,000

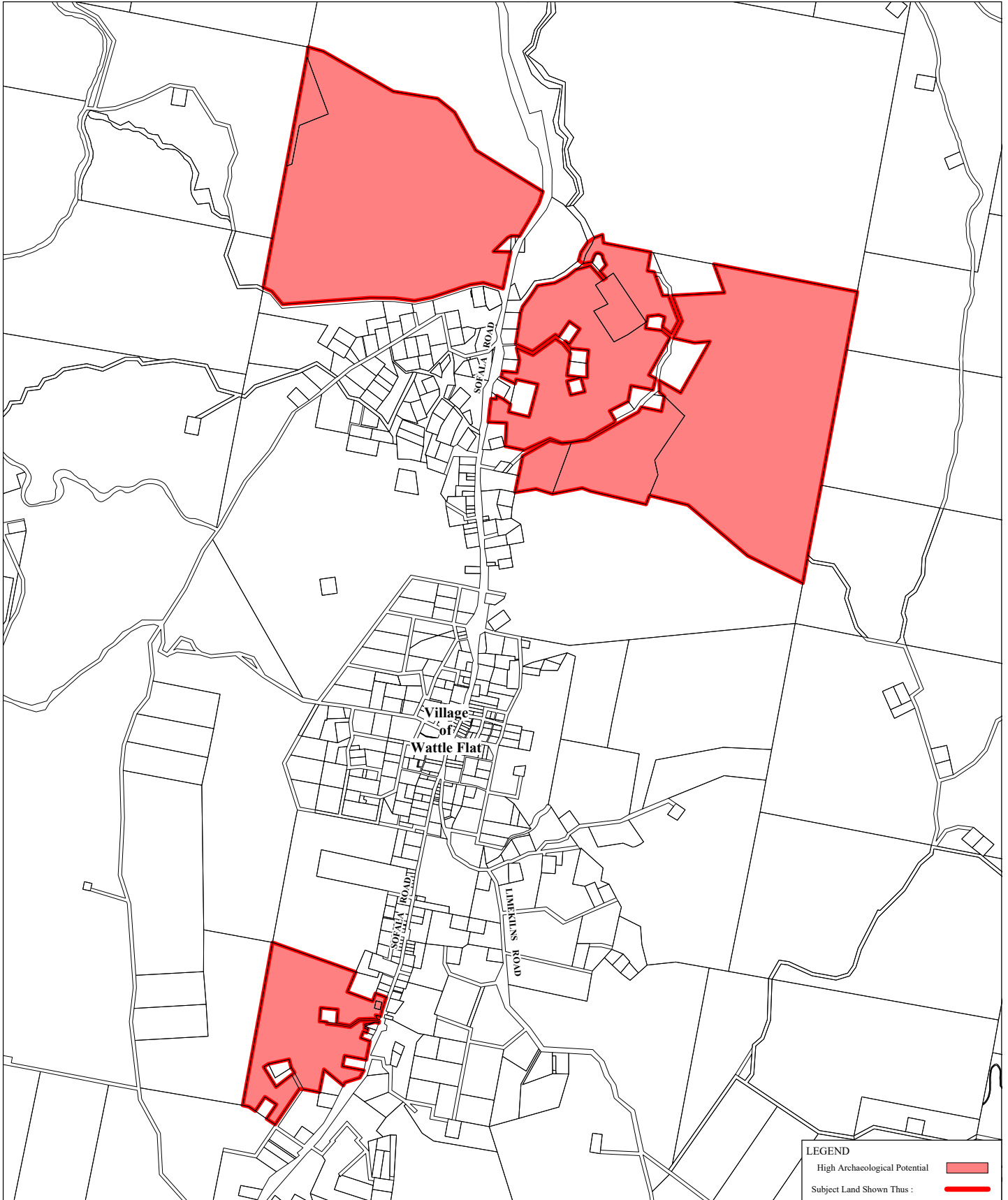
NORTH

CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS

[Signature]

GENERAL MANAGER. DATE:

**BATHURST REGIONAL DEVELOPMENT CONTROL PLAN 2014
MAP No. 37 - WATTLE FLAT MINING AREAS
ARCHAEOLOGICAL SENSITIVE LANDS**



LEGEND
 High Archaeological Potential
 Subject Land Shown Thus:

ADOPTION DATE:		
AMENDMENTS		
No.	DATE.	DESCRIPTION.

LOCALITY: WATTLE FLAT

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979
BATHURST REGIONAL LOCAL GOVERNMENT AREA.

SCALE: 1:30,000

NORTH

CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATIONS

[Signature]
 GENERAL MANAGER. DATE:

G:\Planning Data\DCP_2014\Wattle_Flat_Archaeology_WOR

4 FEB 2019

John and Sue Evans 142 Havannah Street Re-Zone Objection.

REF. 20.00328/004

With regard to Bathurst Regional Council's Proposal to Re-zone our property and surrounding lots (Amendment No.17) to "Sensitive Land" we wish to strongly object because of the following reasons based on the notification supplied on 18th January 2019.

Council advises us in this letter that our property along with 8 or 9 others have been developed on an Old Cemetery named Milltown Cemetery. Why along with other effected owners are we finding this out now when in fact it was Council who subdivided this land a century ago and sold it onto the general public.

Firstly, as the land was sensitive at the time of subdivision it would have been necessary for all graves within the area to be exhumed and removed onto another site. This would then have deemed the site Non-sensitive and there would be no need for the re-zone. If this proposed re-zone was to go ahead it will effect all ratepayers in the precinct i.e

- Seriously lower the re-sale value of the properties.
- Add substantial costs to any improvements the ratepayers may wish to undertake through Development Conditions of Consent
- Many proposed purchasers of the properties would be reluctant to exchange contracts of sale once they found the land may have the potential to have bodies buried under their land.
- When we bought this property up until now we were never made aware of the old cemetery and we suggest the other effected ratepayers were not informed either.
- Why are we now expected to where the brunt of poor council practices in the past century and poor record keeping and advice from Council's that have followed.
- It appears that the proposal is only based on the "potential" that Council (when it rehabilitated the site prior to subdivision) were not thorough in its undertaking. If the current council is unsure that it is up to the council to undertake a survey of the site (at Council's cost) to substantiate the need for Amendment 17 of the DCP.

Notwithstanding the above effects of the proposal, We were in the process of internal paint renovations that commenced prior to Christmas with the aim to sell our property and downsize to a Unit. Our house was valued at \$350k by a local Realestate Agent and on completion of our renovations was to be placed on the market. If our plans are stifled due to the effects of the re-zone proceeding we may have no choice by to initiate legal action against the Council for our losses.

In Summary,

We believe as the land has been fully developed over the past hundred years and the perceived archaeological risks have not arisen to date, it would be far more fairer to us effected ratepayers if the zoning remained as is and any future

DEPBS

improvements on this section of land can be dealt with similar to the way it has in the years gone by.

Signed John and Sue Evans
142 Havannah Street Bathurst.

.....
J Evans

4/2/19

.....
S Evans

4/2/19

STEELE+CO

LAW AND CONVEYANCING

Our Ref: ME:ME:99980
Contact: Matthew Elbourne

Solicitor/Director
Ryan Cooney LLB
Andrew Dunshea LLB

23 January 2019

Mr J and Mrs S Evans
142 Havannah Street
Bathurst NSW 2795

Solicitor
Lisa McLoughlan LLB
Aaron Keating LLB
Matthew Elbourne LLB

Licensed Conveyancer
Kate Jameson CPC
Carol Smith CPC

Dear John and Sue

Re: Your letter from Bathurst Regional Council

We refer to your recent discussion with Ryan and the received documents from John's brother and Council.

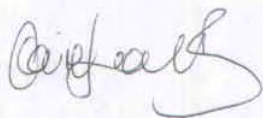
In summary the Council letter states that certain properties under the proposed amendment will be shown as having high archaeological potential. The effect of this should the plan amendment be formalised, is the zoning certificate will reflect the archaeological significance of the site, however this will only occur after the plan amendment is finalised.

This will not prevent you selling your property, and having read the letter received from John's brother, if this accurately represents your position, you would be free to sign and send the letter to Council.

Should you wish us to spend further time on this matter we anticipate our costs will be \$350.00 plus GST (\$35.00) per hour.

Please find **enclosed** documents received for your query by way of return.

Yours faithfully



STEELE+CO

per Matthew Elbourne
matthew@steeleandco.com.au

Tel 02 6331 7666 Fax 02 6332 2221

Level 1, 154 Russell Street Bathurst | PO Box 1504 Bathurst NSW 2795 | DX 3110 Bathurst | info@steeleandco.com.au | www.steeleandco.com.au
Steele & Co Pty Ltd | ABN 46 609 786 953 | Liability limited by a scheme approved under Professional Standards Legislation.
Legal practitioners employed by Steele & Co Pty Ltd are members of the scheme.

FILE NOTE

FROM: JANET BINGHAM, MANAGER STRATEGIC PLANNING

DATE: 13 MARCH 2019

SUBJECT: **INTERNAL DISCUSSION FORUM – DRAFT DCP AMENDMENT NO. 17 – PROPOSED ARCHAEOLOGICAL SENSITIVITY FOR FORMER MILLTOWN CEMETERY – 13 MARCH 2019**

FILE: JB:LMW:20.00328

In attendance: Janet Bingham, Manager Strategic Planning, Ian Evans on behalf of the owners (John & Sue Evans) of 142 Havannah Street, Bathurst

Ian Evans: DCP provisions will be a monetary cost to owners. Past Council errors in how Milltown Cemetery was dealt with. Morally wrong that the Council of the day could subdivide this land without letting people know that they are sitting on an old grave site.

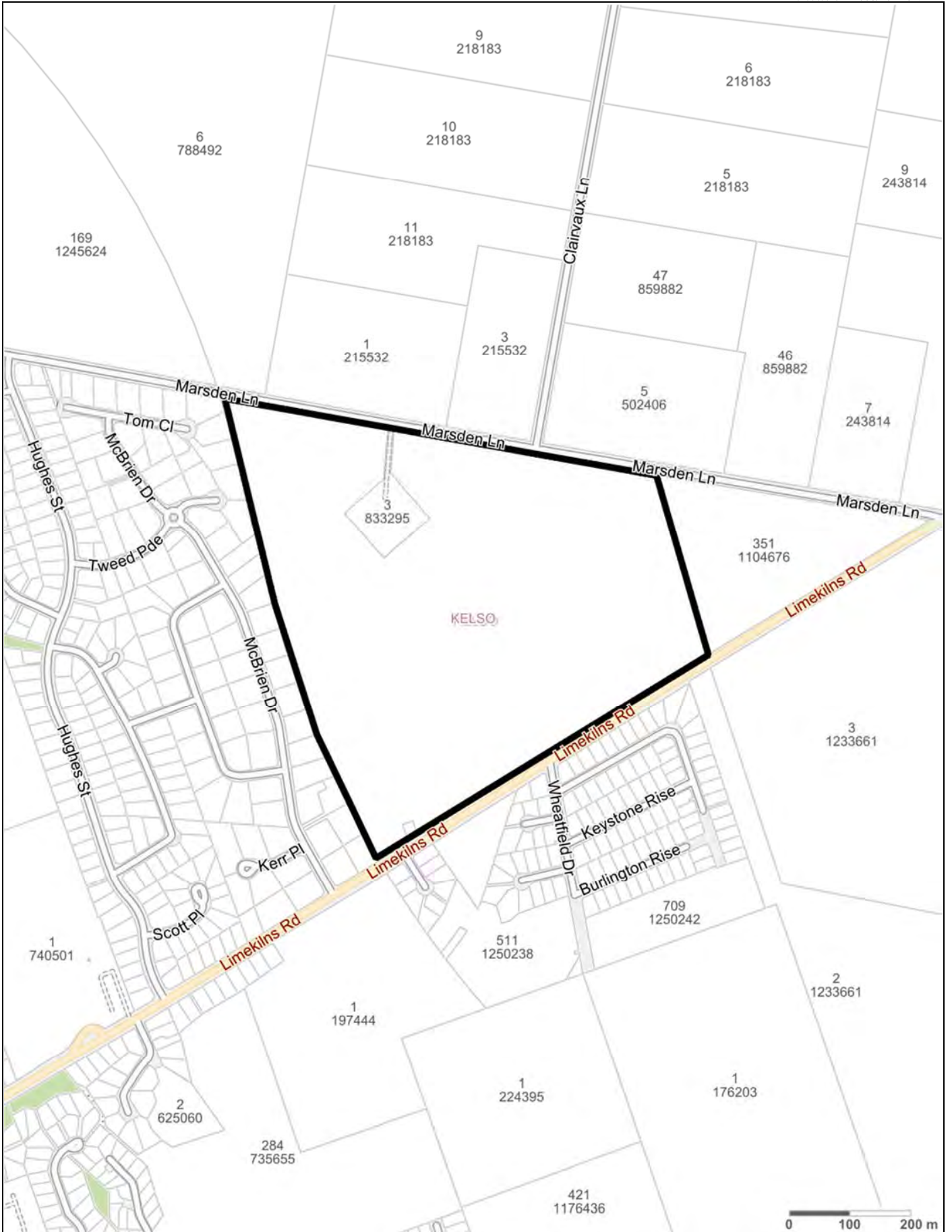
Understand State regulations apply but not fair current property owner will suffer for it. Council should fund the extra costs if landowners want to develop into future.

Janet Bingham: Explained legislative requirements that do not enable archaeology to be destroyed without permit. Explained process Council undertakes to identify archaeological sensitivity. Outlined how DCP mapping works and that despite any DCP provision, where Council is concerned that archaeology may exist, it would impose the necessary conditions of consent and require a heritage impact statement that considered archaeology. Also outlined history of Milltown Cemetery site.

Ian Evans: Thanked Council for explanation and understood need for DCP provision but in this instance still felt Council has an obligation to fund any extra costs that the owner may face because earlier Council has made the decision to subdivide the land.

Janet Bingham: Thanked Ian for coming in and advised matter would be referred to Council for decision and his brother would be advised of the meeting date.


J E Bingham
MANAGER STRATEGIC PLANNING



Bathurst Regional Council
 PMB 17
 158 Russell Street
 BATHURST NSW 2795
 Telephone: 02 6333 6111
 Fax: 02 6331 7211
 Email: council@bathurst.nsw.gov.au

Important Notice!
 This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Bathurst Regional Council nor the LPI makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.
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 © Bathurst Regional Council.



Drawn By: Daniel Dwyer
Date: 27/03/2019
Projection: GDA94 / MGA zone 55
Map Scale: 1:8150 @ A4

Road Naming - Bolton Street (Sunnybright Subdivision)



Bathurst Regional Council
 PMB 17
 158 Russell Street
 BATHURST NSW 2795
 Telephone: 02 6333 6111
 Fax: 02 6331 7211
 Email: council@bathurst.nsw.gov.au

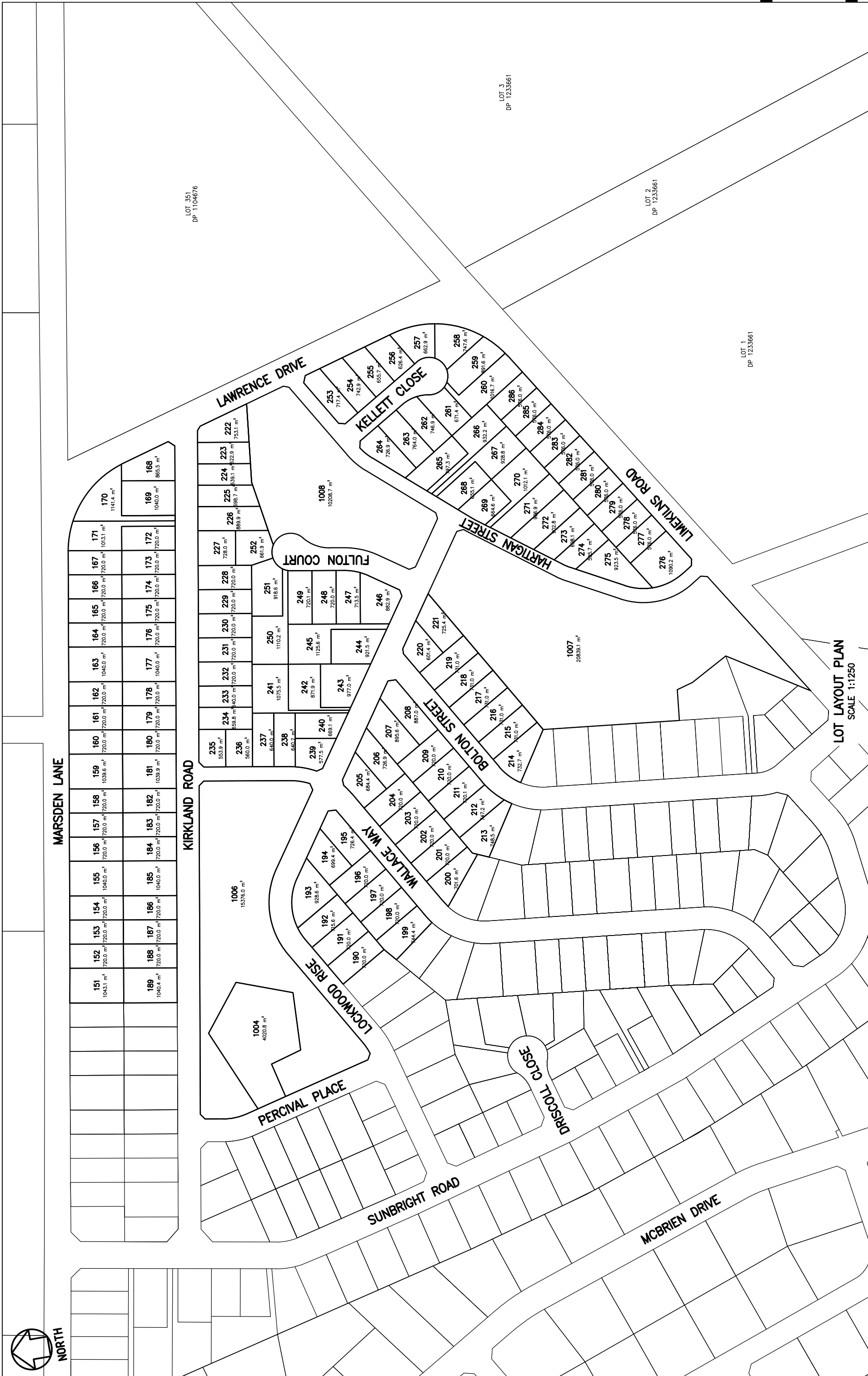
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Drawn By: Daniel Dwyer
 Date: 27/03/2019
 Projection: GDA94 / MGA zone 55
 Map Scale: 1:8150 @ A4

Road Naming - Bolton Street (Sunnybright Subdivision)



PROJECT	SUNNYBRIGHT ESTATE STAGE 2
DESCRIPTION	RESIDENTIAL SUBDIVISION
DWG No.	EN11584
SHEET No.	01
REV.	A

CONSULTANT	
REV	
DESCRIPTION FOR APPROVAL	
INITIALS	
DATE	25/3/19

CHECKED	CE/BP
SURVEYED	C/C
DESIGNED	C/C
DATE	MAR '19
DATUM	AHD

TECHNICAL SERVICES MANAGER	
DIRECTOR ENGINEERING SERVICES	

LOT LAYOUT PLAN
SCALE 1:1250

SCALES (A1)

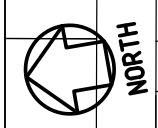
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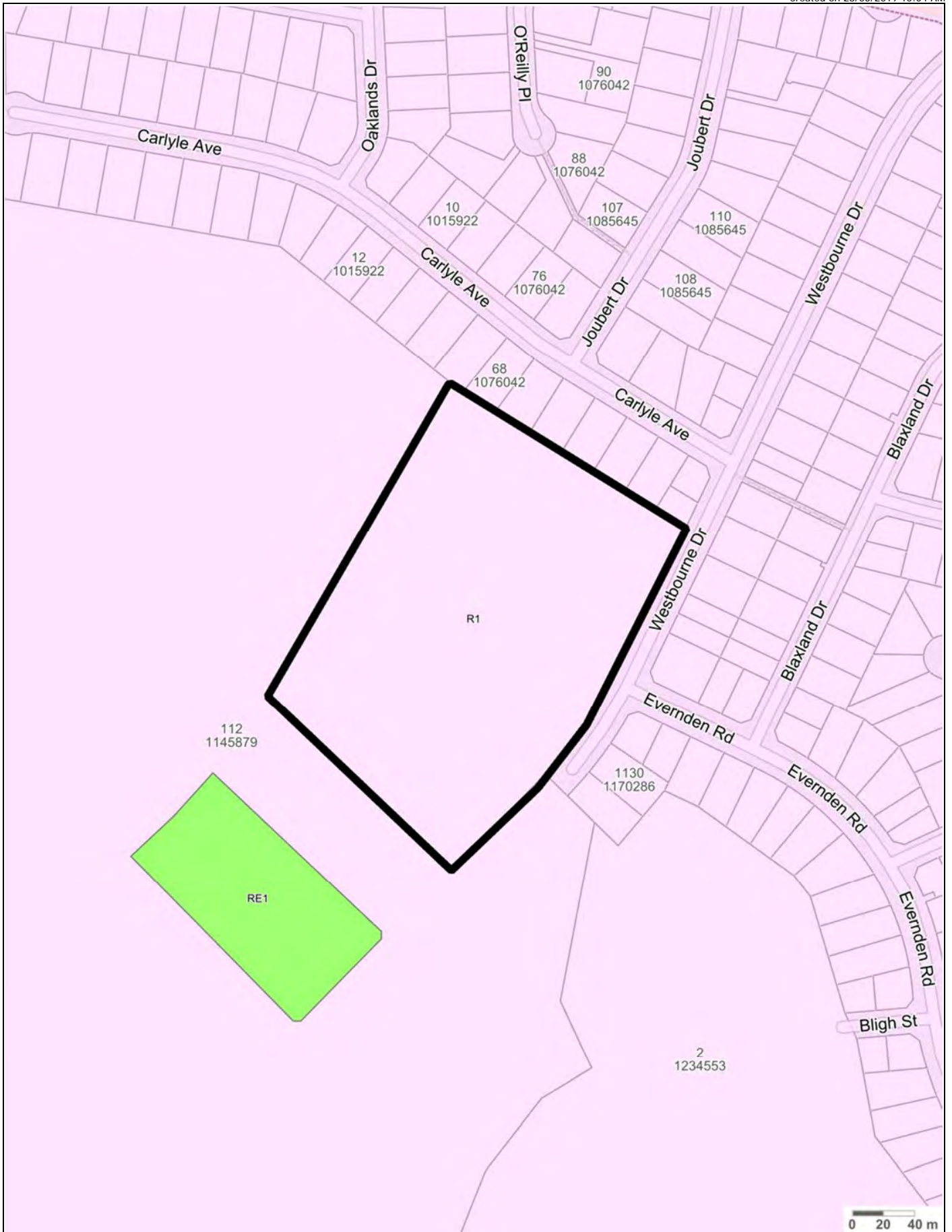
1:200 0 2 4 6 8 10 Metres

1:500 0 5 10 15 20 25

1:750 0 7.5 15 22.5 30 37.5

1:1000 0 10 20 30 40 50





Bathurst Regional Council
 PMB 17
 158 Russell Street
 BATHURST NSW 2795
 Telephone: 02 6333 6111
 Fax: 02 6331 7211
 Email: council@bathurst.nsw.gov.au

Important Notice!
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Drawn By: Daniel Dwyer

Date: 28/03/2019

Projection: GDA94 / MGA zone 55

Map Scale: 1:3227 @ A4

Road Naming - Hyacinth Way & Meagher Street



Bathurst Regional Council
 PMB 17
 158 Russell Street
 BATHURST NSW 2795
 Telephone: 02 6333 6111
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Road Naming - Hyacinth Way & Meagher Street



**DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT -
ATTACHMENTS**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

**BATHURST REGIONAL COUNCIL
INVESTMENT PERFORMANCE**

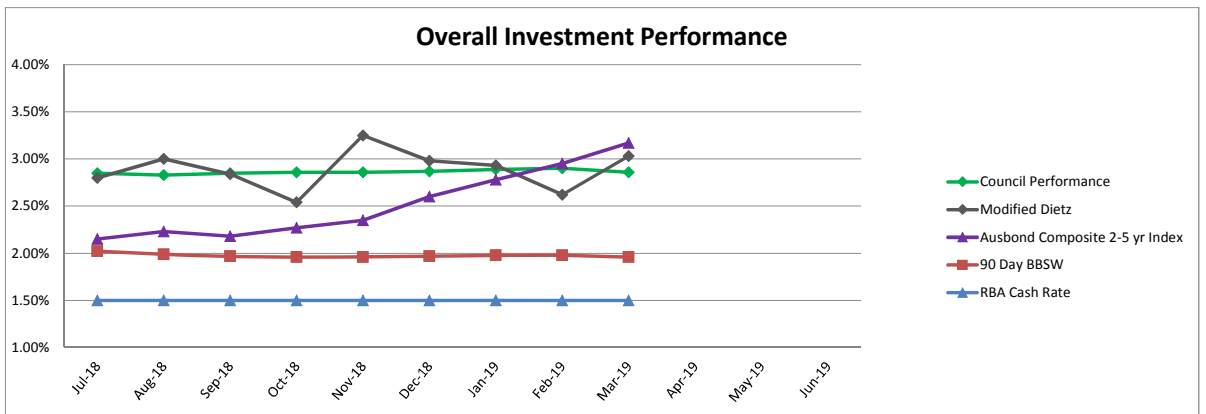
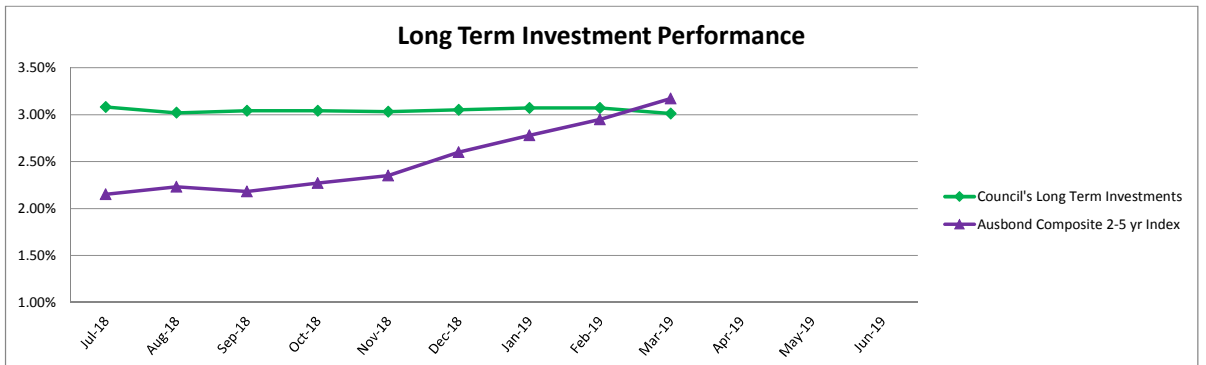
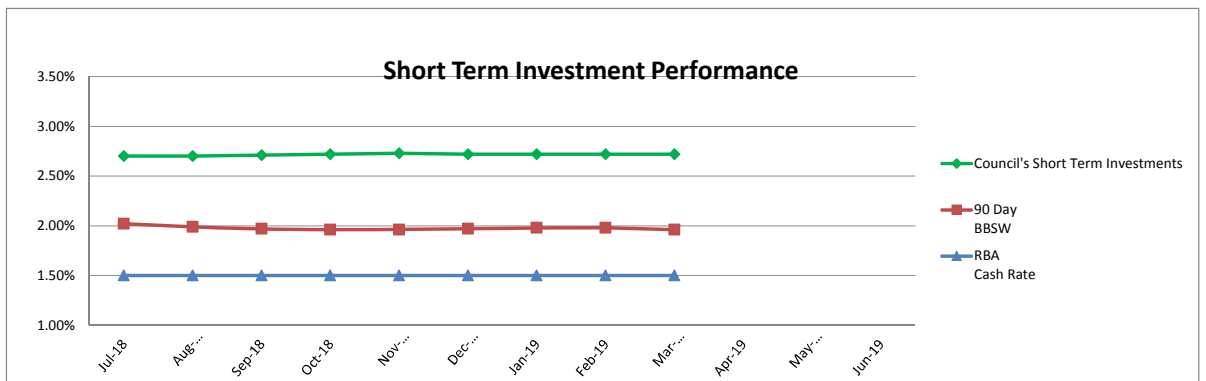
Investment Policy Benchmarks

Benchmark 1 - The performance of the portfolio shall be against the industry standard 90 Day Bank Bill Index or the official RBA Cash Rate

Council's current year to date performance compared to the two benchmarks is shown below. Council has outperformed both benchmarks.

Reserve Bank of Australia - Cash Rate	1.50%
AFMA - 90 Day Bank Bill Swap Rate (BBSW) Avg Mid	1.96%
Ausbond Composite 2-5 yr Index	3.17%
Modified Dietz Calculation	3.03%

	Short Term			Long Term		Overall Performance	
	RBA Cash Rate	90 Day BBSW	Council's Short Term Investments	Ausbond Composite 2-5 yr Index	Council's Long Term Investments	Modified Dietz Calculation	Council Performance
Jul-18	1.50%	2.02%	2.70%	2.15%	3.08%	2.80%	2.85%
Aug-18	1.50%	1.99%	2.70%	2.23%	3.02%	3.00%	2.83%
Sep-18	1.50%	1.97%	2.71%	2.18%	3.04%	2.84%	2.85%
Oct-18	1.50%	1.96%	2.72%	2.27%	3.04%	2.54%	2.86%
Nov-18	1.50%	1.96%	2.73%	2.35%	3.03%	3.25%	2.86%
Dec-18	1.50%	1.97%	2.72%	2.60%	3.05%	2.98%	2.87%
Jan-19	1.50%	1.98%	2.72%	2.78%	3.07%	2.93%	2.89%
Feb-19	1.50%	1.98%	2.72%	2.95%	3.07%	2.62%	2.90%
Mar-19	1.50%	1.96%	2.72%	3.17%	3.01%	3.03%	2.86%
Apr-19							
May-19							
Jun-19							



**BATHURST REGIONAL COUNCIL
INVESTMENT PERFORMANCE**

2a - Overall Portfolio Credit Framework

To control the credit quality on the entire portfolio, the following credit framework limits the percentage of the portfolio exposed to any particular credit rating. Council will work towards adjusting its Investments to meet the new Investment Policy criteria following the ratings downgrade of several institutions which occurred part way through the existing investments shown below. Council will reinvest into a complying rated institution at the maturity of these investments.

Short Term	Ratings	Maximum Holding %	Actual Holding %	
	A-1+	100	72%	Complies
	A-1	100	0%	Complies
	A-2	40	16%	Complies
	A-3 or unrated	Note*	12%	Complies
			100%	
Long Term				
	AAA	100	0%	Complies
	AA+ AA AA- A+ A	100	50%	Complies
	A-	40	14%	Complies
	BBB+ BBB	20	32%	Does not comply
	BBB- & unrated	Note *	4%	Complies
			100%	

*Note: For reasons of practicality the number of these investments should be kept to a minimum.

2b - Institutional Credit Framework

To limit single entity exposure each individual institution will be limited by their credit rating, Council will work towards adjusting its Investments to meet the new Investment Policy criteria. Council will reinvest into a complying rated institution at the maturity of these investments.

	Ratings	Maximum Holding %	Actual Holding %	
CBA	AA-	40	17%	Complies
National Australia Bank Limited	AA-	40	18%	Complies
Westpac	AA-	40	13%	Complies
Bankwest	AA-	30	10%	Complies
Suncorp Metway	A+	30	1%	Complies
Rabobank	A+	30	1%	Complies
Macquarie Bank Limited	A	30	1%	Complies
AMP	A-	20	7%	Complies
Bank of Queensland Limited	BBB+	5	8%	Does not comply
Bendigo & Adelaide	BBB+	5	3%	Complies
IMB	BBB	5	2%	Complies
Newcastle Permanent	BBB	5	3%	Complies
Members Equity Bank	BBB	5	1%	Complies
Greater Building Society	BBB	5	4%	Complies
Credit Union Australia	BBB	5	1%	Complies
Auswide Bank	BBB	5	2%	Complies
Railways Credit Union Limited	ADI	Note*	0%	Complies
Maritime Mining & Power Credit Union	ADI	Note*	8%	Complies
			100%	

*Note: For reasons of practicality the number of these investments should be kept to a minimum.

*Credit rating to Auswide Bank issued by Fitch Ratings, equivalent Rating by S & P shown

2c - Maturity Profile

The Investment Portfolio is to be invested within the following maturity constraints, Council has successfully met this criteria.

	Short Term	FRTD	TCD	FRN	Min %	Max %	Actual %	
Within one year	37,500,000	1,500,000	2,000,000	6,800,000	40	100	65%	Complies
One to three years	0	9,500,000	2,000,000	10,850,000	0	60	30%	Complies
Three to Five Years	0	1,500,000	0	500,000	0	30	3%	Complies
Over Five Years	0	1,630,000	0	0	0	15	2%	Complies
	37,500,000	14,130,000	4,000,000	18,150,000			100%	

Recommendation: That the report be noted.

Responsible Accounting Officer

.....
Aaron Jones
Director Corporate Services & Finance

.....
Prepared By Lesley Guy

5-Apr-19

.....
Reviewed By Tony Burgoyne

2018/19 Annual Operational Plan

Bathurst 2040 Community Strategic Plan

As at 31st March 2019

Council's Vision:

Bathurst: A vibrant and innovative region that values our heritage, culture, diversity and strong economy.

As a community it is important to have a plan that outlines what we want and need as a community now and as the region grows. The NSW Government also requires all councils to have such a plan. The Bathurst 2040 Community Strategic Plan (CSP) is the highest level forward planning document of Bathurst Regional Council. It identifies the community's priorities and guides the direction for the Bathurst region over the next 20 years.

Six key objectives have been established in the CSP:

1. Our Sense of place and identity
2. A smart and vibrant economy
3. Environmental stewardship
4. Enabling sustainable growth
5. Community health, safety and well-being
6. Community leadership and collaboration

These objectives are supported by strategies, shown below, aimed at identifying the importance of each objective.

As a 20 year plan, the CSP is not able to be wholly implemented in one term of Council. The Delivery Program represents actions that the Council expects to achieve during the current term of election for the Council, typically four years. This [Annual Operational Plan](#) identifies the individual activities and projects that will be completed within the current financial year of the Delivery Program.

OBJECTIVE 1: Our sense of place and identity

1.1 Respect, protect and promote the region's Aboriginal heritage assets

1.2 Protect, enhance and promote the region's European heritage assets and character

1.3 Enhance the cultural vitality of the region

1.4 Protect and improve the region's landscapes, views, vistas and open space

1.5 Promote good design in the built environment

OBJECTIVE 3: Environmental stewardship

3.1 Protect and improve our natural areas and ecosystems, including the Macquarie River and other waterways

3.2 Protect the City's water supply

3.3 Minimise the City's environmental footprint, live more sustainably and use resources more wisely

3.4 Protect and improve the region's biodiversity

3.5 Increase resilience to natural hazards and climate change

OBJECTIVE 5: Community health, safety and well being

5.1 Provide opportunities for our community to be healthy and active

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

5.3 Help build resilient, inclusive communities

5.4 Make our public places safe and welcoming

5.5 Plan and respond to demographic changes in the community

Bathurst 2040 Community Strategic Plan

OBJECTIVE 2: A smart and vibrant economy

2.1 Support local business and industry

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

2.3 Develop Bathurst as a Smart City

2.4 Support agriculture, local manufacturing, food production and education as significant contributors to the region's economy

2.5 Support Mount Panorama as a premier motor sport and event precinct

2.6 Promote our City and Villages as a tourist destination

OBJECTIVE 4: Enabling sustainable growth

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

4.2 Provide safe and efficient road, cycleway and pathway networks to improve accessibility

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

4.4 Provide parking to meet the needs of the City

4.5 Work with partners to improve public transport, and passenger and freight transport connections to and from the region

4.6 Plan for, assess and regulate development activity

OBJECTIVE 6: Community leadership and collaboration

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

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

6.3 Advocate for our community

6.4 Meet legislative and compliance requirements

6.5 Be open and fair in our decisions and our dealings with people

6.6 Manage our money and our assets to be sustainable now and into the future

6.7 Invest in our people

6.8 Implement opportunities for organisational improvement

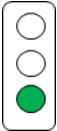
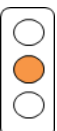
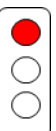
On the following pages, each of Council's principal activities is shown along with their four year Delivery Program actions and the Annual Operational Plan tasks that will be undertaken. These actions and tasks are linked back to the Bathurst 2040 CSP to show the community how its needs and wants are being delivered.

The table below is a guide to reading the Delivery Program and Annual Operational Plan.

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer
From the Objectives shown on Page 2	What actions will be delivered to achieve the objective	What specific projects will be undertaken this year to address the 4 year actions	Measurable KPI - How we will know when we have achieved our plans	Position Title - Director, Manager, Team Leader

The Performance Measures in this Plan have been rated by the responsible Directors as to their status of completion.


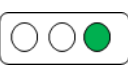
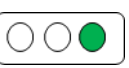
Below is a summary of the Status of all Performance Measures:

In progress – tracking as expected	Needs Attention	Urgent Attention
		
137 / 140	2 / 140	1 / 140
97 %	2 %	1 %

Engineering Services

The key to developing a sound foundation for growth and prosperity of the Bathurst Region is by ensuring infrastructure needs are keeping pace with demand. The Engineering Services Department has the responsibility to ensure the current needs of the community are met and the capacity exists to cater for future growth. A clean and safe water supply, a quality local road network, and environmentally responsible waste management systems are all high priorities for engineering the future of the Bathurst Region.

Asset Management

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
4.1 4.2 5.1	Improve pedestrian access within the urban area.	Completion of additional concrete footpaths/cycleways in accordance with the Bathurst Regional Community Access and Cycling Plan 2011.	600 lineal metres of footpath and or cycleway completed.	Manager Bathurst Works	Piper St both sides - Havannah to Seymour completed -400m done Esrom St – Mitre St to Mooney Valley Pl - complete 200m Peel St – Keppel to Russell St – 100% complete Bradwardine Rd - Mitchell to Corporation Ave complete 100% Mitchell Hwy – Bradwardine Rd to Sawpit creek – 25% Complete Howick St – Seymour to Bentinck 100% complete	
		Monitor condition of footpaths.	100% of urban footpath inspected	Manager Bathurst Works	Urban CBD inspections 100% complete	
4.1 4.5	Maintain and improve the existing road infrastructure consistently throughout the network.	Improvement of road infrastructure to upgrade sub-standard sections of the sealed network.	Reconstruction and resealing works as per Council's 2018/2019 capital works and routine maintenance programs. Completion of 2018/2019 Roads to Recovery Program.	Manager Bathurst Works	Lagoon Rd – 100% complete Lachlan Rd 1.8km 100% complete East St Rockley minor realignment and seal – 100% complete White Rock Rd reconstruct 5.2 – 5.8 km – 100% complete Church St, Peel reconstruction – 100% complete Fitzroy St, Peel reconstruction – 100% complete Goldies Rd – reconstruction – 100% complete	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019




Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
		Renewal of gravel road surface throughout the network.	Completion of 2018/2019 Unsealed Roads Gravel Resheeting program.	Manager Bathurst Works	Messners Rd – gravel resheeting completed to quarry. Rivulet Road – gravel resheeting complete Crudine Rd – Gravel resheeting complete Forge Rd – Graveling complete Lagoon Rd – Graveling complete Brewongle Rd – Graveling complete Ridge Rd – Graveling complete Wambool Rd – Graveling complete Black Mountain Rd – Graveling complete	
		Undertake maintenance program in accordance with allocated budget.	Greater than 90% of the urban road network remains at condition index 3 or above.	Manager Bathurst Works	Reseal preparations for the 2018/19 program completed. Rural Reseals completed 8 Jan 2019 Urban Reseals due to start Jan 2019 Ongoing maintenance continues.	
4.1 4.3	Protection of urban areas on the Bathurst Floodplain	Completion of flood mitigation works as outlined in the Bathurst Flood Management Plan.	Commence construction of Perthville Levee.	Manager Technical Services	Stage 1 - bridge and creek widening works 100% complete. Stage 2 – Construction of levee subject to pending grant application to OEH. Expectation for September advice. (Funding announcement not made as at end January).	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019




Mount Panorama

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
6.4 6.5 6.8 2.5	Increase profile of Mount Panorama as the premier motor racing venue in Australia.	Development of Legends Lane Development of the second circuit.	Project constructed. Design and approval obtained.	Director Engineering Services Director Engineering Services	Design Complete. Construction approval being sought. Tender accepted for design, documentation and approval for Second Circuit at Ordinary Meeting of Council, 18 July 2018. Completion of design due in 84 weeks.	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/> <input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>





Water, Sewer and Waste

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status	
3.2	Maintain and upgrade existing water and sewer infrastructure to meet the needs of all stakeholders into the future.	Operate, maintain, repair and upgrade Water Filtration Plant.	Achieve the Australian Drinking Water Standards 90% of the time.	Manager Water and Waste	Water Filtration Plant daily operations are ongoing, with maintenance and repairs conducted as required. The treatment processes are constantly monitored through a SCADA system and reviewed daily by staff.		
3.3							
3.5							
4.3		Operate, maintain, repair and upgrade water distribution system.	Customer complaints regarding flow and pressure are kept below 52 p.a.	Manager Water and Waste	Water distribution system operations are ongoing, with monitoring, maintenance and repairs conducted as required. Significant reservoir improvements have been completed, with further work planned, to continue to improve the integrity of the drinking water system around Bathurst. With 13 key reservoirs, a total of 172 issues were identified. 140 of these have been addressed (81%). A further 12 issues are underway but not yet complete (will bring work to 88% completed). 26 issues are yet to be commenced.		
6.2							
6.6							
		Respond effectively to discoloured water complaints within four hours	Respond to 90% of complaints within 4 hours.	Manager Water and Waste	Complaints regarding discoloured water are actioned within the required timeframe. The number of discoloured water complaints for March 2019 was 3, which were received and actioned. This included calls relating to discoloured water from water main breaks. The financial year to date total calls for discoloured water is 34.		


Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
		Review, update and adhere to Drinking Water Management System (DWMS).	Australian Drinking Water Guidelines & DWMS compliance, reviewed weekly.	Manager Water and Waste	<p>A Drinking Water Management System (DWMS) document has been completed and is in effect. Details on addressing the actions to ensure continuous improvement are being documented. A weekly internal review takes place, along with an external check of our water quality results through the NSW Health laboratory.</p> <p>No breaches of the Bathurst DWMS critical limits have occurred in 2018/2019.</p>	
		Kelso Water Infrastructure Project	Project is constructed and commissioned	Manager Water and Waste	<p>Tenders have been called, assessed and reported to Council. Contractors (EODO) are well advanced, with work now complete. Work on the reservoir pump station and rising and delivery mains are all part of the project. Commissioning has now been completed. So far over 60,000 hours of contract work has taken place on the project and over 1400m³ of concrete has been poured. The reservoir and water mains have been hydraulically tested and disinfected.</p> <p>The new system is on line from the end of July 2018, and currently 290 existing homes in Kelso are being provided with water at improved pressure, and 6 new connections in recently released subdivisions.</p>	
		Eglington Village expansion – provision of trunk water mains and sewer mains for new subdivisions	Project is constructed and completed	Manager Water and Waste	<p>In order to cater for the doubling in size of Eglington, a number of new water and sewer trunk mains were required. So far, for East Eglington 70% of the required new trunk mains for water and sewer are in place. For West</p>	

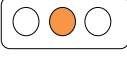
Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
					Eglinton, 100% of the required new trunk mains for water and sewer are in place. Tenders have been called for the upgrade of the existing sewer rising main from Eglinton to Bathurst.	
		Review and update existing Best Practice Guidelines plans as required.	Best Practice Guidelines compliance reported quarterly.	Manager Water and Waste	Project scoping was undertaken to identify what updating is required, and what approach should be taken to complete the work. Have selected the Drought Contingency and Water Supply Emergency Management Plan and the Demand Management Plan. A Consultant was appointed and work is complete. Reports have been presented to Council on the revised documents, which are on Council's website.	
		Continue implementation of Trade Waste Policy.	Maintain approvals at over 90% of active businesses	Manager Water and Waste	Trade Waste Policy is current, has been approved by NSW Office of Water, and adopted by Council. As at the end of March 2019 there are 321 approvals in place, with 343 active businesses (94%).	
		Monitor and action developments from State Government in regards to changes in the Best Practice Guidelines	Review Guidelines monthly, then action as required.	Manager Water and Waste	The existing level of compliance with the Best Practice Guidelines is 100% for both Water and Sewer. The review of further initiatives will be commenced, once DPI Water advises the outcomes of their proposed review of the guidelines.	



Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
		<p>Prepare plans and estimates for works highlighted in the computer models of the water network and the sewer network.</p>	<p>Review all outcomes and opportunities from the water and sewer model reports to feed into the Management Plan.</p>	<p>Manager Water and Waste</p>	<p>To date at the end of March 2019 DPI Water is yet to release their issues paper, and monitoring of this continues.</p> <p>The water model has previously been reviewed some years ago, with several projects put into effect. The sewer model has been updated to include the expansion of Eglinton and Kelso.</p> <p>Work on comparing options to service the growth is well underway. Recommendations are being developed.</p> <p>Water modelling improvements have been completed with gauges at 6 main reservoirs installed to allow for calibration during and after summer. The network has been monitored and logged during peak flows in February and March 2018. Calibration has taken place and the water model is being updated and reports provided.</p>	






Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference		Delivery Program actions 2018-2022		Annual Operational Plan Projects / Tasks 2018/2019	Prepare reports and studies for Winburndale Dam and Chifley Dam to achieve compliance with NSW Dams Safety Committee regulatory requirements.	Performance Measure	Compliance with NSW Dam Safety Committee requirements, reported quarterly.	Responsible Officer	Manager Water and Waste	Action Year to Date	<p>Funds were available for the Winburndale Dam Safety Upgrade to call Expressions of Interest, and this is now complete. The EOI closed on 6 December 2016. A review and assessment has been conducted. Approval to move to the tender phase has been received. This is being progressed through Public Works. A Review of Environmental Factors (REF) has been updated and expanded to cover all work areas. A tender review panel is established and a tender evaluation plan is finalised.</p> <p>Subsequent to this, tenders have now been called during September 2017, and closed with 4 offers received. These are being assessed. Grant funding was sought through the NSW Safe and Secure Water Program. Council has been successful in procuring \$2.225 million towards this project under the Program.</p> <p>A tender report should be available at a future 2019 Council meeting, as tenders closed on Tuesday 19 February 2019, and are currently undergoing a rigorous assessment.</p> <p>The Chifley Dam Secure Yield Study (base case) has been completed, with the Climate Change (future scenario) study also now complete. This report is being reviewed.</p> <p>The Chifley Dam Dambreak Study has been completed and forwarded to the NSW Dam Safety Committee.</p>	Status	
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Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
					<p>The Chifley Dam Safety Emergency Plan is complete and in effect.</p> <p>The annual surveillance report has been completed and recommendations are being actioned.</p>	
		<p>Work with CENTROC on Water Utilities Alliance goals</p>	<p>Goals delivered.</p>	<p>Manager Water and Waste</p>	<p>Work is continuing, through meetings and projects. Alliance Business Plan has been developed and adopted. Bi-monthly meetings attended, with other projects and correspondence dealt with as required.</p>	
		<p>Operate, maintain, repair and upgrade Waste Water Treatment Works to comply with licence conditions.</p>	<p>Achieve over 90 % compliance with EPA licence conditions.</p>	<p>Manager Water and Waste</p>	<p>Waste Water Treatment Works operations are ongoing, with maintenance and repairs conducted as required. Plans for minor upgrades are underway. Daily and weekly sampling and monitoring of the plants performance are continuing, with internal and external testing performed.</p> <p>An Annual Return is completed following the end of the licence year (1 April). Over 95% of samples tested met the licence requirements, with only 3 minor breaches of the licence conditions in 2017/18 licence year.</p> <p>Next report is due end of May 2019.</p>	


Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
		Continue program of sewer main CCTV inspection, and lining if warranted	5,000 m inspected	Manager Water and Waste	Identification of appropriate locations for CCTV is ongoing through customer issues, staff advice and development proposals. Any issues found are scheduled for repair or replacement as required.	
		Identify, plan and undertake water and sewer construction works.	Complete 2018/2019 capital works program	Manager Water and Waste	Liaison with Technical Services staff to obtain advice on road projects and / or developments is continuing. The aim is to ensure services are relocated prior to RMS or BRC projects commencing, such as roundabouts (Howick/George Street roundabout being the current project).	
1.4 3.3 4.3	Maintain and upgrade existing waste infrastructure to meet stakeholder requirements.	Replace waste collection vehicles on a 4 yearly cycle.	One waste collection vehicle replaced in 2018/2019	Manager Water and Waste	The waste collection vehicle fleet is up to date.	
6.2 6.6		Review Waste Management Centre filling plans to ensure the optimum long term strategy is delivered, and to enable future planning timelines to be developed.	Survey and monitor the remaining air space of the landfill annually.	Manager Water and Waste	A stormwater management audit has been conducted by EPA staff. A review has been conducted by an independent consultant. The final report has been received and recommendations are being put into effect. Planning is underway to conduct a future aerial survey, which is done annually to monitor actual fill and the final fill plan.	
2.2 3.3 6.1	Reduce waste to landfill.	Work with NetWaste on waste projects and opportunities, for greater diversion from landfill and increased efficiencies.	Projects delivered.	Manager Water and Waste	Several ongoing projects are supported, with bi-monthly meetings attended. New projects or opportunities are assessed as they arise. All options available to Bathurst Regional Council through NetWaste are supported.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
6.2 6.6		Council to continue education and promotion of appropriate WasteWise behaviours with regard to green waste and recycling.	Promote recycling to maximise diversion from landfill. Combined diversion target is 5,000 tonnes.	Manager Water and Waste	<p>Examples include recycling of waste tyres, mattresses, Household Chemical Cleanout, Waste 2 Art and collection and recycling of scrap metal.</p> <p>The new recycling and organics collection tender was presented to Council in October 2014. The new service started in April 2016, with delivery of bins in March 2016. The contract is proceeding well.</p> <p>The roll out of information and education has commenced and will continue throughout 2018 /19.</p> <p>Close to 30,000 new recycling and food and garden waste bins have been delivered to Bathurst properties during March 2016.</p> <p>10,888 tonnes of food and garden waste have been sent for composting in the first 35 months (April 2016 to February 2019). The new service has been well received.</p> <p>Recycling collection is continuing, with the contractor JR Richards providing the recycling collection service and transporting to the Orange MRF for sorting and further processing at Visy in Sydney. Over 7,362 tonnes have been sent in the first 35 months of the new contract (April 2016 to February 2019).</p> <p>Combined totals show a diversion from landfill of over 18,250 tonnes, or 18.2 million kilograms.</p>	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019





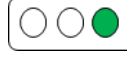

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
		Identify, assess and implement appropriate diversion opportunities.	Opportunities considered and reported quarterly.	Manager Water and Waste	<p>Wastewise education works are continuing, and the recycling contract education strategies are also underway.</p> <p>In March 2018 a cost increase was incurred for recycling due to overseas recyclers increasing prices. Since then Council in conjunction with Net Waste is in the process of developing a Recycling Strategy and is applying for an assistance package from NSW EPA.</p> <p>Council was successful in gaining funding, and has now completed the agreed outputs in the Funding Deed.</p> <p>Numerous diversions are already in place, and working well. Further opportunities will be identified and assessed and implemented if appropriate to do so. New organics collection introduced.</p> <p>Council participates in all 9 NetWaste Regional contracts.</p>	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019





Recreation

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
1.4 5.1 5.5	Plan for increasing population and aging population in the provision of suitable recreational projects	Construct additional facilities as determined through community consultation.	Construction of 2 x additional rugby league fields between Ashwood Park and Jack Arrow Complex.	Manager Technical Services	Design works still to be completed in relation to Fields, mounding and amenities building at this site. Anticipate design works to be completed Mid April 2019. \$2.6M Grant funding made available October 2018 through Regional Sports Infrastructure Fund. Due to specific seasonal requirement for development of sporting fields, contract for construction of fields will need to be called in Spring 2019. Design of carpark and roundabout to be carried out externally, field designs to be completed in house.	
			Amenities / club room complex installed at the Bathurst Bike Park Precinct.	Manager Technical Services	Building design works complete, except for Sewer design. Tender docs being drafted and anticipate calling tenders in mid April 2019.	
		Update sporting venues, including associated infrastructure.	Restoration of Cricket Wicket Table Morse Park No.1.	Manager Recreation	Contract to install a new 5 pitch turf wicket table completed November 2018. Wicket not to be used for 2018/19 Cricket Season.	
			Replacement synthetic surface to Bathurst Sports-ground cricket nets with works to be completed by end March 2019.	Manager Recreation	Works completed.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
			Restoration of court 8 - John Matthews Netball Complex by March 2019.	Manager Recreation	Works Completed.	
			Sand Silt Infield drainage to be installed to Field 2 Ashwood Park.	Manager Recreation	No Funding Provided for in 2018/19 Management Plan for this project.	
1.4 5.1 5.5	Continue construction of new playgrounds in expanding residential areas and upgrade existing	Plan for the construction of new playgrounds in expanding residential areas.	Install new playground at Coates Drive Open Space Park	Manager Recreation	Insufficient funding provided within the 2018/19 Management Plan for new playground installation. Playground upgrade funding has been provided and various existing playground spaces will be upgraded this financial year as deemed necessary.	
			Installation of shade sail over Trunkey Ck Playground.	Manager Recreation	Grant awarded in December 2018 from Federal Government to assist in project. Quotations received and contract awarded. Anticipate work to be completed by April 2019.	
1.4 5.1 5.5	Maintain existing and future recreational areas.	Maintain existing levels of service to all parks, reserves, open space areas and other recreational facilities	Maintenance activities undertaken to all recreation Assets in accordance with adopted maintenance service levels.	Manager Recreation	Ongoing as part of adopted maintenance service levels and funding provisions.	
1.4 5.1 5.5	Continue environmental programs identified within the Bathurst Vegetation Management Plan	To ensure that appropriate Environmental Management Plans for the Bathurst Region are current, relevant and provide long term strategies for the Region	Develop 2018/19 spraying program by December 2018 & complete by April 2019.	Manager Recreation	Weed surveys across Council parks and reserves commenced in Spring 2018. Contracts awarded and works underway for spraying works to various community land. All spraying works to be completed by April 2019.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019



Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
			Arrange for 11 Tree Planting and volunteer engagement activities.	Manager Recreation	10 community planting days (including school events) have been held since the start of the financial year.	
			Apply for grants to assist completion of VMP program.	Manager Recreation	Council has been awarded a grant of \$77K from the NSW Environmental Trust for a revegetation program within a section of the Macquarie River and \$4,800 from Crown Lands Improvement Program to undertake weed control works within reserve area at Trunkey Creek. \$3,300 also awarded from LLS for weed control in Sunny Corner Waste Transfer Station. The Sunny Corner and Trunkey Creek Projects have been completed.	
			Undertake maintenance of previously completed vegetation projects.	Manager Recreation	Ongoing. Maintenance contracts have been awarded and various works occurring to water and weed past vegetation projects, including various sites along the Macquarie River.	
			Revegetation of College Road Open Space Reserve, with 550 trees to be planted.	Manager Recreation	Revegetation works completed. Planting will be maintained over summer period to assist with establishment.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Corporate Services & Finance

Looking after its staff and ensuring open and transparent government is the main priority at Bathurst Regional Council. Council employs approximately 370 staff in 20 locations and attracting and keeping good people is our priority. For the fourth year in succession, in the annual Employee Opinion Survey, Council rated above the Australian Local Government Industry Standard for employee satisfaction.

Human resources

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
4.5 6.1 6.2	Establish and build on effective networks with other councils to identify areas for operational improvements and efficiencies.	Regularly participate in cross-functional teams with Centroc and Evocities councils to identify opportunities for efficiencies.	Review minimum 2 HR functions and outline how efficiencies will be made.	Manager Human Resources	<p>Council regularly meets with other Councils within the CENIROC area as part of quarterly HR Group meetings as well as twice yearly meetings with HR colleagues from the Evocities Group.</p> <p>Approval was given for the implementation of a new online recruitment, onboarding and performance management system as a collaborative effort through Centroc. Two modules have been rolled out and the performance module commenced implementation during March.</p> <p>During March the HR Manager met with HR colleagues from Evocities Councils to discuss current HR issues and exchange ideas for improved service delivery.</p>	
1.1 5.3 6.4 6.7	Ensure all staff complete induction training, ongoing compliance updates and professional development.	Continuation of staff induction program. E-learning platform is monitored to ensure all staff are enrolled and have completed required compliance training.	100% of new staff complete induction. 80% of staff maintain current competency for compliance training modules.	Manager Human Resources	<p>As at the end of March all new staff have attended the appropriate induction training.</p> <p>The new e-learning system commenced its roll out in July, with a trial group of staff being enrolled in several of the compliance modules.</p> <p>During October staff with computer access were enrolled in the Code of Conduct, Workplace Bullying & Harassment, Aboriginal</p>	





Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Governance

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
6.4 6.5 6.8	Ensure Council policies reflect community needs and organisational requirements.	Regular review of Council's policies (Policy Manual).	Individual Policies reviewed for relevance and compliance with statutory requirements Register updated monthly.	Manager Corporate Governance	Manual monitored regularly and updated as required. Last update issued 16 October 2018.	
6.4 6.5	Implementation of the Government Information Public Access Act (GIPA Act)	Provision of Contract Register on Council's website. Action requests for information under GIPA Act.	Register updated monthly. Information requests (formal and informal) actioned in accordance with statutory guidelines.	Manager Corporate Governance Manager Corporate Governance	Register updated after each Council meeting. This month: 1 applications received. YTD 10 applications received. 12 applications completed (4 from 2017/2018). 1 outstanding. 1 application withdrawn.	
4.3 6.4	Ensure Council's continuity of operations.	Review of Disaster Recovery Plan and Business Continuity Plan (BCP).	Plan reviews completed	Manager Corporate Governance	Consultant engaged to update Council's Business Continuity Plan and Information Services Business Recovery Plan (ISBRP). Draft BCP received. Comments on draft provided to Consultant. Information Services BCP being prepared. Desktop exercise postponed until both plans completed.	
6.4	Compliance with Local Government (General) Regulation 2005	Reporting of fines and penalties issued against Council.	Fines or Penalty Notices issued this month.	Manager Corporate Governance	This month: Nil YTD 1 fine - DPI Fisheries NSW - \$500 fine - Perthville Flood Mitigation works being done by contractor.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019



Information Technology

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
2.3 2.5 6.8	Improve long-term viability and availability of electronic data for both the current and long term.	Develop information Services strategic plan.	Plan Completed	Manager Information Services	Information Services Strategic Plan has been included on Information and Communication Technology (ICT) Roadmap for completion in 2019. Currently looking for a suitably qualified company to assist in the creation of our strategic plan. Developing materials internally to ensure consultant is quickly up to speed.	
		Review and renew Information Services Business Recovery Plan (ISBRP).	Plan developed and tested	Manager Information Services	Consultancy company "InConsult" has been retained to assist with the development of the ISBRP. Completion has been scheduled 2019. Draft report has been delivered. IS responsibilities from report need to be identified and specific plans developed.	
		Renewal of Council's fleet of Desktop and Notebook computers.	Desktop renewal completed.	Manager Information Services	Tender document has been uploaded to Tenderlink with a view to having the project completed by September 2019.	
2.2 2.6 5.2	Support the Smart Cities project.	Deliver CBD WiFi for the Bathurst Community.	CBD WiFi installed, tested and live.	Manager Information Services	Installation is almost complete with extension to cabin area of Chifley Dam still to be done. All other sites are now live.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Finance

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
6.1	Ensure Council's long term financial sustainability.	Review need for special variation in rate income.	Long Term Financial Plan complete and adopted by Council. Special Rate Variation considered by Council.	Manager Financial Services	Long Term Financial Plan completed for 2018/19. Council did not apply for a special rate variation for 2019/20 Operating/Delivery Plan.	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>
6.6		Improve Council's cash flows.	Rates and Charges Outstanding Ratio less than 10%.	Manager Financial Services	As per 2017/18 Financial Statements achieved 6.17% (2016/17 5.68%). (2015/16 5.85%). (2014/15 6.63%).	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>
		Ensure Council's level of debt is manageable.	Debt service ratio less than 10%.	Manager Financial Services	As per 2017/18 Financial Statements achieved 3.66% (2016/17 4.12%). (2015/16 3.95%). (2014/15 4.10%).	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>
		Maximise invested funds within prudential guidelines.	Outperform monthly 90 day bank bill swap rate.	Manager Financial Services	At 31 March 2019: <ul style="list-style-type: none"> Current year average earnings – 2.86% (2017/18 average 2.80%) 90 day Bank Bill Swap Rate – 1.96% 	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>

Corporate Communications						
Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
6.1	Communicate and engage with the community	Bathurst Regional Council Community Survey.	Overall satisfaction rating > 70%	Manager Corporate Communications	Consultant appointed, 400 phone surveys completed September 2018, online surveys also submitted. Report being drafted.	
		Ensure community consultation occurs	All consultation projects included on the "Your Say" platform Followers on social media > 5,000 BRC Website visits > 40,000	Manager Corporate Communications	As at 28 February 2019: 100% consultation projects on Your Say (Australian Fossil & Mineral Museum strategy, Community Participation Plan, Companion Animal Management Plan, Use of remotely piloted aircraft systems/drones, Rail Layout volunteers, Free public WiFi, CDP changes, Living Legends, George Howick St roundabout, Draft public art policy, irrigation portal, Bathurst Rail Museum, Pillars of Bathurst) Social media followers: July: 7,348 August: 7,454 September: 7,562 October: 7,858 November: 7,919 December: 8,006 January: 8,182	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Property	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
Bathurst 2040 Objective reference 1.5 6.4 6.5 6.8	Encourage development of new residential land releases to ensure appropriate level of supply.	Development of residential land in accordance with Council plans.	Provision of land stocks for residential needs.	Property Manager	Sunnybright construction commenced in June 2018. First stage of 150 lots with a focus on 95 lots to be completed by April 2019. Registration and ballot by April 2019. Remaining lots will be completed by December 2019. Windy 1100 - Construction due to commence mid-2021. 180 lots in total.	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>
2.1 4.1 6.4	Manage development of new commercial and industrial land releases as required to meet the needs of new businesses.	Development in Bathurst Trade Centre and Kelso Industrial Park as required.	Provision of land to meet demands.	Property Manager	Bathurst Trade Centre stage 10, construction commenced in July 2018. Pre-sold 15 out of 15 lots at end of March 2019. Completion due Registration by May 2019. Kelso Industrial Park has 8 lots still available.	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Cultural & Community Services

Bathurst Regional Council supports a vibrant culture and community. Lifestyle in the Bathurst Region is enriched by providing a diverse range of cultural facilities and programs and by promoting cultural diversity. Community well-being is promoted through social planning, community development and ensuring access to community services.




Community Services

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
5.1 5.2 5.3 5.5	Work in partnership with key stakeholders to develop administer and deliver community planning that reflects the strengths and needs of specific sectors and the community as a whole.	Undertake the actions identified in the Bathurst Community Safety Plan in partnership with the Bathurst Regional Community Safety Committee.	4 meetings with administration support provided to the Bathurst Regional Community Safety Committee. Relevant campaigns /projects developed and implemented as per actions identified in the Bathurst Community Safety Plan.	Manager Community Services	Community Safety Committee meeting held 28 March. Five (5) Committee meetings have been held year-to-date. Draft Community Safety Plan 2019 – 2023 prepared.	
6.3		Implementation of the strategies and actions identified in the Disability Inclusion Action Plan (DIAP) that address each of the four focus areas of the plan 2017-2021.	Undertake annual review and evaluation of actions. Ensure continuing public awareness raising and promotion of DIAP.	Manager Community Services	Actions and strategies discussed with internal and external stakeholders during March.	
5.1 4.3 1.3 5.4 6.2	The provision of the Kelso Community Hub as a safe community hub and venue for outreach service provision that	Continue to provide ongoing review of service delivery for future direction of Kelso Community Hub.	Facilitate 2 meetings with Kelso Community Hub stakeholders.	Manager Community Services	No stakeholder meetings held in March. One stakeholder meeting held year-to-date. One report presented to Council year-to-date.	


Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
6.3	meet the needs of the community.	Encourage and facilitate the use of the Kelso Community Hub by outside service providers to meet the needs of the community.	3 Kelso Community Hub update reports to Council. 10% increase on 2017/2018 utilisation by external services providing target services and programs.	Manager Community Services	Summary of external service providers and programs at the Kelso Community Hub during March <ul style="list-style-type: none"> 18 individual uses by one-off and repeat services and programs (YTD 345). 62% decrease in individual uses by one-off and repeat services and programs from March 2018 due to capital works being undertaken at the facility. 235 people serviced (YTD 6,514). 	
		Develop and provide programs and activities that meet the identified needs of the community.	20 children per day accessing the breakfast program 5% increase of young people accessing afterschool programs per session 5% increase of young people accessing holiday activities. 4 Community celebrations per year.	Manager Community Services	The following programs, activities and celebrations were held at Kelso Community Hub throughout March: <ul style="list-style-type: none"> 158 young people were serviced by the Breakfast Program (YTD 1,498). The Breakfast Program has operated for 88 days year-to-date with an average attendance of 17 students each day. After school programs did not operate during March due to capital works being undertaken at the facility (YTD 489). No school holiday activities were held in March (YTD 140). No community events were held during March (YTD 5). 	
5.1 5.3 1.3 6.2 6.3 6.7	Value and support opportunities for young people to understand the processes of Local Government and be involved in relevant projects.	Providing support for the Bathurst Regional Youth Council and their related activities, programs and events	Facilitation of 6 Bathurst Regional Youth Council meetings, including attendance numbers. Undertaking of 2 youth initiatives, activities, programs and events including	Manager Community Services	No Youth Council meetings held in March. Four (4) Youth Council meetings have been held year-to-date. Youth Network meeting held 13 March 2019. Five (5) Youth Network meetings have been held year-to-date. No Youth Council events held in March.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019





Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
5.1 5.2 5.3 5.4 6.3 6.4 6.7	Provision of high quality child care facilities to cater for children aged 0-12 years in the Bathurst Community	Update policies and procedures to ensure alignment with: 1. Education and Care Services National Quality Standards. 2. Education and Care Services National Regulations and Law 3. The Early Years Learning Framework	50% of policies reviewed. Continue to develop and review Service Quality Improvement Plans (QIP). 7 National Quality areas to be reviewed.	Manager Community Services	Three (3) Youth Council Events held year-to-date: YJAM Groove & Grill – 15 July 2018 How to Adult workshops – 2 November and 9 November 2018. Food & Flick Outdoor Movie – 22 February 2019. Year to date 100% of the Children's Services policies have been reviewed. A total of forty-two (42) policies across the three services have been reviewed. Services Policies and QIP were discussed and sighted during a Department of Education Compliance visit during March at Lee St. The Scallywags Quality Improvement Plan was directly linked to the updated Service Inclusion Support Plan during the month. Year to date, all seven (7) quality areas have been reviewed In March Little Scallywags focused on working towards goals set in Quality Areas 3 and 5. Year to date Little Scallywags has reviewed six (6) quality areas including area 1, 2, 3, 4, 5 and 6. Goals set in each area relate to the relocation of the service. Family Day Care has reviewed and updated all quality areas, progressively working towards quality areas 4 and 7. Seven quality areas have been reviewed year-to-date across services through review of policies, QIP review.	
	The provision of Council's Children Services, setting a benchmark for education and care in the Bathurst LGA	Ongoing review of service delivery for future growth of occupancy rates of all services	Facilitate 2 surveys across services for review of service delivery Children's Services update report to Council	Manager Community Services	No surveys completed in the month of March regarding service delivery. One survey completed year to date regarding 2019 enrolments for Scallywags. No reports presented to Council in March or year-to-date.	
	Promotion of Children's Services.	Promotional mechanisms developed and implemented for each child care service.	Undertake 3 promotional strategies through a range of digital platforms.	Manager Community Services	A meeting was held with Communication team regarding the transition of the Family Day Care Facebook page to a Children's Services page. Promotion of the service and Scallywags refurbishment updates will be shared through his online platform.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
	Provision of appropriate resources and learning environments that reflect the National Quality Standards.	Resources obtained to reflect the requirements of the National Quality Standards	Undertake 3 community consultation activities to promote service 5% increase of new cliental through website	Manager Community Services	<p>Family Day Care attended Bathurst Family and Child Network and Kidsplay program to enable community engagement. Twelve (12) promotional activities conducted year-to-date. Seven (7) community consultation activities were implemented year-to-date. Review of Children's Services Website was discussed, and changes actioned during month of March. Site review has occurred to determine its' efficiency and current content.</p> <p>Resources purchased by Scallywags during March related to Quality Area 1 scaffolding PreSchool STEM resources and program. Resources purchased by Little Scallywags during March related to Quality Area 1 through increased access to technology within the program for Preschool aged children. Resources purchased for Family Day Care relate to quality area 1 to set up our FDC playgroup within the community. 80% of resources purchased, year-to-date, reflect National Quality Areas.</p>	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst Library

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
4.3	Develop a strategic approach to planning the next-practice library	Develop a library strategic plan	Library strategic plan is completed.	Manager Library Services	Research and Analysis phase continues. State Library of NSW Assessment and Compliance Report including strengths and opportunities received.	
5.3	Maintain and improve community participation in the Library Services	Maintain and improve membership base	Membership is 25% or more of total population	Manager Library Services	Notes: Percentage based on Bathurst population of 42,900. From August 2018 onwards, active membership calculated using three-year activity (NSW State Library standard) instead of previous calculation on two-year activity. March 2019 membership is 20,894 = 49% of Bathurst population (excludes non-2795 members). March 2019 membership for Reciprocal/Temporary (non-2795 postcode) is 1,891. Total active membership is 22,785 = 53% of Bathurst population.	
		Maintain and improve visitations	Visitations are 140,000 or more	Manager Library Services	Monthly target: 11,666 visits average. February 2019 visits: 11,590 (YTD 109,961)	
		Maintain and improve program and event delivery	Deliver 12 or more programs / events per month	Manager Library Services	Programs held in March 2019 = 22 (YTD 203)	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019


Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
		Maintain and improve attendance at programs and events	580 attendees or more to programs / events per month	Manager Library Services	Attendance to programs in March 2019 = 863 (YTD 7,788)	
5.3	Maintain and improve access to information and life-long learning	Maintain and increase circulation of library material	Print loans at least 23,000 per month	Manager Library Services	March 2019 Print loans: 17,062 (YTD 177,080)	
			Electronic loans at least 400 per month		March 2019 electronic loans = 1,925 (YTD 13,370)	
6.1	Communicate and engage with the community	Growth in followers on the library social media platforms	> 1,750 Facebook followers > 800 Twitter followers	Manager Library Services	Total Facebook followers = 2,023 Total Twitter followers = 869	
6.2	Maintain and create partnerships with local organisations and neighbouring councils	Develop program with Save the Children Fund "Programming the Future"	2 programs developed, advertised and held by June 2019	Manager Library Services	Year to date: 2 programs developed, advertised and held 1. Bug Out coding School Holiday activity held 17 July. 13 attendees. 2. Simple Bots school holiday activity held 18 July. 17 attendees.	
		Develop MOU with the Bathurst Family History Group	MOU signed by June 2019	Manager Library Services	Draft MOU prepared and in discussion with Bathurst Family History Group.	
		Maintain or increase current participation in electronic collection consortia with other libraries	Number of active eCollection consortia is >2	Manager Library Services	Year to date: 3 active eCollection Consortia, in collaboration with other Central West libraries. Wheelers: Bathurst, BigSky, Broken Hill, Cobar, Inverell, Parkes	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019




Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
					BorrowBox: Bathurst, Big Sky, Bourke, Broken Hill, Central West Libraries, Cobar, Lachlan, Mid-Western, Oberon, North Western, Weddlin RBDigital: Bathurst, Big Sky, Central West Libraries, Gunnedah, Lithgow, Mid-Western	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019


Bathurst Regional Art Gallery

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
1.3	Provide a focus on the visual arts for the community by providing education and public programs that challenge thinking and stimulate creativity, and promote cultural vitality in the region through the development and care of the permanent collection, temporary exhibitions and research facilities.	Develop community access and inclusion to the Gallery's exhibition program through the development education, outreach and public programs.	Staging of six (6) education / public programs in conjunction with BRAG exhibitions. At least 1,200 students from school and 15 community groups or organisations accessing BRAG education / outreach / public programs including the Art in a Suitcase program.	Art Gallery Director	<ol style="list-style-type: none"> 1. STEEL/Ellis programs: Number of community/ed groups: 30 Number of students: 209 Number of pp participants: 268 2. SALIENT/Burrows programs Number of community/ed groups: 21 Number of students: 534 Number of pp participants: 285 3. Looking Forward-Looking Back programs Number of community/ed groups: 25 Number of students: 94 Number of pp participants: 425 4. Curiouser & Curiouser programs Number of community/ed groups: 26 Number of students: 78 Number of pp participants: 741 5. BRAGS 50 Years: The Art of Giving Number of community/ed groups: 16 Number of students: 47 Number of pp participants: 433 <p>@ 31 MAR Art in a Suitcase: no activity</p> <p>@ 31 MAR Community/Ed groups: 11 Community group reach: 210 Students: 47</p> <p>TOTAL YTD: ART IN A SUITCASE REACH: 498 TOTAL YTD: STUDENT REACH: 962 TOTAL YTD: PUBLIC PROGRAMS REACH: 2152</p>	
	Provide opportunities for the professional development of regionally based artists through exhibition.		Staging of two (2) survey exhibitions with at least 3,200 attendees.	Art Gallery Director	<ol style="list-style-type: none"> 1. Rachel Ellis: Sustaining Light survey. Total Attendance: 4,063 	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
			Production of two (2) exhibition catalogues.		2. Terry Burrows: Objectivity Total Attendance: 3,357 3. Michelle Collocott: Three Ponds Series Attendance Total: 3,186 Catalogues: 1. Rachel Ellis: Sustaining Light 2. Terry Burrows: Objectivity 3. Michelle Collocott: Three Ponds Series 4. Looking Forward: Looking Back: contemporary works from the East Kimberley 5. BRAGS 50 Years: The Art of Giving	
		Develop community access to the permanent collection through exhibition, research, loans and touring exhibitions on an as needs basis.	Staging of two (2) permanent collection exhibitions including the development of one (1) touring exhibition curated from the permanent collection with at least 3,200 attendees. At least 5 works loaned to other galleries, and visitation of more than 2,500 per venue.	Art Gallery Director	Permanent Collection Exhibitions: 1. BRAGS 50 Years: The Art of Giving (16 Feb – 7 Apr) Mar attendance: 1683 Total attendance to date: 2533 Artwork Loans: 12 works loaned to Blue Mountains Cultural Centre (Peter Rushforth: A Legacy - 30 Nov 2018– 20 Jan 2019 Total Visitation: 3,248	
5.2	Promote cultural activity in the Bathurst CBD, neighbourhoods and the region's villages through the development of inclusive and accessible satellite programs and events, and the promotion of Hill End as a significant site of	Develop community understanding of the achievements of the Hill End Artists in Residency Program through exhibition and international participation.	Staging of three (3) Hill End Artists in Residency exhibitions with at least 3,200 attendees. Two (2) international residencies.	Art Gallery Director	Hill End AIR exhibitions: 1. Wendy Murray: Night & Day (16 Feb – 7 Apr) Mar attendance: 1,683 Total attendance to date: 2,533 Hill End AIR International Residencies 1. Mar: Alice Andrea Ewing (UK)	



Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022 contemporary and historic Australian art and culture.	Annual Operational Plan Projects / Tasks 2018/2019 Broaden access and inclusion to the Gallery's exhibition program through the development of a program of off-site and/or satellite programs.	Performance Measure Development of two (2) off-site programs / events. At least 1,000 participants per program / event.	Responsible Officer Art Gallery Director	Action Year to Date Off-site programs / Events: 1. Dec/Jan: Pop-Up Shop @ AFMM: 252 Mar.ch: No activity	Status 
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Bathurst Memorial Entertainment Centre

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
4.1 1.1 1.2 5.3 6.2	Implement a strategic approach to planning the next-practice Performing Arts Centre	Develop a consultants brief with professional support Call for consultant expressions of interest and appoint consultant	Strategic approach is completed by December 2019	Manager BMEC	The initial brief will be put to the market as soon as CSU involvement is confirmed.	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>
5.2 5.3	Maintain and improve community participation in BMEC services and activities	Maintain and improve membership/subscription (Friends) base	Friends base is 247 or more	Manager BMEC	2018: Friends base was 252. In 2019 the "Friends" category no longer exists and has been replaced by Membership. This is paid for when less than five shows are booked and is complimentary when five or more shows are booked. By end of March 158 memberships had been confirmed. N.B. This year BMEC has increased the number of tickets a Member can purchase for a non-Member, therefore many couples who were previously counted as two members are now just counted as one. With Members able to purchase additional tickets BMEC is seeing an increase in the overall number of tickets sold to Members 2019 as at 31/03/19: Total number of Members: 158 Total Member tickets sold: 1,400 Average Tickets per Member: 8.86 2018: As of 4/03/2018: Total number of Friends: 240 Friend tickets sold: 822 Average Tickets per Friend: 3.4	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
		<p>Maintain and improve venue attendance</p> <p>Maintain and improve program and event delivery</p>	<p>Attendances are 54,000 or more.</p> <p>Deliver approximately 17 Season and other events, 9 associated workshops and a Local Stages Program including LEAP program, local writers and other performing arts development</p>	<p>Manager BMEC</p> <p>Manager BMEC</p>	<p>53,620 people attended BMEC in 2017/2018 Attendance statistics for the current financial year up to end of March are 41,247.</p> <p>17 season shows were successfully presented in the 2018 Annual Season with 12 associated workshops.</p> <p>The first Season show of the year was the successful presentation of <i>The Beggars Sing the Seekers</i> on Sunday 24 February with 447 attending. This production was presented to support Seniors week and 360 patrons were Seniors or Pensioners.</p> <p>The second Season production of the 2019 Season was the world premiere of <i>Mighty</i> by local company <i>Lingua Franca</i>. 322 this innovative new work which involved a collaboration with the local sculptor <i>Harrie Fasher</i>.</p> <p>A workshop in contemporary performance practice accompanied the <i>Mighty</i> performances and was attended by 8 people of diverse ages.</p> <p>Following the Saturday Matinee a forum was held.</p> <p>The third Season Production was <i>The Ensemble Theatre production of Two</i> attended by 205 patrons.</p> <p>Local Stages Developed the program and associated marketing materials for the <i>Bathurst Writers' & Readers' Festival</i> to be held 3-5 May at BMEC. The program will be available on line, at BMEC and Books Plus from first week April.</p>	 

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019



Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
					<p>Meeting held with staff from the Q Theatre & Lingua Franca to develop ROUTE – a regional writing project with Regional Partnerships funds. The first face to face session to be held on April 6th (postponed from 30 March as dramaturg became unavailable)</p> <p>Live Words first workshop held on 22 & 23 March with 8 writers in attendance. Workshop facilitated by Hilary Bell.</p>	
		Maintain and improve attendance at programs and events	5,000 attendees or more to Season shows and 5,500 at associated and Local Stages projects per year	Manager BMEC	53,620 people attended BMEC in 2017/2018 Attendance statistics for the current financial year up to end of March are 41,247.	
1.1 1.2 5.3	Communicate and engage with the community	Growth in community engagement.	> 2,470 Facebook followers > 530 Twitter followers > 525 Instagram followers	Manager BMEC	BMEC currently has: 3080 Facebook followers 521 Twitter followers 703 Instagram followers This does not include ISOs, Catapult Festival or Central West Short Play Festival followers	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019



Museums

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
2.6 1.1 1.2 1.3 6.6	An increase in total visitor numbers to the Bathurst Regional Council managed Museums of 8% over 4 years	A 2% increase in total visitor numbers to: <ul style="list-style-type: none"> Australian Fossil and Mineral Museum National Motor Racing Museum Chifley Home and Education Centre 	Total 2% increase in visitor numbers	Manager Museums	In March 2019 the following total visitor numbers included: Australian Fossil and Mineral Museum 1,455 which is a 2% increase on March 2018 visitor numbers from 1,428. National Motor Racing Museum 2,245 which is a 6 % increase on March 2018 visitor numbers of 2,126. Chifley Home and Education Centre 131 which is a 46 % increase on March 2018 visitor numbers of 90. Total number of visitors across the Museums in March 2019 was 3,831 which is a 5 % increase on March 2018 numbers of 3,644. Year to date (YTD) total visitors to Council Museums is 44,840 which is a 2 % increase from 44,117 YTD 2018.	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>
2.6 1.1 1.2 1.3 6.6	An increase in the total educational/schools engagement with the Bathurst Regional Council managed Museums of 8% over 4years	A 2% increase in total education/schools engagement at: <ul style="list-style-type: none"> Australian Fossil and Mineral Museum National Motor Racing Museum Chifley Home and Education Centre 	Total 2% increase in education/schools engagement	Manager Museums	In March 2019 the following education/schools engagement included: Australian Fossil and Mineral Museum 418 visitors which is a 72% increase on March 2018 visitor numbers from 243. National Motor Racing Museum 51 visitors which is equal to March 2018 visitor numbers of 51 Chifley Home and Education Centre 44 education/school visits which is a 29% increase on March 2018 visitor numbers from 34. The number of education/school engagement across the Museums in March 2019 was 513 which is a 56% increase on March 2018 numbers of 328. Year to date (YTD) total education/school visitors to Council Museums is 3,740 which is an 34% increase from 3115 YTD 2018.	<input type="radio"/> <input type="radio"/> <input checked="" type="radio"/>

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
2.6 1.1 1.2 1.3 6.6	The provision of a range of public programs, exhibitions and community events at the Bathurst Regional Council managed museums	Undertake a minimum of six exhibitions, five public programs and two community events across the Bathurst Regional Council managed museums	Minimum six exhibitions, five public programs and two community events	Manager Museums	<p>In March 2019 the following has occurred:</p> <ul style="list-style-type: none"> Australian Fossil and Mineral Museum Exhibition: Meet the Diproton Planning and preparations are underway for the Chapman Collection <p>National Motor Racing Museum</p> <ul style="list-style-type: none"> Craig Lowndes – The Story So Far exhibition. <p>Chifley Home and Education Centre</p> <ul style="list-style-type: none"> Chifley Album photographic exhibition on display in the Education Centre <p>Rail Museum</p> <ul style="list-style-type: none"> All Aboard Public Art project was installed on the temporary fencing outside the Museum <p>Year to date (YTD) exhibitions, public programs and community events</p> <ul style="list-style-type: none"> (10) Exhibitions (8) Public programs (4) Community events 	
2.6 1.1 1.2 1.3 6.6	An overall increase in revenue generated from museum retail outlets and venue hire across the Bathurst Regional Council managed museums	A 2% increase in revenue generated from museum retail outlets and venue hire across the Bathurst Regional Council managed museums	Total 2% increase in retail and venue hire revenue	Manager Museums	<p>In March 2019 the following retail and venue hire gross revenue was achieved:</p> <p>Australian Fossil and Mineral Museum \$6,260 which is a 4% increase on March 2018 income from \$6,043.</p> <p>National Motor Racing Museum \$23,040 which is a 60 % increase on March 2018 of \$14,391.40.</p> <p>Chifley Home and Education Centre \$83.35 which is a 72 % increase on March 2018 income of \$48.50.</p> <p>Total retail and venue hire gross income across the Museums in March 2019 was \$29,383.35 which is a 43% increase on March 2018 income of \$20,482.90.</p>	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019



Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
2.6 1.1 1.2 1.3 6.6	The construction and operation of the Bathurst Rail Museum	Undertake the construction and fit out of the Bathurst Rail Museum	Construction of Bathurst Rail Museum commenced	Manager Museums	<p>Year to date (YTD) total gross revenue for Council Museums is \$308,210.53 which is an 9% increase from \$283,755.97 YTD 2018.</p> <p>In March 2019 the following occurred:</p> <ul style="list-style-type: none"> Lead paint removal works continued inside. Footings slab poured for children's area. Layout reconstruction commenced. 	
1.1 1.2 1.3 6.6	The construction and operation of the Central Tablelands Collection Facility	Continue to seek external funding for the construction of the collection facility	External funding sources identified and applications submitted	Manager Museums	<p>In March 2019 the following occurred:</p> <ul style="list-style-type: none"> Funding of \$2.3 million confirmed 30 January for the Collections Facility through Create NSW Regional Cultural Fund Stakeholder Agreement signed with Create NSW. Initial contacts made with similar facilities. 	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Tourism





Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
2.1 6.1	Grow the number and engagement of businesses associated with the Visitor Economy	Work with local operators in the provision of visitor services. Grow Regional Tourism Partnership program Inform industry regarding the Bathurst Region brand use and application	Number of tourism partners increased by 10%. Increased attendance at industry events annually	Manager BVIC	Tour and Event Sales now live on Bookeasy including Autumn Colours heritage tours. Autumn Colours launched at BVIC. 55 Operators engaged YTD with new booking engine. NPWS accommodation being added. 2 operator renewals/new operators in March. 140 tourism partners as at end of March 19 increase of 2.9% over 2018 equivalent period figure of 13 at end March 2018.	
2.6	Provide visitors and prospective visitors to the area with quality information and services.	Develop new tourism website Develop regional Tours and trails app Develop online booking capability Develop Destination Planner – print and online Create focused local range of retail products at BVIC	Tourism website operational. Tours and trails app available to public. Destination planner published. Increase of 15% in bookings through online booking portal Downloads of Bathurst region app increase by 15% VIC satisfaction rating of 80% or higher maintained Retail sales at BVIC increase by 10% annually	Manager BVIC	45.7% increase in users against March 2018, avg session duration +15.4%, bounce rate -3.5% App - Machattie Park script complete & Town Square now available in Japanese Destination Planner distributed locally and through AVIC network \$14,271 in bookings generated through booking portal. YTD bookings total \$97,857 with BVIC Commission of \$7,918 (new income this FY) 222 downloads of Step Beyond App BVIC rated 4.9/5 on Facebook, 4.3/5 on Google and 4.5/5 on TripAdvisor and 4.14/5 in recent Community Satisfaction research \$7,116 retail sales in March, 10.2% increase against \$6,458, in March 2018. YTD \$64,693 0.3% decrease against 2017/18.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
2.6	Effectively promote and market the Bathurst Region as a key destination	Develop new tourism website Develop Destination Planner – print and online Develop marketing campaigns based upon pillars of destination brand strategy	Growth in social media following by 20%. Increase in page views to Destination website by 20%.	Manager BVIC	Facebook followers increased by 2.3% to 8,840 YTD increase of 27.9% Instagram followers increased by 1.6% to 2076, YTD increase of 21.6% 20,364 pageviews of visitbathurst website in March 2019, a 61.03% increase over equivalent period in 2018. YTD increase of 71.8%.	
2.6	Increase total number of visitors and overnight stays in the Bathurst region	Promote Bathurst region to niche and specialist markets as identified in Destination Management Plan and Brand strategy Develop annual events program from major (Tier 1) events to community level events	Day visitor number increase by 5% Overnight visitors increase by 8% Average length of stay increases by 10%	Manager BVIC	5,09% visitors to BVIC in March, decrease of 5.1% on 2018. YTD 0.4% above previous year. Coordinated visits of Toyo and Seiritsu High from Tokyo Japan including home hosting – total of 83 host families involved. 58 Events promoted in March 'What's On' sent to database of 1093 and via radio to inform VRF segment.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Destination Management


Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
2.6	Utilise the Destination Management Plan as a basis for marketing, promotion and tourism development	Implement the destination brand: Develop and implement 18 month-three year marketing plan. Publish image library for industry to access.	Marketing Plan adopted by council. > 100 images accessed and used.	Destination Development Manager	Review of 2015 DMP completed and project plan for new DMP complete The three-year marketing plan was adopted by Council on 19 September 2018. Reviewed with DMP in December and in February against draft 2019/20 Operating Plan budget priorities. 100+ Images provided in shared Dropbox Folder. Nicola Bailey Photography shoot arranged May 19	
2.6	Support the Tourism Reference Group, which consists of a cross section of the industry	Improved collaboration between industry groups and Council.	6 meetings held > 75% level of attendance	Destination Development Manager	TRG Meeting held on 4 March with 7 members attending (58% attendance). YTD average of 72% attendance. Frequency of meetings to be addressed with alternate communication methods introduced.	
2.6	Connect with industry	Host ongoing tourism forums annually.	Annual forum on emerging industry trend hosted.	Destination Development Manager /	BVIC Manager attended CENTROC Regional Tourism Group meeting, Bathurst Accommodation Group AGM, LGNSW Tourism Conference (presented) and Cirencester Skype meeting. Partner meetings with Bathurst Tours, Spring Spectacular committee, Bathurst Historical Society, Jenolan Caves, St Joseph's Convent Perthville, Mayfield Garden, NRMA Bathurst Panorama Holiday Park.	
2.6	Set and measure benchmarks	Publish annual market intelligence report to strengthen knowledge and guide investment.	Report produced.	Destination Development Manager / Economic Development Manager	Literature review complete. Project scoping document drafted February 2019 and brief for consultation facilitation completed. LGA specific research has been commissioned for 2019 with WRI through CENTROC Tourism Group	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Environmental, Planning & Building Services

Council will manage growth and development in alignment with Council's and the NSW Government's planning instruments and controls, and continue forward planning through reviews of the Housing Strategy, Open Space Strategy and Transport and Parking Strategy. Adoption of a new Economic Development Strategy will identify opportunities for continued growth, mindful of Council's obligations to environmental stewardship, heritage conservation and good urban design.




Environmental

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
6.4 5.2 5.4	Meet Council's responsibilities under the Companion Animals Act 1998 by continuing to provide community programs relating to responsible pet ownership	Complete Responsible Pet Ownership community programs Maintain and enhance areas for off-leash recreation for dogs	Two Community desexing programs conducted Pet Expo held Educational radio interviews conducted weekly Educational social media posts conducted monthly Maintain Kefford Street Off Leash areas fortnightly Install seating and dog agility equipment at small dogs off leash area by September 2018	Team Leader Regulatory Services	First program was completed from 18-30 November 2018, with 110 dogs and cats desexed. "Operation cat" was launched in January with subsidised desexing and microchipping available for up to 80 cats. Program being run in partnership with the Cat Protection Society. Council hosted a Dog Behaviour and Responsible Pet Ownership presentation at BMCC in February 2019. The event had 350 attendees and was very well received by the community. Conducted weekly by Senior Ranger. Posts prepared and released in February 2019. Contract for maintenance awarded in August 2018, and conducted regularly. Seating and agility equipment was installed in early October 2018. Project now complete.	




Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
6.4 5.4	Meet Council's responsibilities under the Companion Animals Act 1998 and Impounding Act 1993 by promptly responding to customer requests and implementing enforcement action for breaches	Investigate animal related complaints, including matters reported after hours Undertake regulatory action consistent with Council's Enforcement Policy for identified breaches	95% of customer requests responded to within adopted corporate standards 100% response to customer requests reported out of hours	Team Leader Regulatory Services	86.59% responded to within adopted corporate standards during March. 100% responded to within adopted service standards.	
6.4	Meet Council's responsibilities under the Prevention of Cruelty to Animals Act 1979 and the Impounding Act 1993 in the operation of the Small and Large Animal Impounding Facilities	Operate Small Animal Pound at Vale Road site	Implement electronic impounding register by December 2018 Implement social media program to promote rehoming of impounded dogs and cats by December 2018 Increase the % of impounded dogs returned to owner or sold or released to welfare organisation Increase the % of impounded cats returned to owner or sold or released to welfare organisation	Manager Environment/ Team Leader Regulatory Services	Liaison with IT staff ongoing. Interim solution under development. Regular Facebook posts occurring. Council receives many responses from the public and the program has been very successful in increasing the numbers of animals re-homed. Promotion of available animals ongoing. Council's website features dogs available for sale and impounded dogs where the owner is unknown. Promotion of available animals ongoing. Council's website features cats available for sale and impounded cats where the owner is unknown.	



Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
		<p>New Small Animal Impounding Facility designed and construction commenced</p> <p>Large Animal Impounding Facility relocated to Hampden Park Road site</p>	<p>Design 100% complete by December 2018</p> <p>Construction 75% commenced by 1 March 2019</p>		<p>Proposal presented to architectural firm in early November for design and project management of construction. Gap analysis delivered in February and project design meetings held.</p> <p>Further design meetings held in March 2019.</p>	
6.2	Explore opportunities to develop a best practice regional impounding facility	Actively engage with neighbouring Councils to develop a model for a regional impounding facility	<p>Seek confirmed participation in a regional impounding facility by August 2018</p> <p>Develop a governance model for a regional impounding facility by February 2019</p> <p>Develop operating procedures for a regional impounding facility by April 2019</p>	Manager Environment	<p>Other Councils are pursuing individual facilities.</p> <p>A regional pound facility is unlikely to proceed.</p>	
6.4 4.4 5.2 5.4	Meet Council's responsibilities under the Road Rules 2014 and Fines Act 1996	<p>Monitor and enforce parking regulations on public roads</p> <p>Implement a community education program regarding the Australian Road Rules</p>	<p>Daily monitoring undertaken</p> <p>Educational social media posts conducted monthly</p> <p>Review and update the educational information</p>	Team Leader Regulatory Services/ Parking Rangers	<p>Monitoring undertaken daily.</p> <p>89.0% of customer requests responded to within adopted service standards.</p> <p>Post prepared and with Communications Team.</p> <p>Minor updates completed in October 2018. Project ongoing.</p>	



Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
6.4 5.2	Meet Council's contractual obligations under the Local Government Act 1993 in monitoring and enforcing parking regulations in off street car parks	Monitor and enforce parking regulations in off street car parks in accordance with contractual obligations	100% compliance with contractual obligations on Council's website by December 2018	Team Leader Regulatory Services/ Parking Rangers	All of Council's contractual obligations met in March 2019.	
3.1 3.2 3.3 3.4 6.4 1.4	Meet Council's responsibilities under the Protection of the Environment Operations Act	Investigate customer requests and pollution incidents Undertake regulatory action consistent with Council's Enforcement Policy for identified breaches	95% of customer requests responded to within adopted corporate standards	Manager Environmental Officers	96.77% of customer requests responded to within adopted corporate standards during March.	
3.3 3.5 6.1	Continue to improve the community's awareness and capacity with regard to environmental sustainability	Communicate sustainability messages via a range of on-line and traditional media sources Conduct sustainability education programs	Weekly posts on the @sustainablebathurst Facebook page Conduct Sustainable Living Expo in March 2019 Conduct a sustainability education program targeting primary school aged students by December 2018	Manager Environmental Officers	Several posts each week on the @sustainablebathurst Facebook page during February with posts on water restrictions and promotion of the upcoming Sustainable Living Expo. The SLE was held on 23 March 2019 with an excellent crowd in attendance, supported by a record number of stallholders. Keynote speakers and workshops were very well received. Thirteen schools awareness grants for a range of projects which are all complete. A newsletter providing details of the projects was delivered to schools in December 2018.	


Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
3.1 3.2 6.4	Implement Council's Onsite Sewage Management Strategy and meet Council's obligations under the Local Government Act 1993	Conduct inspections and issue approvals for existing onsite sewage management systems without approvals or requiring renewal	Increase the number of onsite sewage management systems with a current approval to operate Review and update the Onsite Sewage Management Strategy by January 2019	Manager Environmental Officers	Inspections conducted regularly in March and approvals issued where appropriate. Council at its Policy meeting in March resolved to place the Strategy on public exhibition.	
3.1 3.4 3.5 1.4	Meet Council's obligations under the Local Government Act 1993 and community expectations to manage, restore, enhance and conserve the natural environment	Implement the Urban Waterways Management Plan Implement the Biodiversity Management Plan Implement the Pest Bird Management Plan Implement the Roadside Vegetation Management Plan	Implement a priority project identified in the Urban Waterways Management Plan. Implement a priority project identified in the Biodiversity Management Plan. Implement a priority project identified in the Pest Bird Management Plan Implement a priority project in the Roadside Vegetation Management Plan	Manager Environmental Officers/ Sustainability Strategy Officer	Insufficient funds available for capital works in Sawpit Creek as grant reserve has been removed. Options for detailed designs to be prepared for future project currently being explored. Biodiversity stewardship site opportunities currently being assessed with field work completed in October 2018. Report finalised with Council feedback in February 2019. Pigeon surveys conducted weekly during August and November 2018. Pigeon cull conducted on 26 & 27 August in CBD, and in Keppel Street in December 2018. A further cull was conducted in late March 2019, including Keppel Street Grant funding received from LLS which will assist in achieving a priority action in the Yetholme area. Field surveys of Purple Copper Butterfly completed in October 2018. Contractor completed the weed removal works in February and March 2019.	




Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
3.5 3.3 6.6	Implement energy efficiency and renewable energy projects at Council facilities	Identify and prioritise energy efficiency projects at Council facilities Identify and prioritise renewable energy projects at Council facilities	Install a solar array at the Bathurst Aquatic Centre Design and install a solar shade structure for the Elizabeth Street car park Implement an energy efficiency upgrade at Council facility Implement a renewable energy project through the Revolving Energy fund	Manager Environment/ Sustainability Strategy Officer	Request for Quotation released for the preparation of a detailed design in November. Unfortunately no quotation proposals were received. Request for Quotations for design and installation of a 100kW array released with 11 proposals received. Not commenced. Not commenced. Project options currently under review.	
3.1 3.4 6.4 1.4 4.6	Meet Council's obligations under the Biodiversity Conservation Act 2016, Fisheries Management Act 1994 and Water Management Act 2000 Meet Council's obligations under SEPP55 and related planning policies	Ensure the assessment of development applications meets all of the requirements of the Biodiversity Conservation Act 2016, Fisheries Management Act 1994 and other relevant planning policies Investigate opportunities for the establishment of biodiversity stewardship sites under the Biodiversity Conservation Act 2016	Number of development applications assessed and professional advice provided Identify three priority Council owned sites for assessment as biodiversity stewardship sites	Manager Environmental Officers/ Sustainability Strategy Officer	15 DAs assigned and assessed in January 2019. Consultant engaged to assess the suitability of various Council owned parcels of land as stewardship sites. Report finalised in February 2019. Project complete.	


Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
2.3 3.3 5.2	Contribute to the development of Bathurst as a Smart City	<p>Ensure that Council activities are compliant with the requirements of the Biodiversity Conservation Act 2016</p> <p>Ensure the assessment of development applications meets all of the requirements of SEPP55 and Council's Contaminated Land Policy</p> <p>Identify the optimum efficiency LED luminaries for the street lighting upgrade</p> <p>Identify the optimum technology for smart controls to be incorporated into LED street lighting upgrade</p> <p>Establish Bathurst as an EV charging destination</p>	<p>Formulate a workflow procedure to ensure that all Council activities are compliant with the requirements of the relevant legislation by February 2019</p> <p>Complete a pilot trial of LED street lights at identified trial sites by September 2018</p> <p>Complete upgrade of all standard P3, P4 and P5 street lights to LED luminaries.</p> <p>Install Tesla supercharger station by August 2018</p> <p>Identify and install CBD universal EV charge station sites</p> <p>Complete a feasibility study for the integration of</p>	Manager Environmental Officers/ Sustainability Strategy Officer	<p>Informal workflow currently in place. Further work required to formalise this process.</p> <p>Advice provided on numerous DA's during March. Discussions with land owners and potential purchasers also held during December.</p> <p>Main trial locations installed between July and September 2018. An additional trial location negotiated with Essential Energy and will be implemented in April 2019.</p> <p>Extensive liaison with Essential Energy ongoing. Proposal for locations of P3, P4 and P5 luminaires presented to Department Heads in late March 2019.</p> <p>Tesla supercharger installation was completed in March 2019 with official launch scheduled for April 2019.</p> <p>Potential CBD charge sites have been identified, assessed by an electrician and prioritised.</p> <p>Financial model for feasibility study complete.</p>	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019



Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
			electric vehicles in the Council fleet		Feasibility study presented to Department Heads in August 2018. First petrol hybrid electric vehicle ordered and received September 2018. Currently in daily use by Records section. Formal media launch conducted in February 2019.	
3.3 3.5 6.4 3.1	Meet Council's statutory reporting obligations under the Local Government Act 1993	Monitor the operational footprint of Council's operations and report on trends identified. Measure and collate the trends in environmental condition across the Local Government Area	Collate data and prepare the annual State of Environment Report by 30 November 2018	Manager Environment/ Sustainability Strategy Officer	Regional SoE was adopted by Council at its Ordinary meeting in November 2018. The report is published on Council's website. Data collection ongoing.	
6.4 5.4	Meet Council's obligations in the Food Regulation Partnership and the Food Act 2003	Conduct a program of inspections of food premises including home-based food premises and Bed & Breakfast establishments to ensure compliance with regulations	Conduct an inspection of all high and medium risk food premises by June 2019 Implement a risk based inspection program for B&B and home-based food premises Prepare and distribute educational material on food safety three times annually 95% of customer requests responded to within adopted corporate standards	Manager Environment/ Environmental Health Officers	16 food premises, and 0 temporary food premises, inspected in March. No B&B inspections in the month of March. Food safety newsletter prepared and distributed in December 2018. No food related complaints received in March 2019.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019




Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
6.4 5.4	Meet Council's obligations under the Public Health Act 2010 and associated regulations	Conduct a program of inspections of skin penetration premises, public swimming and spa pools and cooling towers	<p>Conduct an inspection of all skin penetration premises</p> <p>Conduct an inspection of all public swimming pools and spa pools</p> <p>Participate in training to determine Council's role in Legionella management and the inspection of cooling towers</p> <p>95% of customer requests responded to within adopted corporate standards</p>	Manager Environmental Health Officers	<p>No inspections conducted in March 2019.</p> <p>No inspections of public swimming pools completed in March 2019. All premises have now been inspected at least once, and reinspections conducted where necessary.</p> <p>Training attended on 7 November 2018.</p> <p>Letters sent to all system owners advising of the changes to the regulations in January.</p> <p>87.5% responded to within adopted service standards during March. All related to overgrown premises/vermin concerns.</p>	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019




Planning

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
1.5 2.1 3.3 4.6 5.5 6.4	Prepare relevant planning proposals to ensure Council's planning controls remain relevant and up to date.	Prepare draft LEP and DCP amendments.	Planning proposals referred to NSW Department of Planning & Environment for gazettal	Manager Strategic Planning	<ol style="list-style-type: none"> 1. House Keeping LEP Amendment – Planning propose drafted. Awaiting Gateway Determination from Department of Planning & Environment. 2. Moveable and Monumental Heritage LEP Amendment – Planning proposal being prepared. 3. Limekilns Road LEP and DCP Amendment – Adopted by Council. Gazetted. 4. Bathurst Regional Development Control Plan 2014 – Major Review – report presented to Council at July meeting to commence review. Signage and notification chapters being reviewed. 5. Bathurst Regional DCP 2014 – Housekeeping Amendment – Completed 31/8/18. 6. Community Participation Plan –public exhibition completed. 7. Health Services LEP Amendment in RE2 Private Recreation Zone – awaiting Gateway Determination from Department of Planning & Environment. 8. Bathurst Region DCP Amendment – Milltown Cemetery and Wattle Flat Mining Archaeological Sensitivity – public exhibition completed. 9. Bathurst Regional DCP 2014 – Vegetation SEPP update – proposed provisions on public exhibition. 	
1.5 2.1 3.3 4.6 5.5 6.4	Investigate relevant land use and planning issues of the Bathurst Region.	Prepare studies and plans. 1. Laffing Waters Master Plan. 2. Bathurst Integrated Transport Plan.	Draft studies/plans are prepared by 30 June 2020	Manager Strategic Planning	<ol style="list-style-type: none"> 1. Bathurst Region Open Space Strategy – draft Strategy being finalised. 2. Stewart/Durham Street Intersection investigations – Plan completed. Adopted by Council. 3. Laffing Waters Master Plan – Project underway. 	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
					<ol style="list-style-type: none"> 4. Bathurst City Traffic Study/Model (joint project with RMS) – Model completed with traffic options being modelled. 5. Aboriginal Cultural Heritage Assessment – 2nd circuit lands – Test excavation program underway. 6. European Archaeological Management Plan – 2nd circuit lands – completed. 7. Due diligence report for the Mount Panorama Boardwalk project completed. Consultation for Wahluu story completed. 8. Duramana Road Master Plan – Project underway. 9. Building Better Bathurst Advisory Service – Expressions of Interest called and being assessed. 10. 2018 Car Parking Survey – survey counts completed. 11. Alec Lamberton Park Consultation – completed. To be presented to Council. 	
4.1 4.6 6.4	Review and update Council's section 7.11 plans.	Review existing or prepare new s7.11 Plans.	Draft plans considered and adopted by Council	Manager Strategic Planning	<ol style="list-style-type: none"> 1. Stormwater drainage – draft study/plan being prepared. 2. Bathurst Region Open Space – valuations report received. Plan being reviewed. 	
1.1 1.2 1.5 4.6 5.5	Implement the Bathurst Regional Heritage Strategy 2014-2017.	Provide a Heritage Advisory Service. Provide heritage incentive funding programs to protect, maintain, enhance and promote the regions heritage assets.	Number of site visits undertaken by the heritage advisory service. Value of works generated from Council's incentive funds.	Manager Strategic Planning	<p>Total site visits since 1 July 2018 – 99. New Heritage Advisor appointed.</p> <ol style="list-style-type: none"> 1. 2018/19 Bathurst Region Local Heritage Fund - 59 projects have been offered funding. Applications for 2019/20 being called. 2. 2018/19 Bathurst Region Interpretation Fund – 11 projects have been offered funding. Applications for 2019/20 being called. 	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019



Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
					3. 2018/19 Bathurst CBD Main Street Improvement Fund – 14 projects have been offered funding. Applications for 2019/20 being called. 4. Bathurst Macquarie Medal Heritage Project/Scholarship – Applications for 2019/20 closed and being assessed.	
		Prepare and implement projects for the interpretation and display of cultural heritage and history information.	New interpretative / promotional information made available.	Manager Strategic Planning	Nominations for 2019 Pillars of Bathurst finalised and plaques being manufactured.	
		Prepare research/studies into the regions heritage values	Studies/plans considered and adopted by Council. Number of local heritage items included in the Local Environmental Plan.	Manager Strategic Planning	1. Bathurst Heritage Conservation Area Review – draft report finalised. To be exhibited at the end of April. 2. Archaeological Assessment – 128 Bentinck Street – Archaeologist appointed – draft report received for review by Council. 3. Building Conservation and Restoration Strategy for Headmasters Residence (former TAFE site) – final report received.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Development Assessment

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status									
1.5 4.1 4.6 6.4	Ensure the assessment of development and other applications, in accordance with planning instruments, development control plans and policies, occurs within appropriate timeframes.	Process all development applications within statutory time frames set out in the Environmental Planning and Assessment Act 1979.	To be at or below the state average for determination times of development applications	Manager Development Assessment	<table border="1"> <tr> <td>March 2019</td> <td>NSW State Average 2014-2015</td> <td>Bathurst Regional Council</td> </tr> <tr> <td>Average gross days taken to determine a DA</td> <td>71</td> <td>55.27</td> </tr> <tr> <td>Average nett days taken to determine a DA</td> <td>48</td> <td>39.04</td> </tr> </table>	March 2019	NSW State Average 2014-2015	Bathurst Regional Council	Average gross days taken to determine a DA	71	55.27	Average nett days taken to determine a DA	48	39.04	
March 2019	NSW State Average 2014-2015	Bathurst Regional Council													
Average gross days taken to determine a DA	71	55.27													
Average nett days taken to determine a DA	48	39.04													
			To be at or below the state average of determination times for complying development	Manager Development Assessment	<table border="1"> <tr> <td>March 2019</td> <td>NSW State Average 2014-2015</td> <td>Bathurst Regional Council</td> </tr> <tr> <td>Average days taken to determine a CDC</td> <td>22</td> <td>2.27</td> </tr> </table>	March 2019	NSW State Average 2014-2015	Bathurst Regional Council	Average days taken to determine a CDC	22	2.27				
March 2019	NSW State Average 2014-2015	Bathurst Regional Council													
Average days taken to determine a CDC	22	2.27													

Economic Development

Bathurst 2040 Objective reference	Delivery Program actions 2018-2022	Annual Operational Plan Projects / Tasks 2018/2019	Performance Measure	Responsible Officer	Action Year to Date	Status
2.1 2.2 2.3 2.4 2.6 4.1 4.5 5.5 6.3	Implementation of the Economic Development Strategy 2018-2022 and associated actions.	Nurture economic infrastructure development by supporting the development of the aerodrome, industrial precincts and telecommunications.	Seek funding for economic infrastructure projects.	Manager Economic Development	Mobile Black Spot Funding for Limekilns, Sunny Corner, Rock Forest, Sofala and Wattle Flat. EO submitted for Aerodrome under the Growing Local Economies Fund. Business Case underway. Business case submitted for Growing Local Economies Fund (Kelso Industrial Park).	
		Market-leading promotional campaigns and events through continued participation in Evocities, destination marketing, and maintenance of promotional assets.	Representation at all Evocities meetings. All 4 entrance billboards and signs updated. Bathurst Region website migrated to new destination site.	Manager Economic Development	Evocities Steering Committee and Operations Group meetings attended. Existing Welcome signs updated and 3 additional signs manufactured for Vale, O'Connell and Sofala Roads. Bathurst Region site deactivated and content moved to new destination site.	
		Support local business growth, partnerships and skill development through management of Councils business database (eNewsletters), business cluster groups, business management programs, business events and the ID platform.	12 eNewsletters issued. Manufacturing and technology cluster groups activated Run BizMonth, Gift Card and Business Leaders Lunch programs.	Manager Economic Development	All monthly eNewsletters sent. BBRF grant application successful to activate industry clusters. 2018 BizMonth campaign completed with sponsorship from Commonwealth Bank, Verto, CSU and Rydges. 2018 Drought Buster Gift card Promotion initiated.	

Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

		<p>Develop a Precinct Activation Program, support local start-up hubs and manage Council's relationship with the Business Chamber.</p> <p>Grow local employment, investment and attract new businesses</p> <p>Develop Bathurst into a Smart City. Support innovative practices from industry.</p>	<p>Program developed and adopted. Attendance at 75% of Business Chamber After-Hours events. Representation at all "Upstairs" board meetings and implementation of a marketing campaign for "Upstairs".</p> <p>Organise the Bathurst Jobs Expo with 40 stalls and minimum 1,500 attendees. Minimum of 60 new jobs loaded on Eyojobs each month. Develop relocation proposals, relocation materials and support the relocation of new businesses.</p> <p>Smart City Plan developed and adopted. Monthly Project Group meetings held. Seek funding and roll out Smart City priority projects.</p>	<p>Manager Economic Development</p> <p>Manager Economic Development</p> <p>Manager Economic Development</p>	<p>Chamber Business Expo attended 24 July. MOU signed with the Bathurst Business Chamber. Upstairs Board meetings attended and marketing campaign completed. Carillon Business Awards attended. Chamber Christmas Party hosted at Mount Panorama Pit Complex.</p> <p>Jobs Expo completed and confirmed sponsorship from TAFE NSW. 58 stalls & 2,250 attendees. 1519 jobs loaded to date. Qantas Pilot Training Academy submission unsuccessful.</p> <p>Smart City Plan development underway. Community consultation workshops completed. Monthly meetings held. Smart Cities Round 2 grant application unsuccessful. Sydney Smart City week attended.</p>	  
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Delivery Program 2018-2022 & Annual Operational Plan 2018/2019

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

The Quarterly Budget Review Statement (QBRs) is the mechanism whereby councillors and the community are informed of Council's financial position at the end of each quarter, allowing Council's progress and performance against the annual budget to be monitored.

Council's Responsible Accounting Officer is required to prepare and submit a Quarterly Budget Review Statement (QBRs) to the governing body of council in accordance with clause 203(1) of The Local Government (General) Regulation 2005.

The Local Government Code of Accounting Practice and Financial Reporting requires the QBRs to contain the following components:

	Page
1. Statement by Responsible Accounting Officer on Council's Financial Position	2
2. Recommended Budget Variations	3-4
3. Budget Review Income & Expenditure Statement (Consolidated)	5
4. Budget Review Capital Budget	6
5. Budget Review Cash and Investment Position	7
6. Budget Review Key Performance Indicators	8
7. Budget Review Contractors and Other Expenses	
Part A - Contractors List	9-10
Part B - Consultancies & Legal Expenses	11-13
8. Budget Review by Department in Funding Format	
Engineering Services Department	14
Corporate Services & Finance Department	15
Cultural & Community Services Department	16
Environmental, Planning & Building Services Department	17

In accordance with Council's charter at section 8 of the Act, Councillors need to have regard for long term and cumulative effects of their decisions, so it is therefore important to understand the impacts of any significant changes that are proposed, including anything that will impact Council's ability to achieve our objectives and goals.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

1. Statement by Responsible Accounting Officer on Council's Financial Position

The following statement is made in accordance with Clause 203(2) of the Local Government (General) Regulations 2005.

It is my opinion that the Quarterly Budget Review Statement for Bathurst Regional Council for the quarter ended 31/03/2019 indicates that Council's projected financial position at 30/06/2019 will be satisfactory at year end, having regard to the projected estimates of income and expenditure and the original budgeted income and expenditure.

Signed: _____
Aaron Jones
Responsible Accounting Officer

Date: ____ / ____ / ____

2. Recommended Budget Variations

Council has the opportunity to review and approve variances to the original budget for the year in the QBRS. Any changes to the budget must be approved by Council and councillors need to be aware by resolving to accept this QBRS they are approving the proposed changes.

The following budget variations are recommended:

Income	\$
Decrease Income - Mt Panorama - Grant received - defer to 2020	(46,010,075)
Decrease Income - Museums - Collections Facility Grant defer to 2020	(4,000,000)
Decrease Income - Land Development - transfer from Internal Reserve	(2,659,513)
Decrease Income - Museums - Collections Facility S7.11 defer to 2020	(1,000,000)
Decrease Income - FAG Colo Rd - Contribution income	(856,856)
Increase Income - Kelso Community Hub - Playground - S7.11 income	362,045
Decrease Income - Carparks - Grant - George St	(190,000)
Decrease Income - Footpath & Cycleways - Grant - Mitchell Hwy - Bradwardine to Sawpit Ck	(151,800)
Increase Income - Environment - Grant - Regional Capacity Building	125,000
Increase Income - Bus Shelter - Grant - Kelso Bus Interchange	120,000
Decrease Income - Carparks - Grant - Mountain Bike Club	(100,000)
Increase Income - Parks - Grant - Skate Park extension	99,000
Increase Income - Parks - Grant - Perthville Village Square - court replacement	97,059
Increase Income - Parks - Grant - Sportsground redevelopment	75,000
Increase Income - Parks - Grant - Netball Court restoration	63,412
Increase Income - Parks - Grant - Crown Land Management	54,424
Increase Income - Indoor Stadium - Grant	48,724
Increase Income - Parks - Contribution - Sportsground redevelopment	36,000
Increase Income - Parks - Grant - Cousins Park Exercise Equip	33,000
Increase Income - Parks - Grant - Hereford St Rugby - scoreboard replacement	24,073
Increase Income - Parks - Grant - Hereford St Rugby - lights replacement	24,073
Increase Income - Senior Citizens - transfer from Internal Reserve	11,000
Increase Income - Domestic Waste - Other Income	10,000
Increase Income - Parks - Grant - Trunkey Ck Shade Sail	10,000
Increase Income - Parks - Grant - Rehab Macquarie River Riparian Corridor	6,820
Increase Income - Parks - Grant - Machattie Park tables	5,000
Increase Income - Various < \$5,000	8,000
Decrease Income - Various < \$5,000	(5,500)
	(53,761,114)

Expenditure	\$
Decrease Expenditure - Mt Panorama - Roads - defer to 2020	(46,010,075)
Decrease Expenditure - Museums - Collections Facility defer to 2020	(5,000,000)
Decrease Expenditure - Land Development - Real Estate	(1,723,513)
Decrease Expenditure - Land Development - Roads	(936,000)
Decrease Expenditure - FAG Colo Rd - grant not received	(856,856)
Decrease Expenditure - Mt Panorama - Land Improvement	(392,648)
Increase Expenditure - Mt Panorama - Pit Straight Bridge refurbishment	392,648
Increase Expenditure - Kelso Community Hub - Structure - playground equipment	362,045
Decrease Expenditure - Carparks - Bulk Earthworks - George St	(190,000)
Decrease Expenditure - Footpath & Cycleways - Mitchell Hwy - Bradwardine to Sawpit Ck	(151,800)
Increase Expenditure - Environment - Regional Capacity Building	125,000
Increase Expenditure - Bus Shelter - Kelso Bus Interchange	120,000
Increase Expenditure - Parks - Building - Sportsground redevelopment	111,000
Decrease Expenditure - Carparks - Bulk Earthworks - Mountain Bike Club	(100,000)
Increase Expenditure - Parks - Structure - Skate Park extension	99,000
Increase Expenditure - Parks - Structure - Perthville Village Square - court replacement	97,059
Increase Expenditure - Parks - Structure - Netball Court restoration	63,412
Increase Expenditure - Parks - Crown Land Management	54,424
Increase Expenditure - Indoor Stadium - Building upgrade	48,724
Increase Expenditure - Parks - Land Improvement - Cousins Park Exercise Equip	33,000
Increase Expenditure - Parks - Land Improvement - Carrington Park	30,000
Decrease Expenditure - Stormwater Drainage - Eglinton Drainage improvements	(30,000)
Increase Expenditure - Parks - Structure - Hereford St Rugby - scoreboard replacement	24,073
Increase Expenditure - Parks - Structure - Hereford St Rugby - lights replacement	24,073
Decrease Expenditure - Events - Boomerang Bike Hire	(13,204)
Increase Expenditure - Senior Citizens building maintenance	11,000
Increase Expenditure - Domestic Waste - waste collection	10,000
Increase Expenditure - Parks - Structure - Trunkey Ck Shade Sail	10,000
Increase Expenditure - Councillors - Sec 356 additional votes	7,204
Increase Expenditure - Parks - Rehab Macquarie River Riparian Corridor	6,820

Increase Expenditure - Records - building maintenance	6,000
Decrease Expenditure - Councillors - CBD CCTV Sec356	(5,562)
Increase Expenditure - Other L & B - Land Improvements - CBD CCTV	5,562
Increase Expenditure - Parks - Structure - Machattie Park tables	5,000
Increase Expenditure - Various < \$5,000	8,000
Decrease Expenditure - Various < \$5,000	(5,500)
	<u>(53,761,114)</u>
Total	<u><u>0</u></u>

The above variations are referred to in the 'Budget Review Income & Expenditure Statement (Consolidated)', 'Budget Review Capital Budget' and 'Budget Review Cash and Investment Position' as recommended changes for Council. The anticipated effect of these variations is displayed in the projected year end results.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

3. Budget Review Income & Expenditure Statement (Consolidated)

\$'000	Original Budget 2018/2019	Approved Changes			Revised Budget	Recommended Changes for Council	Projected Year End Result	Actual YTD
		Carry Forwards	September Review	December Review				
Income from Continuing Operations								
Revenue:								
Rates & Annual Charges	45,127				45,127		45,127	33,544
User Charges & Fees	27,678		139	(262)	27,554		27,554	20,490
Interest & Investments Revenue	2,833				2,833		2,833	2,136
Other Revenue	4,722		1	150	4,873	10	4,883	3,203
Grants & Contributions provided for Operating Purposes	11,575		45	351	11,971	184	12,155	6,368
Grants & Contributions provided for Capital Purposes	33,009		1,444	(2,595)	31,858	(5,296)	26,562	10,705
Other Income:								
Net gains from the disposal of assets	28,451				28,451		28,451	912
Total Income from Continuing Operations	153,396	-	1,628	(2,356)	152,667	(5,103)	147,565	77,358
Expenses from Continuing Operations								
Employee Benefits & On-Costs	29,392		(18)	(85)	29,289	(5)	29,284	23,238
Borrowing Costs	1,400				1,400		1,400	887
Materials & Contractors	37,306	1,236	308	3,368	42,218	(91)	42,127	23,985
Depreciation & Amortisation	25,815				25,815		25,815	19,377
Other Expenses	11,176	20	(70)		11,126	5	11,131	8,549
Total Expenses from Continuing Operations	105,089	1,256	220	3,283	109,848	(92)	109,756	76,036
Net Operating Result from Continuing Operations	48,307	(1,256)	1,408	(5,639)	42,819	(5,011)	37,808	1,322
Net Operating Result Before Grants & Contributions Provided for Capital Purposes	15,297	(1,256)	(36)	(3,044)	10,961	285	11,247	(9,382)

Notes:

Original budget +/- approved budget changes in previous quarters = Revised Budget
 Revised Budget +/- recommended changes this quarter = Projected Year End Result

Interest on unexpended loans is not calculated until the end of financial year, as it is assumed that all loan funds will be used in the period in which they are taken out.

Salaries and wages capital oncost is not calculated until the end of financial year.

This section forms part of Bathurst Regional Council's Quarterly Budget Review Statement for the quarter ending 31/03/2019 and should be read in conjunction with the other sections in the QBR. Recommended changes in this section are listed in section 2. Recommended Budget Variations.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

4. Budget Review Capital Budget

	Original Budget 2018/2019	Approved Changes			Revised Budget	Recommended Changes for Council	Projected Year End Result	Actual YTD
		Carry Forwards	September Review	December Review				
Capital Expenditure								
Plant & Equipment	4,238	271			4,509		4,509	3,076
Office Equipment	354	200	18	(28)	544		544	51
Furniture & Fittings	117	96	17	40	270		270	201
Land	150		615		765		765	711
Land Under Roads	-				-		-	-
Land Improvements	4,090	643	(625)	(1,575)	2,533	(324)	2,209	613
Buildings	11,240	5,056	895	615	17,806	(4,840)	12,966	2,910
Structures	7,259	2,274	513	(4,300)	5,746	685	6,431	808
Roads, Bridges, Footpaths	23,695	40,554	9,381	(2,168)	71,462	(46,585)	24,877	15,899
Bulk Earthworks	375		1,757		2,132	(1,147)	985	953
Stormwater	2,130	67			2,197	(30)	2,167	1,298
Water Supply	7,770	9,762		388	17,920		17,920	1,639
Sewerage Network	2,972	4,592		(50)	7,514		7,514	791
Other Assets	307				307		307	170
Investment Property	-	959			959		959	266
Real Estate	18,043		(16,128)		1,915	(1,724)	191	165
Total Capital Expenditure	82,739	64,473	(3,557)	(7,078)	136,576	(53,965)	82,611	29,551
Funded by								
Loans	9,470				9,470		9,470	-
Asset Sales	1,650				1,650		1,650	891
Reserves - Internal	7,474	6,065	(57)	(27)	13,456	57	13,513	3,005
Reserves - External	7,808	11,877		(3,681)	16,003	(1,000)	15,003	3,113
Reserves - Loans	-	11,186	133	(1,200)	10,118	(57)	10,061	4,572
Grants & Contributions	27,706	34,359	2,955	(2,595)	62,425	(50,306)	12,119	3,950
Recurrent revenue	28,630	987	(6,588)	425	23,454	(2,659)	20,795	14,020
Other	-				-		-	-
Total	82,739	64,473	(3,557)	(7,078)	136,576	(53,965)	82,611	29,551

Note:

Loans are not drawn down until close to the end of the financial year, in anticipation that interest rates will fall.

Salaries and wages capital oncost is not calculated until the end of financial year.

Original budget +/- approved budget changes in previous quarters = Revised Budget
Revised Budget +/- recommended changes this quarter = Projected Year End Result

This section forms part of Bathurst Regional Council's Quarterly Budget Review Statement for the quarter ending 31/03/2019 and should be read in conjunction with the other sections in the QBRs. Recommended changes in this section are listed in section 2 of the QBRs Recommended Budget Variations.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

5. Budget Review Cash and Investments Position

\$'000	Original Budget 2018/2019	Approved Changes			Revised Budget	Recommended Changes for Council	Projected Year End Result	Actual YTD
		Carry Forwards	September Review	December Review				
External Restrictions - Included in Liabilities								
Specific Purpose Unexpended Loans - General Fund (1)	781		(76)	600	1,306		1,306	2,209
Specific Purpose Unexpended Loans - Water Fund (1)	793				793		793	4,793
External Restrictions - Included in Liabilities	1,574	-	(76)	600	2,098	-	2,098	7,002
External Restrictions								
<i>General Fund</i>								
Developer Contributions - General (2)	9,742	(608)	3,923	405	13,462	638	14,100	11,631
Specific Purpose Unexpended Grants (3)	3,162		(6)	(727)	2,430		2,430	2,280
<i>Water Fund</i>								
Developer Contributions - Water (2)	5,726				5,726		5,726	4,587
Specific Purpose Unexpended Grants - Water (3)	7				7		7	7
Water Supplies - Reserves (4)	8,783		14	(350)	8,447		8,447	8,426
<i>Sewer Funds</i>								
Developer Contributions - Sewer (2)	17,819	(2,277)			15,543		15,543	12,773
Specific Purpose Unexpended Grants - Sewer (3)	-				-		-	-
Sewerage Services - Reserves (4)	14,600		57	(300)	14,357	(57)	14,300	11,669
<i>Domestic Waste Management</i>								
Specific Purpose Unexpended Grants - Waste (3)	3				3		3	3
Domestic Waste Management - Reserves (4)	4,923				4,923		4,923	1,785
External Restrictions	64,766	(2,884)	3,988	(972)	64,898	581	65,479	53,161
Total Externally Restricted	66,340	(2,884)	3,913	(372)	66,997	581	67,578	60,163
Internal Restrictions - Waste Services								
Waste Services - Reserves	3,456				3,456	-	3,456	3,274
Waste Services - Internal Restrictions	14,155				14,155	-	14,155	12,691
Internal Restrictions - Waste Services	17,610	-	-	-	17,610	-	17,610	15,965
Internal Restrictions - Ordinary Services								
Corporate Services & Finance	320			(32)	288	(11)	277	443
Cultural & Community Services	831				831	-	831	1,056
Engineering Services	2,096				2,096	-	2,096	1,236
Environmental, Planning & Building Services	50			112	162		162	90
Internal Restrictions - Ordinary Services	3,297	-	-	80	3,377	(11)	3,366	2,825
Total Internally Restricted	20,907	-	-	80	20,987	(11)	20,976	18,791
Total Restricted	87,247	(2,884)	3,913	(292)	87,984	570	88,554	78,954
Total Cash and Investments	87,957	(2,884)	3,913	(292)	88,694	570	89,264	79,304
Available Cash	710	-	-	-	710	-	710	350

Investments

All funds have been invested in accordance with Council's investment policies, the Minister's Order dated 12th January 2011, the Local Government Act 1993, and associated regulations.

Cash

This Cash at Bank amount has been reconciled to Council's physical Bank Statements. The date of completion of this bank reconciliation is 31/03/2019. "Cash" includes cash and funds held in Cash on Call accounts.

Reconciliation of Cash & Investments

The below reconciliation displays how the above mentioned funds are held and invested:

Cash	5,524
Short Term -Term Deposits	37,500
Long Term -Term Deposits	14,130
Tradeable Certificates of Deposits	4,000
Floating Rate Notes	18,150
Total Cash and Investments	79,304

Notes:

The **Available Cash** position excludes restricted funds. External restrictions are funds that must be spent for a specific purpose and cannot be used by council for general operations. Internal restrictions are funds that council has determined will be used for a specific future purpose.

- (1) Loans money must be applied for the purpose for which the loans were raised.
- (2) Development contributions which are not yet expended for the provision of services and amenities in accordance with contribution plans.
- (3) Grants which are not yet expended for the purpose for which the grants were obtained.
- (4) Water, Sewer & Domestic Waste Management are externally restricted assets and must be applied for the purpose for which they were raised.

Original budget +/- approved budget changes in previous quarters = Revised Budget
 Revised Budget +/- recommended changes this quarter = Projected Year End Result

This section forms part of Bathurst Regional Council's Quarterly Budget Review Statement for the quarter ending 31/03/2019 and should be read in conjunction with the other sections in the QBRs. Recommended changes in this section are listed in section 2 of the QBRs Recommended Budget Variations.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

6. Budget Review Key Performance Indicators

	September		December		March		June		Prior Years		
	Amounts	Indicator	Amounts	Indicator	Amounts	Indicator	Amounts	Indicator	2018	2017	2016
1. Building & Infrastructure Renewal Ratio											
Asset Renewal [Building & Infrastructure]	2,799	43.33%	4,075	31.56%	6,138	31.68%			44.18%	60.16%	47.65%
Depreciation, Amortisation & Impairment (Building & Infrastructure Assets)	6,459		12,913		19,377						

This section is still under development, with more KPI ratio's to be added.

Notes:

Capitalisation of Interest on unexpended loans is not calculated until the end of financial year, as it is assumed that all loan funds will be used in the period in which they are taken out.

This section forms part of Bathurst Regional Council's Quarterly Budget Review Statement for the quarter ending 31/03/2019 and should be read in conjunction with the other sections in the QBRs. Recommended changes in this section are listed in section 2 of the QBRs Recommended Budget Variations.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

7. Budget Review Contractors and Other Expenses Part A - Contractors Listing

Date	Order Number	Company	Contract details	Amount \$	Total Amount \$	Explanation (If not Budgeted)
9/01/2019	125763	WesTrac Equipment Pty Ltd	Supply Caterpillar 140M Grader	497,200.00	497,200.00	
8/01/2019	125638	Colas NSW Pty Ltd	Seal Hobbys Yards Rd	28,238.49	617,232.15	
		Colas NSW Pty Ltd	Seal Patch On Goulburn Rd	5,686.73		
		Colas NSW Pty Ltd	Seal Hobbys Yards Rd	181,950.29		
		Colas NSW Pty Ltd	Seal Hobbys Yards Rd	249,273.64		
		Colas NSW Pty Ltd	Reseal Evernden Ln, Cow Flat Rd, Freemantle Rd	152,083.00		
11/01/2019	125856	ESEM Projects	Design And Installation Of Illumination For Bathurst Winter Festival	220,000.00	220,000.00	
11/01/2019	125855	Ice Rinks Australia Pty Ltd	Hire Of Ice Rink For Bathurst Winter Festival	186,285.00	186,285.00	
17/01/2019	126059	CAMS Limited	Permit Fee For 2019 Liqui Moly Bathurst 12 Hour	59,055.00	59,055.00	
18/01/2019	126126	Omega Chemicals	Liquid Alum 450 Tonnes	94,050.00	94,050.00	
23/01/2019	126279	CAMS Limited	2019 Track Licence Fee - Mt Panorama	50,600.00	50,600.00	
23/01/2019	126260	Parkland Planners	Bathurst 2040 Open Space Strategy	54,083.29	54,083.29	
29/01/2019	126456	Tuff Turf 'n' Co Pty Ltd	Replacement Of Synthetic Turf John Matthews Tennis Centre	64,234.28	64,234.28	
31/01/2019	126583	Freeman Ryan Design	Railway Museum Variation 01: Sponsorship Artwork	990.00	52,272.00	
			Railway Museum Variation 02: Chifley Gallery	13,035.00		
			Railway Museum Variation 03: Retain Design To Date	4,125.00		
			Railway Museum Variation 04: Additional Seating-Children's Area	2,970.00		
			Railway Museum Variation 05: Additional Seating-Layout Gallery	5,940.00		
			Railway Museum Variation 06: Refreshment Room Graphic	3,300.00		
			Railway Museum Variation 07: Graphics In Bathrooms	11,165.00		
			Railway Museum Variation 09: Additional People Of Significance Gr	7,821.00		
			Railway Museum Variation 10: Graphic For Pram Parking	2,926.00		
5/02/2019	126687	Colas NSW Pty Ltd	Reseal Sunny Corner Road 0 - 2 Km	104,255.64	104,255.64	
6/02/2019	126771	Forestry Corporation	3rd Instalment For The Upgrade Of Colo Road	330,000.00	330,000.00	
7/02/2019	126847	Andrew Smith Timber Creations Pty Ltd	Supply, Delivery & Install Bespoke Timber Play Equipment KCH	132,000.00	132,000.00	
7/02/2019	126826	Interflow Pty Ltd	Reining Of Dn150 Sewer Main Approx. 580M Howick S	81,500.00	81,500.00	
8/02/2019	126853	AVESCO Events Unit Trust	Payments under contract	141,762.50	141,762.50	
13/02/2019	127073	Department of Primary Industries - Water	Annual Water Usage And Charge - Water Licence80A1	65,640.90	65,640.90	
13/02/2019	127078	Central Tablelands Fire Service Pty Ltd	Hydrant Maintenance For 2018-2019	80,000.00	80,000.00	
14/02/2019	127178	Ben Chifley Catchment Steering	Ongoing Works For Chifley Dam Catchment	67,000.00	67,000.00	
19/02/2019	127349	Tract Consultants Pty Ltd	Laffing Waters Development Master Plan	50,273.30	50,273.30	
19/02/2019	127351	WesTrac Equipment Pty Ltd	Caterpillar 305E2 Excavator	92,400.00	93,000.00	
		WesTrac Equipment Pty Ltd	Registration Charges	600.00		
20/02/2019	127432	Civica Pty Ltd	Authority Licence Fee - 1/03/2018 To 28/02/2019.	200,809.54	200,809.54	
20/02/2019	127447	WesTrac Equipment Pty Ltd	Caterpillar Backhoe	190,850.00	191,350.00	
		WesTrac Equipment Pty Ltd	Registration Cost	500.00		
26/02/2019	127635	Avesco - Bathurst 12 Hour	Payments under contract	110,000.00	110,000.00	
28/02/2019	127807	Audit Office of NSW	Audit Of BRC For Year Ending 30 June 2019	81,950.00	81,950.00	
5/03/2019	127940	Omega Chemicals	Liquid Alum 450 Tonnes	92,250.00	92,250.00	
5/03/2019	127991	Redox Chemicals Pty Ltd	Liquid Caustic Soda 25%	105,000.00	105,000.00	
5/03/2019	127998	Avesco - Bathurst 12 Hour	2019 Bathurst 12 Hour Camping Sales Revenue	192,974.00	192,974.00	
6/03/2019	128039	Penrith Rugby League Club Ltd	Payments under contract	82,500.00	82,500.00	

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

7. Budget Review Contractors and Other Expenses Part A - Contractors Listing

Date	Order Number	Company	Contract details	Amount \$	Total Amount \$	Explanation (if not Budgeted)
6/03/2019	128042	StateCover Mutual Limited	Workers Compensation Premium - 18/19 Third Instalment	238,297.46	238,297.46	
7/03/2019	128075	Freeman Ryan Design	Mar 2019 Progress Payment For Bathurst Rail Museum Content	68,723.60	68,723.60	
11/03/2019	128270	Holicim (Australia) Pty Ltd	Supply Concrete To Roundabout At Intersection George & Howick St	93,500.00	93,500.00	
11/03/2019	128272	Extent Heritage P/L	Stage 2 (Aboriginal Test Excavation) and finalise ACHA for 2nd circuit	400,000.00	400,000.00	
12/03/2019	128358	RA Jennings	Proctor Park fields - paying Subcontractor On Behalf Of Contractor	51,926.60	51,926.60	
19/03/2019	128657	Spanline	Design, Supply And Install covered walkway at Kelso Bus Interchange	74,720.00	74,720.00	
20/03/2019	128738	Colas NSW Pty Ltd	Reseal Various Urban Roads In February 2019	238,159.23	238,159.23	
22/03/2019	128851	ID Consulting Pty Ltd	2019 Annual Subscription Fee For The Id Platform	57,200.00	57,200.00	
22/03/2019	128822	Extent Heritage P/L	Engage Registered Aboriginal Parties For 2nd circuit ACHA	65,472.00	65,472.00	
27/03/2019	129014	Dunbar Hire Pty Ltd t/as Dunbar Scaffold Hire	Bathurst NRL 2019 - Scaffold Decking	59,400.00	59,400.00	
28/03/2019	129101	Mott Macdonald Australia Pty Ltd	Bathurst Water Network Masterplan (Hydraulic Modelling)	75,000.00	75,000.00	
					5,519,676	

Notes:

1. Minimum reporting level is 1% of estimated income from continuing operations or \$50,000, whichever is the lesser.
2. Contractors to be listed are those entered into during the quarter.
3. Contracts for employment are not required to be included.
4. Where a contract for a service etc. was not included in the budget, an explanation is to be given.
5. Above amounts are GST inclusive (where applicable).

This section forms part of Bathurst Regional Council's Quarterly Budget Review Statement for the quarter ending 31/03/2019 and should be read in conjunction with the other sections in the QBRs.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

7. Budget Review Contractors and Other Expenses Part B - Consultancy and Legal Expenses

Expense	Budgeted \$	Expenditure YTD \$
Consultancies	5,415,128	2,772,852
Engineering	4,463,048	2,091,234
Mt Panorama Second Track Design		1,179,165
Aboriginal Heritage Study Mt Panorama		445,981
Design of Centennial Park Upgrade		69,323
Mt Panorama Second Track Other Consultants		56,392
Hereford St Fields 5 & 6		43,536
Perthville Land Concept Study		38,772
Drinking Water Management System		31,503
Bathurst Skate Park design		26,000
Aerodrome PFAS Investigation		24,893
Water - IWCM Implementation		24,438
Water Best Practice Guidelines Maintenance		22,500
Aerodrome Other Consultancies		20,673
Water Best Practice Guidelines Compliance		17,320
Adventure Playground		16,240
Go Kart Track		11,640
Vegetation Management Plan for Parks		11,451
Chifley Dam Maintenance		10,850
Alec Lamberton Field Masterplan		10,395
Works Depot PFAS Investigation		9,169
Flying Fox Management		8,646
Other minor consultancies costs (Pool of cost under \$5,000)		12,349
Corporate Services and Finance	278,300	139,976
Former Headmasters Residence		37,770
Community Survey		25,420
B2B		25,000
HR Employee Assistance Program		10,900
Asbestos Management Plan		8,900
GM performance review		6,486
Popularly Elected Mayor survey		6,150
IT Consultants - Domino support		5,000
Other minor consultancies costs (Pool of cost under \$5,000)		14,350
Cultural & Community Services	122,900	68,103
Railway Museum		23,236
BMEC Masterplan		10,375
ISOS Strategic Review		10,000
Cultural Strategic Plan		8,000
AFMM Strategic Plan		5,000
Other minor consultancies costs (Pool of cost under \$5,000)		11,492
Development and Environmental Services	550,880	473,538
Master Plan for Laffing Waters Lane		174,960
Stormwater Mgt Sec 7.11 Plans		83,796
Ordinary Meeting		

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

7. Budget Review Contractors and Other Expenses Part B - Consultancy and Legal Expenses

Expense	Budgeted \$	Expenditure YTD \$
Bathurst Open Space Study		49,167
Master Plan for Duramana Road Development		46,134
Heritage Advisory Grant		41,331
BizMonth		10,770
State of Environment Reports		10,570
Environmental Energy Audits		8,866
Plan for upgrade Stewart/Durham St intersection		8,727
Civica Online Certificates		6,638
New Animal Pound - architect		6,400
Other minor consultancies costs (Pool of cost under \$5,000)		26,179

Explanation - Actual expenditure for the year is in line with Budget overall.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

7. Budget Review Contractors and Other Expenses Part B - Consultancy and Legal Expenses

Expense	Budgeted \$	Expenditure YTD \$
External Legal Fees	291,300	254,780
Engineering	65,300	60,402
Property Acquisition for Roads		41,151
Sewer Services - easements		5,775
Other minor legal costs (Pool of cost under \$5,000)		13,476
Corporate Services and Finance	194,000	171,841
Debt collection services		62,896
Other Land & Building lease preparation expenses		56,006
Corporate Services - General Legal Expenses		31,445
Legal costs - Sewer/Water rating		4,892
Standards Australia Copyright Fees		9,168
Other minor legal costs (Pool of cost under \$5,000)		7,435
Cultural & Community Services	1,000	703
Other minor legal costs (Pool of cost under \$5,000)		703
Development and Environmental Services	31,000	21,835
Legal costs - DA		19,905
Other minor legal costs (Pool of cost under \$5,000)		1,930

Explanation - Actual expenditure for the year is in line with Budget.

Notes:

Definition of consultant:

A consultant is a person or organisation engaged under contract on a temporary basis to provide recommendations or high level specialist or professional advice to assist decision-making by management. Generally it is the advisory nature of the work that differentiates a consultant from other contractors.

This section forms part of Bathurst Regional Council's Quarterly Budget Review Statement for the quarter ending 31/03/2019 and should be read in conjunction with the other sections in the QBRS.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

8. Budget Review by Department in Funding Format

	2018/19 Original Budget	2018/19 Revised Budget	Mar YTD Actuals
Engineering			
Engineering Works			
Income	(21,640,958)	(26,541,747)	(10,717,618)
Expenditure	28,071,220	32,940,646	18,689,828
Engineering Works	6,430,262	6,398,899	7,972,210
Recreation			
Income	(7,292,662)	(6,840,436)	(3,202,505)
Expenditure	15,169,318	14,797,092	8,432,889
Recreation	7,876,656	7,956,656	5,230,384
Technical Services			
Income	(2,707,885)	(3,795,924)	(2,560,496)
Expenditure	3,488,037	4,571,976	4,073,187
Technical Services	780,152	776,052	1,512,690
Water			
Income	(25,167,200)	(36,090,060)	(19,940,965)
Expenditure	24,922,642	35,845,502	19,697,148
Water	(244,558)	(244,558)	(243,817)
Wastewater			
Income	(15,288,636)	(21,764,294)	(11,888,162)
Expenditure	15,049,236	21,524,894	11,648,068
Wastewater	(239,400)	(239,400)	(240,093)
Waste Management			
Income	(13,991,384)	(14,048,274)	(10,585,159)
Expenditure	13,991,383	14,048,273	10,581,617
Waste Management	(1)	(1)	(3,541)
Engineering Office			
Income	(2,802,083)	(2,802,083)	(1,917,738)
Expenditure	5,029,231	5,029,231	3,382,005
Engineering Office	2,227,148	2,227,148	1,464,267
Mount Panorama			
Income	(20,683,016)	(10,192,140)	(2,450,808)
Expenditure	21,900,554	11,409,678	5,746,352
Mount Panorama	1,217,538	1,217,538	3,295,544
Total Engineering	18,047,797	18,092,334	18,987,643

Notes:

1. Section 8 is in funding format, which includes capital expenditure & all sources of funds.
2. Section 8 does not include depreciation expense.
3. Section 8 includes internal transactions.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

8. Budget Review by Department in Funding Format

	2018/19 Original Budget	2018/19 Revised Budget	Mar YTD Actuals
Corporate Services and Finance			
Governance			
Income	(13,500)	(13,500)	0
Expenditure	926,169	927,811	712,528
Governance	912,669	914,311	712,528
Administration			
Income	(12,088,417)	(12,914,686)	(11,453,101)
Expenditure	17,539,123	18,272,551	12,247,167
Administration	5,450,706	5,357,865	794,065
Contribution to Other Organisations			
Income	(502,618)	(502,618)	(444,947)
Expenditure	1,602,411	1,602,411	1,010,357
Contribution to Other Organisations	1,099,793	1,099,793	565,410
Land & Buildings			
Income	(58,586,780)	(57,788,666)	(3,263,092)
Expenditure	53,598,290	52,716,238	16,109,563
Land & Buildings	(4,988,490)	(5,072,428)	12,846,472
Funding Operations			
Income	(42,690,870)	(42,632,370)	(23,538,927)
Expenditure	11,155,819	11,155,819	390,815
Funding Operations	(31,535,051)	(31,476,551)	(23,148,112)
Total Corporate Services and Finance	(29,060,373)	(29,177,010)	(8,229,636)

Notes:

1. Section 8 is in funding format, which includes capital expenditure & all sources of funds.
2. Section 8 does not include depreciation expense.
3. Section 8 includes internal transactions.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

8. Budget Review by Department in Funding Format

	2018/19 Original Budget	2018/19 Revised Budget	Mar YTD Actuals
Cultural & Community Services			
Community & Children Services			
Income	(4,717,762)	(5,338,187)	(2,731,334)
Expenditure	5,233,318	5,853,743	3,084,679
Community & Children Services	515,556	515,556	353,345
Cultural & Community Services Office			
Income	(37,200)	(37,200)	(33,560)
Expenditure	1,012,410	1,012,410	500,962
Cultural & Community Services Office	975,210	975,210	467,402
Library Services			
Income	(172,500)	(172,500)	(147,961)
Expenditure	1,738,923	1,738,923	1,184,607
Library Services	1,566,423	1,566,423	1,036,646
Tourism			
Income	(317,898)	(289,998)	(214,831)
Expenditure	1,108,641	1,106,341	879,994
Tourism	790,743	816,343	665,162
Art Galleries			
Income	(210,000)	(322,917)	(173,827)
Expenditure	1,229,448	1,342,365	910,719
Art Galleries	1,019,448	1,019,448	736,892
Entertainment Centres			
Income	(1,201,700)	(1,220,200)	(783,595)
Expenditure	2,320,891	2,339,391	1,946,643
Entertainment Centres	1,119,191	1,119,191	1,163,048
Museums			
Income	(10,115,812)	(5,907,824)	(1,935,250)
Expenditure	11,189,442	6,981,454	2,749,948
Museums	1,073,630	1,073,630	814,698
Destination Management			
Income	(27,772)	(27,772)	(16,364)
Expenditure	211,418	211,418	86,142
Destination Management	183,646	183,646	69,779
Total Cultural & Community Services	7,243,847	7,269,447	5,306,972

Notes:

1. Section 8 is in funding format, which includes capital expenditure & all sources of funds.
2. Section 8 does not include depreciation expense.
3. Section 8 includes internal transactions.

Bathurst Regional Council

Budget review for the quarter ended - 31 March 2019

8. Budget Review by Department in Funding Format

	2018/19 Original Budget	2018/19 Revised Budget	Mar YTD Actuals
Development and Environmental Services			
Environmental Services			
Income	(1,561,126)	(4,362,061)	(1,295,847)
Expenditure	2,732,038	5,530,473	1,654,358
Environmental Services	1,170,912	1,168,412	358,511
Planning Services			
Income	(413,298)	(575,613)	(297,615)
Expenditure	2,041,849	2,201,664	1,229,630
Planning Services	1,628,551	1,626,051	932,015
Building Services			
Income	(1,467,932)	(1,467,932)	(937,246)
Expenditure	1,823,037	1,823,037	1,309,347
Building Services	355,105	355,105	372,101
Economic Development			
Income	(121,337)	(274,377)	(230,577)
Expenditure	694,610	899,150	704,517
Economic Development	573,273	624,773	473,940
Total Development and Environmental Services	3,727,841	3,774,341	2,136,567
Grand Total	(40,888)	(40,888)	18,201,546

Notes:

1. Section 8 is in funding format, which includes capital expenditure & all sources of funds.
2. Section 8 does not include depreciation expense.
3. Section 8 includes internal transactions.

2018-2019 Section 356 Donations
Report as at 31 March 2019

Details	Reference	Date	Standard Annual Donations \$	Specific Donations \$	Sundry Donations \$	Mt Pan Fee Waived \$	BMEC Donations \$	TOTAL \$
Annual Budget			64,520.00	53,416.00	27,058.28	41,333.00	62,053.82	248,381.10
Spent to date:								
Bathurst City Community Club	DCS&F 18/07/18 Item 5b	25/07/2018			-3,654.13			-3,654.13
City Colts Water Account	Operation Plan	25/07/2018	-4,717.85					-4,717.85
Bathurst Arts Council - Annual Youth Arts Awards	DCS&F 18/07/18 Item 5c	31/07/2018			-1,000.00			-1,000.00
National Cool Climate Wine Show - 20th Anniversary	DCS&F 18/07/18 Item 5d	31/07/2018			-1,500.00			-1,500.00
Central Tablelands Woodcraft	DCS&F 18/07/18 Item 5e	31/07/2018			-700.00			-700.00
Monkey Hill UHF Repeater	Operation Plan	31/07/2018	-800.00					-800.00
2BS Junior Sports Awards	Operation Plan	31/07/2018	-5,000.00					-5,000.00
Macquarie Philharmonia - Platinum Donation	Operation Plan	31/07/2018	-2,500.00					-2,500.00
Sofala & District AH&P Association	Operation Plan	31/07/2018	-350.00					-350.00
Sofala Progress Association	Operation Plan	31/07/2018	-2,500.00					-2,500.00
Bathurst Information and Neighbourhood Centre	Operation Plan	31/07/2018	-800.00					-800.00
Bathurst City & RSL Band Association Inc	Operation Plan	31/07/2018	-5,000.00					-5,000.00
3rd Bathurst (All Saints Cathedral) Scout Group	Operation Plan	31/07/2018		-490.00				-490.00
Central Tablelands Woodcraft	Operation Plan	31/07/2018		-500.00				-500.00
Bathurst Seymour Centre Inc	Operation Plan	31/07/2018		-3,500.00				-3,500.00
Miss Trail's House & Garden	Operation Plan	31/07/2018		-1,250.00				-1,250.00
Hill End & Tambaroora Gathering Group	Operation Plan	31/07/2018		-400.00				-400.00
Bathurst City Mens Bowling Club - Carillon Fours	Operation Plan	31/07/2018		-2,500.00				-2,500.00
Evans Arts Council	Operation Plan	31/07/2018		-1,200.00				-1,200.00
Bathurst Refugee Support Group Inc	Operation Plan	31/07/2018		-3,000.00				-3,000.00
Quota International of Bathurst - QuoCKa reading	Operation Plan	31/07/2018		-1,000.00				-1,000.00
Peel Residents Association Incorporated	Operation Plan	31/07/2018		-2,606.00				-2,606.00
Bathurst Edgell Jog	Operation Plan	31/07/2018		-13,000.00				-13,000.00
Kelso High School - Crimson Royale album launch	S356 Policy	31/07/2018					-359.27	-359.27
Blayney High School - SLSO Conference - Making a Difference	S356 Policy	28/08/2018					-495.09	-495.09
Kelso High School - Future Directions forum	S356 Policy	28/08/2018					-574.91	-574.91
BMEC - CPSA July Meeting	Operation Plan	28/08/2018					-1,157.95	-1,157.95
BMEC - CPSA Aug Meeting	Operation Plan	28/08/2018					-1,065.68	-1,065.68
Camp Quality's Escarpade - Street Banner	DCS&F 16/05/18 Item 6	3/09/2018			-1,450.00			-1,450.00
Glenray Fundraising Ball	Operation Plan	14/09/2018					-70.18	-70.18
Home Modification Tip Fees	Operation Plan	14/09/2018	-216.00					-216.00
Sofala Progress Association - Rebellion on the Turon	Operation Plan	26/09/2018		-5,000.00				-5,000.00
CSU Parent Information Evening	Operation Plan	27/09/2018					-53.09	-53.09
Mitchell Conservatorium Winter Showcase	Operation Plan	27/09/2018					-1,473.07	-1,473.07
WRAS Annual Subscription/donation	Operation Plan	27/09/2018	-2,347.00					-2,347.00
Newtons Nation 2018 IDF World Cup	DCS&F 19/09/18 Item 6	30/09/2018				-12,717.27		-12,717.27
Home Modification Tip Fees	Operation Plan	18/10/2018	-122.91					-122.91
Nissan Datsun Drivers Club - Bathurst 2018 Rally	DCS&F 19/09/18 Item 8	18/10/2018			-2,000.00			-2,000.00
Panorama Motorcycle Club - camping application	DCS&F 17/10/18 Item 8	18/10/2018			-252.00			-252.00
Meadow Flat Public School - presentation night	S356 Policy	31/10/2018			-60.00			-60.00
Morgan Owners Club of Aust 60th Anniversary	Operation Plan	31/10/2018				-2,500.00		-2,500.00
Home Modification Tip Fees	Operation Plan	18/10/2018	-661.09					-661.09
Bathurst West Public School - presentation day	S356 Policy	14/11/2018			-60.00			-60.00
Bathurst Public School - mid year concert	S356 Policy	28/11/2018					-1,855.09	-1,855.09
Camp Quality's Escarpade - Mt Pan charges	DCS&F 16/05/18 Item 6	30/11/2018				-1,904.00		-1,904.00
Camp Quality's Escarpade - BMEC hire	DCS&F 16/05/18 Item 6	30/11/2018					-1,956.74	-1,956.74
Camp Quality's Escarpade - Street Banner charge	DCS&F 16/05/18 Item 6	30/11/2018			-622.00			-622.00
Rockley Public School - presentation day	S356 Policy	5/12/2018			-60.00			-60.00
Catholic Education Office - Youth Ministry Concert	S356 Policy	14/12/2018					-301.45	-301.45
The Scots School - Blue, Black & Gold ball	S356 Policy	14/12/2018					-301.45	-301.45
Mackillop College - presentation day	S356 Policy	14/12/2018					-301.45	-301.45
BMEC - Bathurst Eisteddfod 2018	Operation Plan	19/12/2018					-30,000.00	-30,000.00
BMEC - Bathurst Eisteddfod 2018 20% Community	S356 Policy	19/12/2018					-10,018.64	-10,018.64
Bathurst Remembers / AVAMS / Communications and Resources Project	Operation Plan	31/12/2018		-5,000.00				-5,000.00
BMEC - CPSA Oct Meeting	Operation Plan	31/12/2018					-1,011.82	-1,011.82
BMEC - CPSA Nov Meeting	Operation Plan	31/12/2018					-1,025.91	-1,025.91
BMEC - CPSA Dec Meeting	Operation Plan	31/12/2018					-1,068.18	-1,068.18
Carenne School Presentation Day	S356 Policy	31/12/2018					-186.18	-186.18
Bathurst Public School Presentation Day	S356 Policy	31/12/2018					-171.64	-171.64
Bathurst Small Schools Visual Arts Performance	S356 Policy	31/12/2018					-547.64	-547.64
Eglinton Country Fair Gold Sponsorship	DCS&F 12/12/18 Item 8	31/12/2018			-500.00			-500.00
City Colts Water Account	Operation Plan	30/01/2019	-1,782.15					-1,782.15
Eglinton District Tennis Club	Operation Plan	31/01/2019	-4,400.00					-4,400.00
Bathurst City Amateur Swimming Club	Operation Plan	31/01/2019	-3,490.00					-3,490.00
Bathurst Carillon Tennis Club	Operation Plan	31/01/2019	-4,800.00					-4,800.00
Bathurst Giants ARFC	Operation Plan	31/01/2019	-1,800.00					-1,800.00
Bathurst BMX Club	Operation Plan	31/01/2019	-2,500.00					-2,500.00
Bathurst Family Fun Day	DCS&F 6/2/19 Item 5	19/02/2019			-500.00			-500.00
Bathurst City Community Club	DCS&F 21/11/18 Item 4	28/02/2019			-13,408.28			-13,408.28
Sofala Progress Association - Rebellion on the Turon	DCS&F 21/11/18 Item 7	27/03/2019			-1,500.00			-1,500.00
Bathurst AH&P Association	Operation Plan	28/03/2019	-6,363.64					-6,363.64
CSU Foundation Trust	Operation Plan	31/03/2019	-5,000.00					-5,000.00
Amount Spent			-55,150.64	-39,446.00	-25,014.41	-19,373.27	-53,995.43	-192,979.75

2018-2019 Section 356 Donations
Report as at 31 March 2019

Details	Reference	Date	Standard Annual Donations \$	Specific Donations \$	Sundry Donations \$	Mt Pan Fee Waived \$	BMEC Donations \$	TOTAL \$
Available Balance before commitments			9,369.36	13,970.00	2,043.87	21,959.73	8,058.39	55,401.35
Committed:								
CSU Foundation Trust (Gordon Bullock Scholarship)	Operation Plan		-3,000.00					-3,000.00
Evans Arts Council	Operation Plan		-2,770.00					-2,770.00
Rotary Club of East Bathurst - RYDA	Operation Plan					-4,333.00		-4,333.00
Mitchell Conservatorium - BMEC Concerts	Operation Plan						-5,526.93	-5,526.93
BMEC - Bathurst Youth Council	Operation Plan						-2,000.00	-2,000.00
BMEC - CPSA Monthly Meetings	Operation Plan						-5,670.46	-5,670.46
Bathurst Street & Custom Motorcycle Show	Operation Plan			-13,970.00				-13,970.00
Bathurst AH&P Association	DCS&F 18/07/18 Item 5a				-1,244.00			-1,244.00
Bathurst Arts Council - Annual Youth Arts Concert	DCS&F 18/07/18 Item 5c						-1,500.00	-1,500.00
Newtons Nation 2019 (ASRA)	DCS&F 21/11/18 Item 5					-11,769.00		-11,769.00
EJ-EH Holden Nationals Display	DCS&F 21/11/18 Item 6				-2,500.00			-2,500.00
GRIP Leadership 2019 - Bathurst Primary School	DCS&F 21/11/18 Item 8						-331.60	-331.60
Amount Committed			-5,770.00	-13,970.00	-3,744.00	-16,102.00	-15,028.99	-54,614.99
Adjustment between Funds			-3,599.36		1,700.13	-5,857.73	7,756.96	
Available Balance			0.00	0.00	-0.00	-0.00	786.36	786.36

Summary Remaining Budget	\$
Standard Annual Donations	0.00
Specified Donations	0.00
Sundry Donations	-0.00
Mt Pan Fee Waived	-0.00
BMEC Donations	786.36
Total Remaining	786.36

Summary	\$
Total Budget	248,381.10
Less: Amount Spent	-192,979.75
Less: Amount Committed	-54,614.99
Total Remaining	786.36

Market Rental Subsidies for 2018/19

NAME OF TENANT	LOCATION	Current Rent PA	Estimated Market Rent	BRC Rental Subsidy
Mitchell Conservatorium	Machattie Park Cottage	446.68	16,120.00	15,673.32
Central Tablelands Woodcraft Inc.	Learmonth Park	544.00	15,000.00	14,456.00
Community Opportunity Shop Inc	8 Lions Club Drive	1,040.00	20,000.00	18,960.00
Community Opportunity Shop Inc	Veggie Patch Church Lane	1.00	15,000.00	14,999.00
Air Services Australia	Aerodrome - Communicatic	1.10	18,000.00	17,998.90
Taxi Cabs of Bathurst Co-operative Society L	Communication tower	1,215.62	18,000.00	16,784.38
Master Communications & Electronics Pty Lt	Communication tower	4,400.00	18,000.00	13,600.00
Bathurst City & RSL Band Association	Walmer Park	228.20	20,000.00	19,771.80
Bathurst Lions Club Inc.	Short St	1.10	15,000.00	14,998.90
Evans Arts Council Inc.	Lee Street	500.00	5,000.00	4,500.00
Bathurst District Historical Society Inc.	Mitre Street	1.00	10,000.00	9,999.00
Bathurst District Historical Society Inc.	Stanley Street	1.00	10,000.00	9,999.00
Bathurst Meals on Wheels Service Inc	4 Watt Drive	1.10	50,000.00	49,998.90
				<u>221,739.20</u>



NSW Police Force

Director Engineering Services
Darren STURGISS
Bathurst Regional Council
Russell Street Bathurst 2795

RE: White Ribbon Day, 22nd of November 2019

Dear Sir,

As previously discussed with you, Chifley PD are planning a White Ribbon event at Mt Panorama on the 22nd of November 2019.

Yesterday we spoke with Mark Rayner in preparation for the event. During this discussion, we planned to have the road closed for the event along Pit Straight, this would be managed by the Traffic Management team which is outsourced by Bathurst Regional Council. The closed area would be from Murry's Corner to Hell's Corner from approximately 10am to 2pm.

I understand that using this resource will cost money, and I'm seeking assistance from Council to cover this cost

Is this something that Bathurst Regional Council will be able to assist with to allow us to hold our event? At this time, I do not have any financial assistance, so without this the event would have to be revised.

Thankyou for your time, I do not have the estimated cost at this time as Mr Rayner stated it would be organised through the chain within the Council.

Kind Regards
Domestic Violence Liaison, Chifley Police District
Senior Constable HAERTSCH
13/03/2019

Chifley Domestic Violence Unit

139 Rankin Street Bathurst

T 02 63328699 F 02 63328610 W www.police.nsw.gov.au

TTY 02 9211 3776 for the hearing and speech impaired ABN 43 408 613 180

TRIPLE ZERO (000)

Emergency only

POLICE ASSISTANCE LINE (131 444)

For non emergencies

CRIME STOPPERS (1800 333 000)

Report crime anonymously

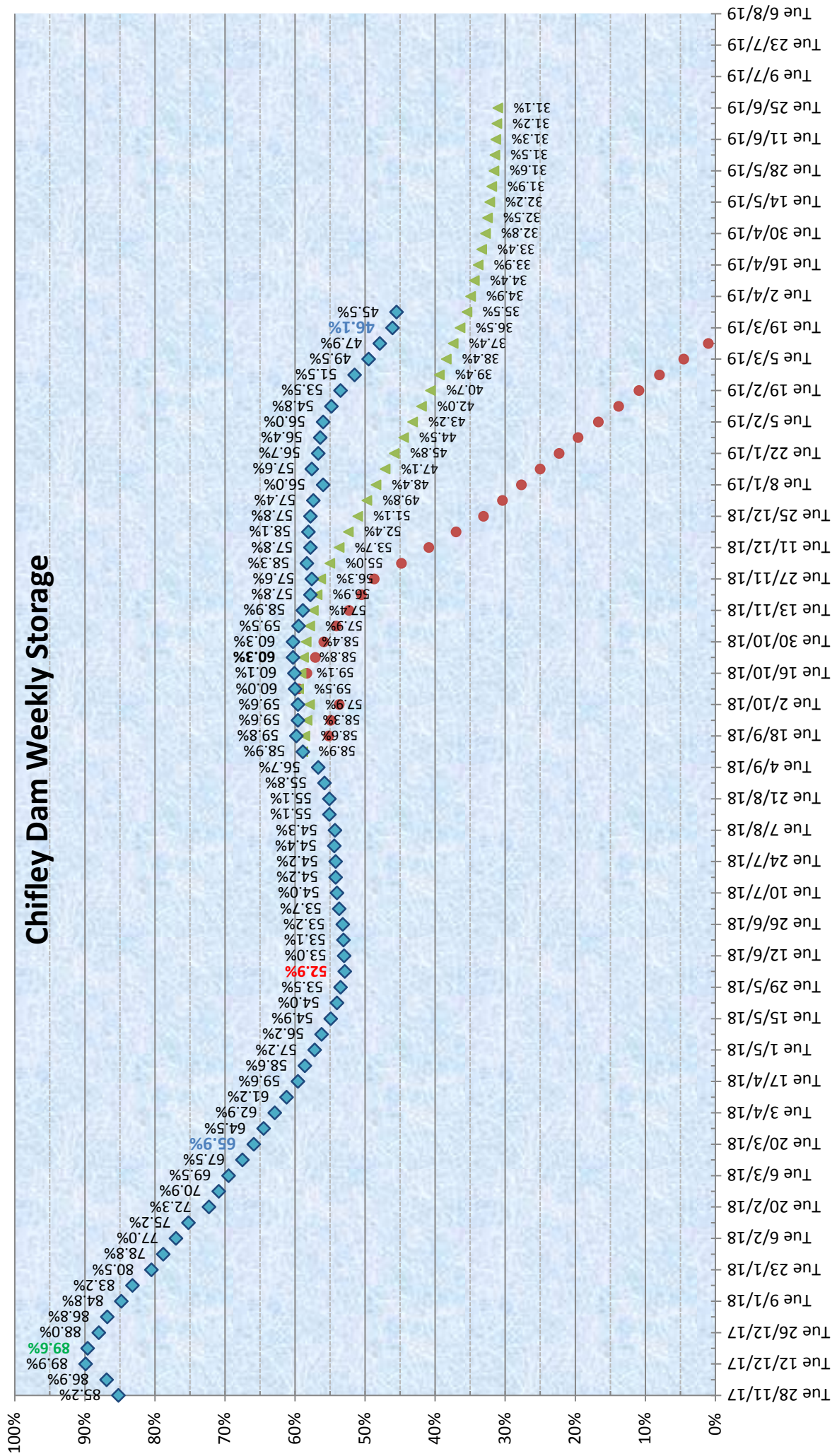
For Official Use Only

DIRECTOR ENGINEERING SERVICES' REPORT - ATTACHMENTS

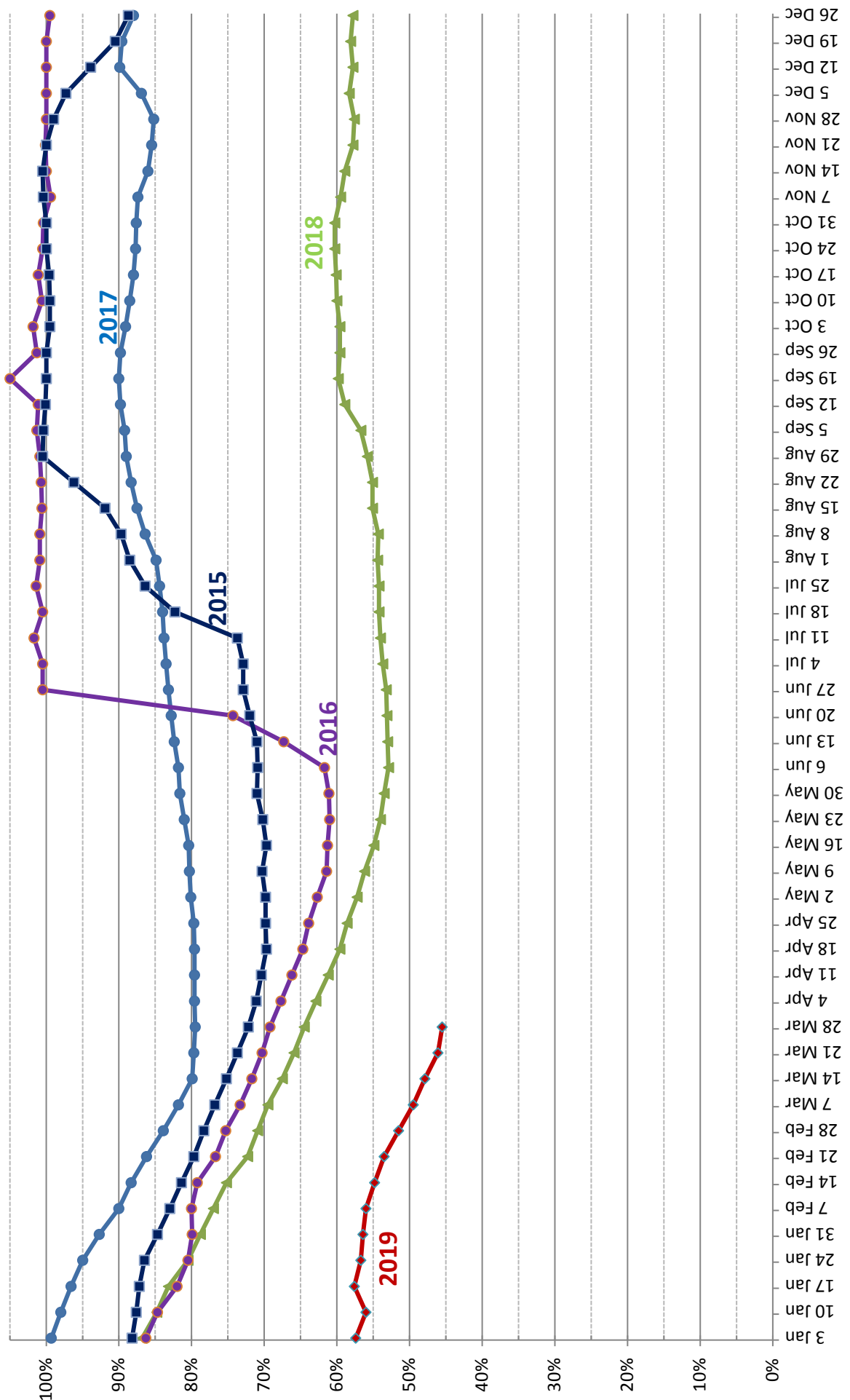
ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

Chifley Dam Weekly Storage



Chifley Dam - Yearly Comparison





Enforced Restriction Level: EXTREME		Drought Management Plan: In Effect (Chifley Dam Level): Chifley Dam Level to Lift Restriction:	Levels 4,5 29% - 16% 40%
<i>This restriction level will have a major impact on outdoor water use, with the potential loss of lawns and gardens in many cases. Non-residential users will need to meet the requirements of their Water Efficiency Plans.</i>			
Watering - Lawns	<ul style="list-style-type: none"> Not permitted 		
Watering - Gardens	<ul style="list-style-type: none"> Bucket and watering can only AND Watering on Wednesdays and Sundays only AND Water between 6pm–9pm only 		
Car Washing	<ul style="list-style-type: none"> Not permitted at home Washing of windscreens, lights, mirrors and number plates permitted at service stations Washing of cars permitted at registered car washes 		
Swimming Pools	<ul style="list-style-type: none"> Top up and filling not permitted 		
Garden Features & Child Pools	<ul style="list-style-type: none"> Top up and filling not permitted 		
Washing Hard Surfaces	<ul style="list-style-type: none"> Washing of outdoor hard surfaces such as driveways and footpaths not permitted except for health and safety purposes (washing only allowed in immediately affected area and with use of a high pressure/low volume water device) 		
Indoor Activities	<ul style="list-style-type: none"> Water wise actions required 4 minute showers OR 1 bath/person/day (150mm deep) Council does not actively enforce indoor water use restrictions, however residents must meet indoor water use requirements Council reminds customers that maintaining health, safety and hygiene is a priority – conservative water use for these purposes is permitted regardless of water restriction level 		
Non-Residential	<ul style="list-style-type: none"> Non-residential users must adhere to the above restrictions unless otherwise indicated (see below) A Water Efficiency Plan (WEP)¹ must be implemented and complied with by: registered car washes, construction industry², commercial nurseries, food/pet food production, canneries, pet care, public water features, child care, public sporting fields, parks & gardens (including street trees), educational services, health care services, aged care services, motels, caravan parks & cabins, hotels & registered clubs, and businesses with cooling towers/evaporative coolers Exterior cleaning permitted with trigger nozzle only (must have WEP¹) Turf farms & market gardens connected to Bathurst’s water supply: between 9pm-6am (with WEP¹) Top up & fill of public pools/spas (including motels etc.) only between 6am-9am and 6pm-9pm; pool covers must be used 		
Upstream Irrigation (Pump From River)	<ul style="list-style-type: none"> Not permitted once Chifley Dam is at or below 22%³ 		



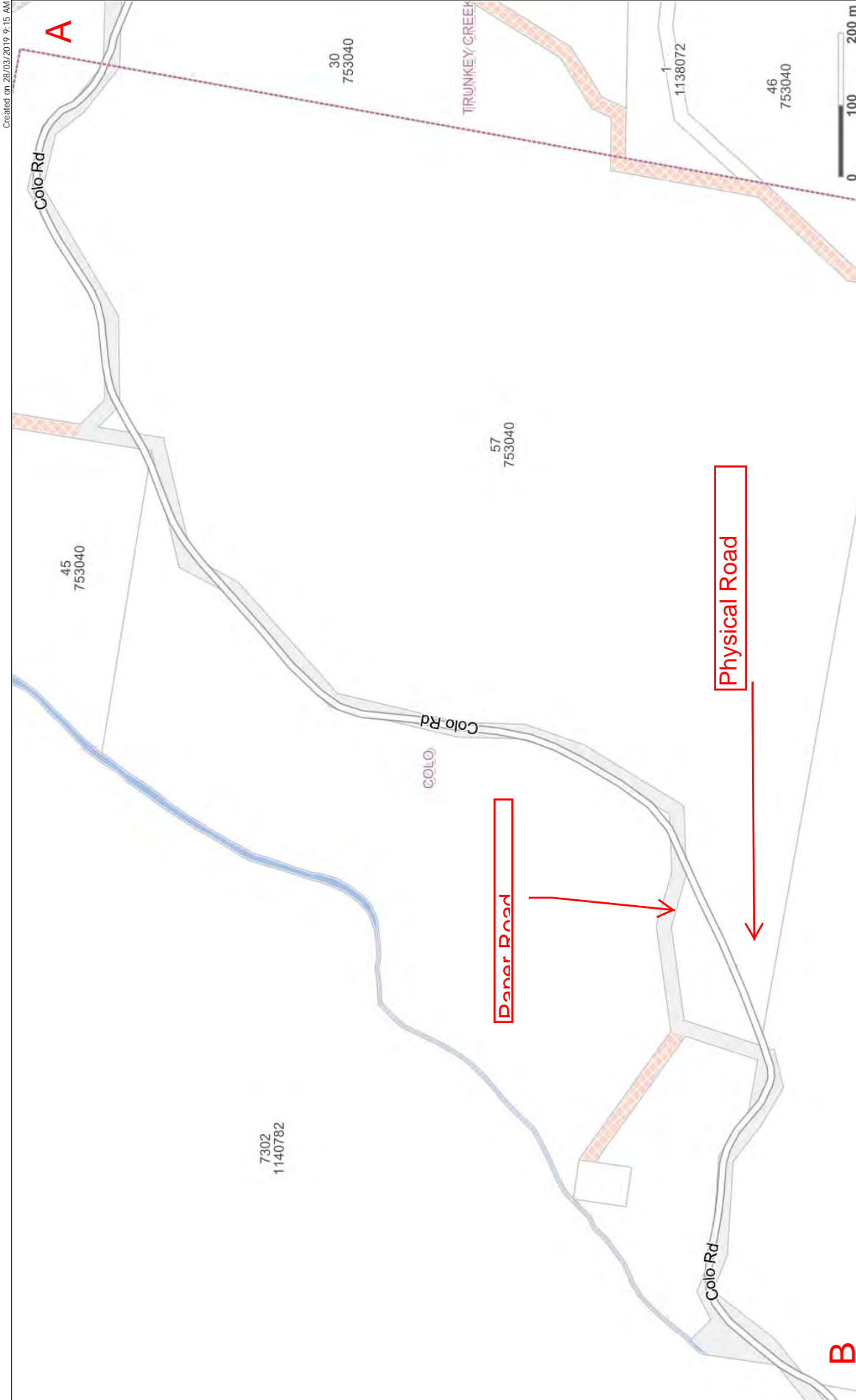
Notes

¹ A **Water Efficiency Plan (WEP)** template is available from bathurst.nsw.gov.au/waterwise or by contacting Council on 6333 6100.

² The **construction industry** includes concreting, bricklaying, painting and other water using building trades. It also includes subdivision development and roadworks.

³ In accordance with the current *Macquarie Bogan Unregulated and Alluvial Water Sources Water Sharing Plan (2012)*, the pumping of water from the Macquarie River is not permitted when Chifley Dam is equal to or less than 22% capacity.

All times are in Australian Eastern Daylight Time (AEDT).



Created on 28/03/2019 9:15 AM

Drawn By: David Luck
 Date: 28/03/2019
 Projection: GDA94 / MGA zone 55
 Map Scale: 1:7000 @ A4



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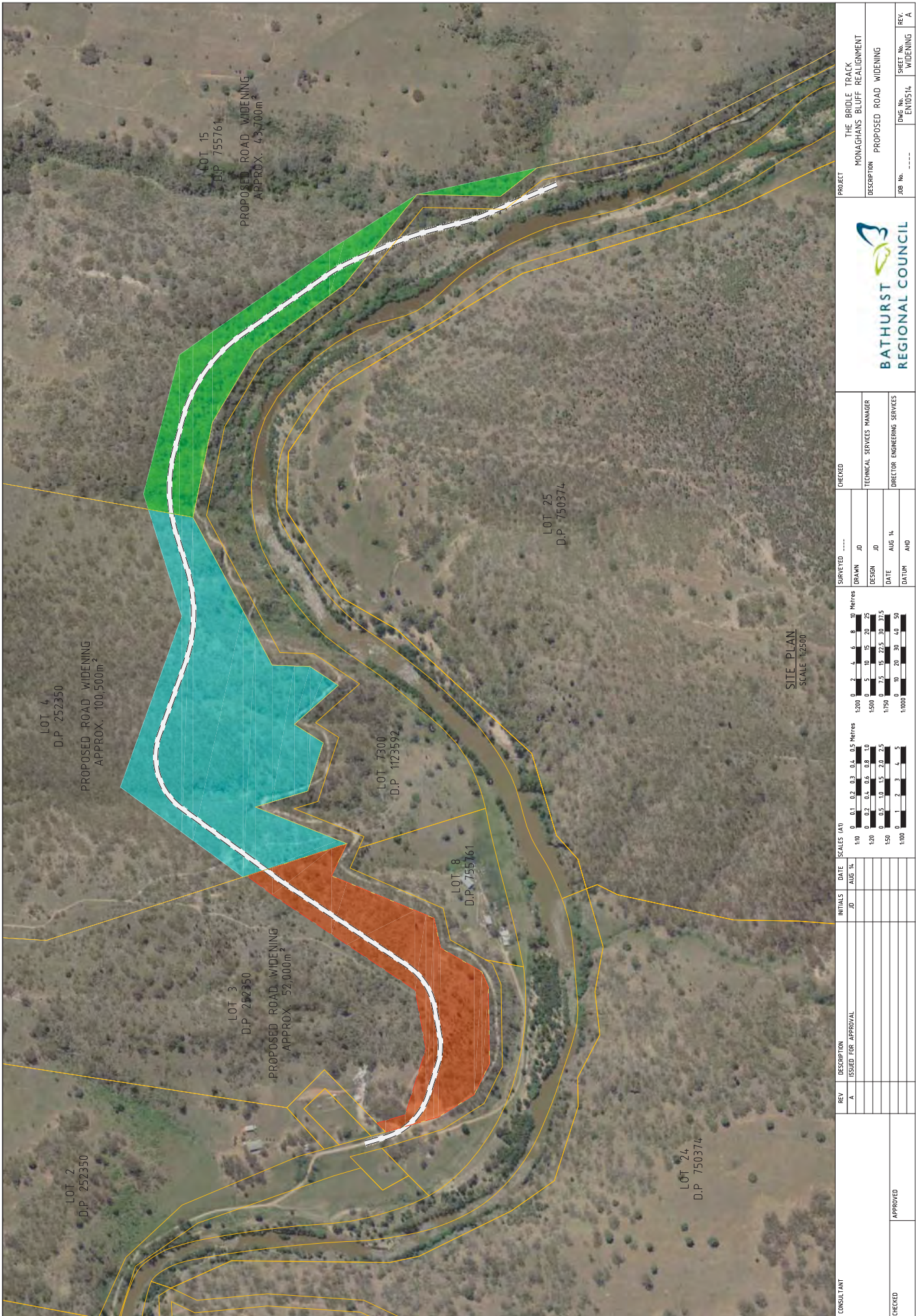


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Drawn By: LuckD
 Date: 2/11/2018
 Projection: GDA94 / MGA zone 55
 Map Scale: 1:2000 @ A4



CONSULTANT		REVISIONS		INITIALS		DATE		SCALES (A1)		SITES		SURVEYED		CHECKED		PROJECT	
		A		JD		AUG 14		1:100		1:100		DRAWN		TECHNICAL SERVICES MANAGER		THE BRIDLE TRACK	
								1:200		1:500		DESIGN		DIRECTOR ENGINEERING SERVICES		MONAGHANS BLUFF REALIGNMENT	
								1:500		1:1000		DATE				PROPOSED ROAD WIDENING	
								1:1000		1:2500		AUG 14				JOB No. EN0514	
												DATE				SHEET No. WIDENING	
												DATE				REV. A	
												DATE					



**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT -
ATTACHMENTS**

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019

4 VILLAGE EVENT FUNDING PROPOSAL (16.00163)

Recommendation:

That Council:

- (a) Support, in principle, the establishment of the Village Event Funding Program.
- (b) Receive a further report on the process for the proposed Village Event Funding Program.
- (c) Refer funding for the Village Event Funding Program of \$40,000 per annum to the 2019/2020 draft budget for consideration.

Report:

At Council's Policy Committee meeting held 6 June 2018 a request was made to investigate a funding program for village events (Minute 23, Item 18).

This theme and benefits of "product development" and "village activation" is contained in recent strategic documents including the Cultural Vision, Community Strategic Plan and most importantly the Bathurst Region Destination Management Plan (DMP) and the New Destination Country and Outback NSW Destination Management Plan 2018-2020 (DCO). The notion of "Little Places, Big Stories" is a strategic theme in the DCO.

Council's DMP recommends that Hill End, Rockley and Sofala have visitor growth potential, however the other locations can be considered.

It is recognised the important role that products, experiences, events and festivals, play in attracting new markets and encouraging repeat visitation, including a point of difference villages bring to a destination and the visitor experience.

Council can assist activity in the villages by providing a facilitation and coordination role and by providing funding to develop ideas and event proposals.

It is recommended that, in the draft 2019/2020 Operational Plan, \$40,000 is allocated in the budget. In addition staff time will be included to work with the village associations to implement this proposal.

It is also recommended that a further report be considered by Council outlining the return on this investment, criteria for villages to receive funding and performance measures.

Background Information

The following references support the proposal for Council to assist villages with events:

1. The Bathurst Region Destination Management Plan Strategic Priority 7.5.3 Place Planning & Promotion
2. Bathurst Region A Cultural Vision 2036

Director Cultural & Community Services' Report to the 15/08/2018 Released

GENERAL MANAGER
Page 1

MAYOR

Strategy 2.3 Support activities that enhance Bathurst Region's cultural and creative environment

3. Bathurst 2040 Community Strategic Plan
 - Objective 1.3 Enhance the cultural vitality of the region
 - Objective 2.6 Promote our City and Villages as a tourist destination
 - Objective 5.2 Help make the Bathurst CBD, neighbourhoods and the region's villages and full of life
4. Destination Country and Outback NSW Destination Management Plan 2018-2020
 - Action 2.12 Implement the Unearth the Fossils Initiative
 - Action 2.13 Investigate regional opportunities (Little Places, Big Stories strategic theme)
 - Action 2.14 Lead the development of a Business and Leisure Events Strategy for Country and Outback NSW

Financial Implications

Should Council approve the establishment of a Village Event Funding Program, an amount of \$40,000 will need to be allocated in the 2019/2020 draft budget for consideration.

Bathurst Community Strategic Plan - Objectives and Strategies

- | | |
|--|--------------|
| ● Objective 1: Our sense of place and identity | Strategy 1.3 |
| ● Objective 2: A smart and vibrant economy | Strategy 2.6 |
| ● Objective 5: Community health, safety and well being | Strategy 5.2 |

Community Engagement

- Inform

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

**MINUTES OF THE TOURISM REFERENCE GROUP MEETING HELD
AT 5.30PM MONDAY 1 APRIL 2019**

PRESENT: Tony McBurney, Shawn Pyne, Christopher Morgan, Cr Graeme Hanger OAM (Chair), Dan Cove (BVIC)

1. WELCOME Cr Graeme Hanger OAM welcomed the Group to the Bathurst Visitor Information Centre and thanked them for their attendance.

2. APOLOGIES

RESOLVED That the apologies from Ray Pickard, Fran White, Christine LeFevre, Gerarda Mader, Mark Renzaglia and Alan Cattermole be noted.

MOVED: Christopher Morgan **SECONDED:** Tony McBurney

3. DECLARATIONS OF INTEREST

RESOLVED That there were no declarations of interest tabled at the meeting.

MOVED: Shawn Pyne **SECONDED:** Christopher Morgan

4. PREVIOUS MINUTES

RESOLVED: That the minutes from the previous meeting held on Monday 4 March February 2018 are a true record of the meeting, with the single amendment that the date of the World Cross Country Championships in Bathurst was recorded as 2020 rather than 2021 on page 2, item 8.

MOVED: Tony McBurney **SECONDED:** Shawn Pyne

5. ACTIONS ARISING

- Feedback to BVIC manager regarding DMP stakeholder engagement – none received. Action completed.
- Creation of night sky experiences – no new initiatives. Ongoing.

RESOLVED: That actions be noted with continuing element in progress.

MOVED: Tony McBurney **SECONDED:** Christopher Morgan

6. BATHURST REGION TOURISM BY THE NUMBERS

- Monthly tourism figures were tabled for March.

RESOLVED that the report be noted.

MOVED: Christopher Morgan **SECONDED:** Shawn Pyne

7. BATHURST VISITOR INFORMATION CENTRE MANAGER'S REPORT

- March tourism report was tabled, items included;
 - o Attendance at LGNSW Tourism Conference
 - o Successful AVIC Accreditation inspection at BVIC
 - o Completion of ATAP Accreditation process for BVIC
 - o Visit of Seiritsu High to Bathurst

**MINUTES OF THE TOURISM REFERENCE GROUP MEETING HELD
AT 5.30PM MONDAY 1 APRIL 2019**

- o Launch of Autumn Colours program and strong online ticket sales

RESOLVED that the Bathurst Visitor Information Centre Manager's report be noted.

MOVED: Shawn Pyne

SECONDED: Tony McBurney

9. SECTOR REPORTS

- Shawn Pyne (accommodation) noted some significant recent quotes for conferencing and the need to collaborate with regional partners. A solid month for the accommodation sector was boosted by the NRL, 30 March.
- Christopher Morgan (attractions) noted that many discussions have been held with those in the Bathurst attractions group. Turon Technology Museum are currently looking at the legacy of their collection moving forward. CM will be looking to gather and table items of interest and concern from the sector at a future meeting.
- Tony McBurney (Arts & Cultural Tourism) has been further connecting into this network and has observed that there is a large volume of activity in the sector that seems to be largely unknown including by the local community. Noted the possibility of greater support for local promoters, particularly younger promoters, and cited the success of 'Vampires' at The Vic an example. Christopher Morgan observed the increasing need to tie events to other attractors such as food and wine to layer the experience.
- Sports tourism:
 - Cr Graeme Hanger OAM noted attendance of 10,973 at the NRL at Carrington Park on 30 March. The event organisation and quality of ground were both outstanding and well received by fans and the teams.
 - The 2019 Gold Crown was a great success with strong numbers particularly in the VIP sections and at the dinner.
 - 2100+ riders participated in the 2019 Bathurst Cycling Classic in March.

RESOLVED that the sector reports be noted.

MOVED: Tony McBurney

SECONDED: Christopher Morgan

9. DESTINATION MANAGEMENT PLAN

- Following the period provided to the TRG to consider any comments or additional issues, a brief has been completed by the BVIC Manager for an agency to run the stakeholder and community consultation around the 2019 Bathurst region DMP.
- A literature review has been conducted
- A product audit will be completed by 12 April, incorporating input from a recently commissioned DNCO audit of the destination network.
- The DNSW template document will be populated with available information by 12 April to provide a framework for the consultation process in May/June.

RESOLVED That the report be noted

MOVED: Tony McBurney

SECONDED: Shawn Pyne

10. GENERAL BUSINESS

- (a) The Group noted the letter of resignation of Fiona McWilliam received 29 March 2019, and acknowledged her contribution to the TRG.

**MINUTES OF THE TOURISM REFERENCE GROUP MEETING HELD
AT 5.30PM MONDAY 1 APRIL 2019**

- (b) The issue of frequency of TRG Meeting was discussed. It was noted that attendance at recent meetings had fallen below the 75% target and that the recent resignation of Fiona McWilliam was attributed to pressure of time and inability to attend scheduled meetings. This appears to be an issue across the group and there are concerns that the current schedule is unrealistic and placing too great a stress upon members. The Terms of Reference specify only a minimum of three annual meetings, one to be an annual planning meeting held in December. Solutions to increase the efficiency of the Group and reduce the burden on members were proposed by the BVIC Manager;
- a. Reduce frequency of regular scheduled meetings to 4 annually, being proposed to be held in March, June, September and December (timing to avoid large events and holiday periods)
 - b. Utilise online information sharing channels including the recently established Dropbox Folder to continue to disseminate key monthly information between group members.
 - c. Use alternate communication channels including group email and potentially a closed Facebook Group to facilitate ongoing discussion between meetings.
 - d. Hold additional meetings as required for special projects such as the Destination Management Plan development.

Group discussion was supportive of all proposals and a motion was tabled:

RESOLVED: That future regular meetings of the Tourism Reference Group be scheduled on a quarterly basis being the first Monday in March, June, September and December, with increased inter-group digital communication channels to be utilised between scheduled meetings and additional meetings to be arranged as required.

MOVED: Tony McBurney

SECONDED: Shawn Pyne

12. NEXT MEETING

There being no further business the meeting was closed at 6.25pm

The next meeting of the Tourism Reference Group will be **5.30pm on Monday 3 June 2019 at Rydges Mount Panorama.**

ACTION SHEET

ACTION	DUE DATE	RESPONSIBILITY	STATUS
Provide feedback to Dan regarding the initial engagement with and questions to the industry for DMP planning	29 March 2019	Group Members	Completed. No feedback received.
Upload new content 'Bathurst night life/sky' section on website	When experiences exist	Dan	Ongoing

Attachment 1: Bathurst Public Art Policy Public Exhibition Feedback

REF	NAME / ORGANISATION	RESPONSES / SUGGESTIONS	AGD COMMENTS / RECOMMENDATION
LS_01 i.	Leonie Steele	<p>Suggests:</p> <ul style="list-style-type: none"> inclusion of an additional area of fundraising in 4.1 Resourcing: "Gifts from private individuals or companies" 	<ul style="list-style-type: none"> Item covered in 4.1.iii: Grants where available from public, philanthropic and corporate sectors.
RM_02 i.	Robin McLachlan	<p>Comment (extract): "Overall, I think it is a good policy, and is one that is much needed."</p>	
RM_02 ii.		<p>Suggests:</p> <ul style="list-style-type: none"> identification of significant locations for public art i.e. Bathurst Town Square and inclusion of this list in the PAP. 	<ul style="list-style-type: none"> Public Art Framework Strategy 2 includes identification of locations for temporary Public Art platforms as a short-term action. Site locations for Public Art Projects and Programs will be done on a project by project basis.
RM_02 iii.		<ul style="list-style-type: none"> Inclusion of an inventory of existing significant heritage and cultural asset locations in the PAP. 	<ul style="list-style-type: none"> PAP already includes scope for the provision of a Public Art Register (4.4) which will also include maintenance schedules and manuals. BRC Heritage Register is a separate document that includes all items of heritage significance in the Bathurst region.
RM_02 iv.		<ul style="list-style-type: none"> Provision for the requirement of direct community involvement for all PAP initiatives e.g. the identification and inclusion of ex-officio members of the public to be appointed to overseeing committees on specific public art projects. 	<ul style="list-style-type: none"> PAP includes provision for two expert review panels (4.4). Structure / membership of these panels is outlined in the Public Art Framework and includes representation of those with "local art and built environment professional expertise".
RM_02 v.		<ul style="list-style-type: none"> Preparation of an inventory of existing Public Art in the Bathurst Region to use as a guide to siting future artworks in order to create locations offering a 'critical mass' of Public Art 	<ul style="list-style-type: none"> PAP already includes scope for the provision of a Public Art Register (4.4) which will also include maintenance schedules and manuals. In May 2019, Melbourne University Grimwade Institute students will be creating Conservation

				Management Plans for a range of BRC memorials, sculptures, artworks and plaques which will form the basis for a PAP inventory going forward.
SR_03 i.	Stephen Rogers		Comment (extract): “... many potential sites in the Bathurst regional council area are RIPE for artistic and community lead development as vibrant and urban beautification sites.”	
JB_04 i.	Julia Blackwood, Member, Bathurst Regional Art Gallery Society Committee		Comment: “It is to be hoped that funds will be contributed on an annual basis to enable the aims outlined in this draft policy to be realised.”	<ul style="list-style-type: none"> • Addressed in PAP Clauses 4.1.i and 4.1.ii.
MW_05 i.	Max Wilson, President, Bathurst Regional Art Gallery Society Committee		Comment: “The Policy is a well thought through strategy and doing it in stages is the way as it gives time for reflection on what has been achieved and a time for evaluation for any necessary changes of direction that may need to take place.”	
IG_06 i.	Ingrid Pearson		Comment: “I applaud Council for developing this Draft Public Art Policy and agree with the 3 Strategies outlined.”	
IG_06 ii.			Seeks clarification regarding Clause 4.3: <ul style="list-style-type: none"> • Is artwork erected on private land subject to the reviewing and approval mechanisms set out in the Public Arts Policy Clause 4.3? given that sculptures and art works are exempt developments under NSW Govt SEPP (Exempt and Complying Development Codes) 2008, Division 2, Subdivision 39. 	<ul style="list-style-type: none"> • BRC will act in an advisory capacity to encourage the private sector to seek advice on commissioning processes and curatorial practices before embarking on public art projects on privately owned land (Public Art Framework). • Artworks and sculptures erected on private land are governed by relevant state legislation which provide standards for size, location, structural integrity and nuisance to

			<p>adjoining properties. Council must apply these standards to any artwork/sculpture installed on private property.</p> <ul style="list-style-type: none"> • Recommend: PAP Clause 4.3.v. be changed to read: Non-Council public art proposals – Director Cultural & Community Services / Art Gallery Director. • Panels A & B would be required to review proposals as required as set out in the Public Art Framework.
IG_06 iii.		<p>Seeks further clarification regarding Clause 4.3:</p> <ul style="list-style-type: none"> • If a private individual/entity wished to erect an artwork on Council land as a Non-Council public art proposal, will it then only be subject to the Art Gallery Director's approval with no further authority's oversight, or will it still be subject to the two review panels to consider appropriateness, taste and technical requirements prior to sign-off by the Art Gallery Director? 	
SB_07 i.	Sandy Bathgate, Convener, Bathurst Heritage Network	<p>Comment: "Together with The Cultural Plan, we believe new spirit can be injected into Bathurst's public spaces to great effect, and to the advancement of tourism, and of social enrichment."</p> <p>1. Definitions:</p> <ul style="list-style-type: none"> • The general definitions outlined in this paragraph could relate to any city in Australia and it is not until 2. PURPOSE that Bathurst is mentioned. 	
PB_07 i.	Pauline Barker, Convener, Bathurst Town Square Group		<ul style="list-style-type: none"> • The definition is a broad description of what Public Art is and therefore does not need to include reference to Bathurst.
PB_07 ii.		<p>1. Definitions:</p> <ul style="list-style-type: none"> • Suggests the inclusion of an Introduction or Preamble which outlines Bathurst's history, cultural diversity, heritage, existing public artwork etc. 	<ul style="list-style-type: none"> • This is provided in depth in the Public Art Framework document referenced in the PAP.
PB_07 iii.		<p>2. Purpose:</p>	<ul style="list-style-type: none"> • Public Art Framework Strategy 2 includes identification of locations for temporary Public Art platforms as a short-term action.

		<ul style="list-style-type: none"> Suggests that the PAP must include a specific policy for the activation of the Bathurst Town Square precinct 	<ul style="list-style-type: none"> Site locations for Public Art projects and Programs will be done on a project by project basis.
PB_07 iv.		<p>2. Purpose: Strategy 1</p> <ul style="list-style-type: none"> Suggests further definition of 'public space' is needed 	<ul style="list-style-type: none"> The Public Art Framework expands on this.
PB_07 v		<p>2. Purpose: Strategy 2</p> <ul style="list-style-type: none"> Comments that the Bathurst Town Square is a rich site for 'telling Bathurst's stories'. 	<ul style="list-style-type: none"> Site locations for Public Art projects and Programs will be done on a project by project basis.
PB_07 vi.		<p>3.1.2: Integrated into civic infrastructure</p> <ul style="list-style-type: none"> Suggests including 'community organisations' after 'artists/craftspeople'. Suggests further definition of 'civic spaces' 	<ul style="list-style-type: none"> Artists/craftspeople refers to the creative agents in the design process. The Public Art Framework expands on this.
PB_07 vii.		<p>3.1.3 <u>Public Art platform infrastructure</u></p> <ul style="list-style-type: none"> Suggests locations within the Town Square precinct for Public Art. Suggests inclusion of NBN Nodes or similar as platform infrastructure in the PAP. 	<ul style="list-style-type: none"> Site / infrastructure locations for Public Art Projects and Programs will be done on a project by project basis.
PB_07 viii.		<p>4.2 PLANNING</p> <ul style="list-style-type: none"> Suggests Bathurst Town Square should be identified as a priority location for the Public Art Policy. Suggests Public Art Register must include <i>existing artworks</i>. 	<ul style="list-style-type: none"> Site / infrastructure locations for Public Art Projects and Programs will be done on a project by project basis. PAP already includes scope for the provision of a Public Art Register (4.4) which will also include maintenance schedules and manuals. In May 2019, Melbourne University Grimwade Institute students will be creating Conservation Management Plans for a range of BRC memorials, sculptures,

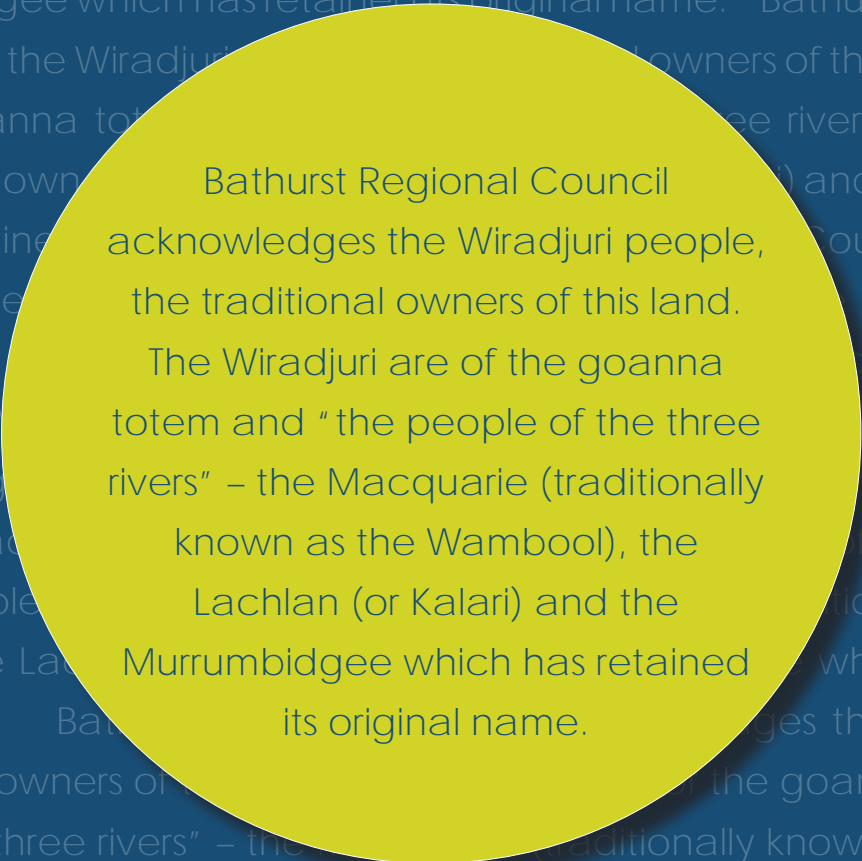
PB_07 ix.		<p>4.3 Reviewing and Approval Mechanisms</p> <ul style="list-style-type: none"> • Suggest 'Expert' review panels should include members of community organisations with acknowledged levels of knowledge or skills in particular areas, or, as an advisory panel when appropriate. • Suggests specific terms of service for review panels be included in the Policy. • Suggests non-council public art proposals be signed off by two signatories. 	<p>artworks and plaques which will form the basis for a PAP inventory going forward.</p> <ul style="list-style-type: none"> • PAP includes provision for two expert review panels (4.4). Structure / membership of these panels is outlined in the Public Art Framework (p.14) and includes representation of those with "local art and built environment professional expertise". • PAP Review Panel Terms will be developed. • Recommend: PAP Clause 4.3.v. be changed to read: Non-Council public art proposals – Director Cultural & Community Services / Art Gallery Director.
PB_07 x.		<p>4.4 MANAGING & MAINTAINING</p> <ul style="list-style-type: none"> • Suggests this section lacks specific detail of the processes involved in managing and maintaining, e.g. deaccessioning or re-siting an artwork. 	<ul style="list-style-type: none"> • These would be included in the Public Art Register informed, for example, by the Conservation Management Plans developed by Grimwade Institute students in May 2019.
PB_07 xi.		<p>Comment: "Bathurst Regional Council is to be congratulated on creating a policy to develop further a vibrant and stimulating visual environment and an ongoing community conversation."</p>	

BATHURST COMMUNITY SAFETY PLAN 2019-2023



DRAFT

Bathurst Regional Council acknowledges the Wiradjuri people, the traditional owners of this land. The Wiradjuri are of the goanna totem and "the people of the three rivers" – the Macquarie (traditionally known as the Wambool), the Lachlan (or Kalari) and the Murrumbidgee which has retained its original name.



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**BATHURST
COMMUNITY
SAFETY PLAN
2019-2023
DRAFT**

CONTENTS

CHAPTER ONE: BACKGROUND INFORMATION

Glossary	Page. X
Mayoral Introduction	Page. X
Chifley Police District Superintendent Introduction	Page. X
Executive Summary	Page. X
Bathurst Snapshot	Page. X
Bathurst Profile	Page. X
Context of Community Safety Plan	Page. X
• What is a Community Safety Plan?	Page. X
• What are the guidelines for the developing a Community Safety Plan?	Page. X
• What was the process to develop the plan?	Page. X
• How does the Community Safety Plan fit with Council's other plans?	Page. X
• What was achieved in the previous plan?	Page. X

CHAPTER TWO: CONSULTATION AND PUBLIC PERCEPTION

Community Safety Survey	Page. X
Community Safety Focus Groups	Page. X
Community Survey	Page. X
Community Consultation Summary and Key Themes	Page. X

CHAPTER THREE: FOCUS CRIMES

Determining the focus crimes of the Bathurst Community Safety Plan 2019 – 2023	Page. X
Malicious Damage to Property	Page. X
Steal from Motor Vehicle	Page. X
Non-Domestic Violence Related Assault	Page. X
Break & Enter Dwelling	Page. X
Additional focus crimes based on community perception	Page. X
• Fraud	Page. X
• Drug offences	Page. X

CHAPTER FOUR: OBJECTIVES AND STRATEGIES

Selection of Objectives and Strategies	Page. X
Implementation, coordination and review of the Bathurst Community Safety Plan 2019 – 2023	Page. X
Objectives and Strategies	Page. X
• Malicious Damage to Property	Page. X
• Steal from Motor Vehicle	Page. X
• Non-domestic violence related assault	Page. X
• Break and enter dwelling	Page. X
• Fraud	Page. X
• Drug related offences	Page. X

CHAPTER ONE

BACKGROUND INFORMATION

GLOSSARY

BOCSAR	NSW Bureau of Crime Statistics and Research
BRC	Bathurst Regional Council
BRCSC	Bathurst Regional Community Safety Committee
CBD	Central Business District
CCTV	Closed Circuit Television
CPD	Chifley Police District
CPTED	Crime Prevention Through Environmental Design
CSU	Charles Sturt University
LGA	Local Government Area
PCYC	Police and Community Youth Club
RMS	Roads and Maritime Services



MAYORAL INTRODUCTION

Bathurst Regional Council is committed to ensuring that the Bathurst Local Government Area is a safe place to live, work, visit and play. This commitment is reflected through Council's lead role in developing the third Bathurst Community Safety Plan.

Council recognises that the need for the community to be safe, and feel safe, within the region is essential in ensuring our residents' way of life is maintained and improved upon.

The previous Bathurst Community Safety Plan saw the implementation of several successful crime prevention strategies. The most notable achievements were the Don't Invite Crime and Bathurst Says No to Domestic Violence campaigns.

The Bathurst Community Safety Plan 2019 – 2023 has been developed with assistance from the Bathurst Regional Community Safety Committee, which consists of key stakeholders and various government and non-government agencies. The Committee will continue to partner with Council to oversee the implementation of the plan and ensure that it continues to build on the achievements of two previous plans.

Wide reaching consultation was undertaken as part of the development of this plan to ensure the perceptions, ideas, and concerns of the community have been incorporated.

I highly recommend this plan for residents, organisations, government departments and community groups. Together we can ensure that Bathurst remains a safe and vibrant community.

Graeme Hanger OAM
Mayor of Bathurst



BATHURST
COMMUNITY
SAFETY PLAN
2019-2023

CHIFLEY POLICE DISTRICT SUPERINTENDENT INTRODUCTION

The development of the Bathurst Community Safety Plan 2019 – 2023 will continue to build the work of the previous Plans in ensuring that the safety and quality of life in the Bathurst Regional LGA continues to improve. The Chifley Police District is pleased to be partners to this Plan and will support actions identified in targeting specific areas of crime and concern throughout the region.

The Chifley Police District has been a member of the current Bathurst Regional Community Safety Committee since its inception and has been actively involved in the implementation of Strategies and Actions. This involvement will continue to ensure a co-ordinated, integrated approach to the implementation of the Objectives and Strategies contained in the Plan. Community safety is the responsibility of everyone and I strongly encourage all levels of government, community groups, organisations, and individuals contribute to the identified Strategies.

I encourage you, and your organisation, to embrace the Bathurst Community Safety Plan 2019 – 2023. This will provide support for its Objectives and Strategies, as well as continuing to place high value on the overall community safety of the Bathurst Region.

Paul McDonald
Superintendent
Commander
Chifley Police District
NSW Police Force



BATHURST
COMMUNITY
SAFETY PLAN
2019-2023



EXECUTIVE SUMMARY

The Bathurst Community Safety Plan 2019 – 2023 is Bathurst Regional Council's third Community Safety Plan. The continued development and implementation of Community Safety Plans is not an indication that the Bathurst LGA is an unsafe area. Community safety is essential to the overall wellbeing of Bathurst's residents. The Community Safety Plan ensures the ongoing implementation of crime prevention strategies, which supports the development of the Bathurst region as a healthy, socially cohesive and safe community.

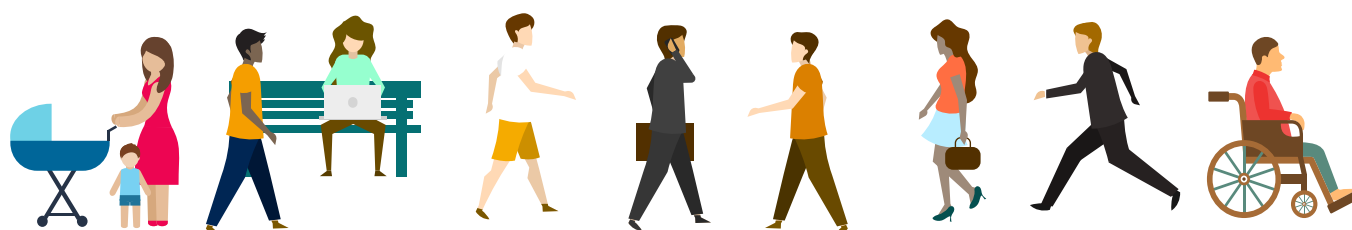
The plan takes a preventative approach to crime in the Bathurst Regional LGA by focusing on the underlying causes of specific offences. Extensive statistical research and local consultation has been undertaken to determine the community's key safety concerns, crime patterns, and successful strategies to combat specific offences. The research also focused on developing a thorough understanding of each priority crime, by determining where and when it occurs, who is committing it, and who is affected by it.

This plan has been developed in partnership with the Bathurst Regional Community Safety Committee, which is made up of the following stakeholders:

- Bathurst Regional Council
- Councillors
- Chifley Police District
- Bathurst Community Corrections
- Community Mental Health / Drug & Alcohol Service
- FACS Housing
- Bathurst Liquor Accord
- Bathurst Business Chamber
- TAFE NSW
- Charles Sturt University
- Neighbourhood Centre
- headspace
- Bathurst PCYC
- Bathurst Seymour Centre

The plan outlines a range of strategies that will take a multi-faceted approach to tackling the complex nature of crime. The Bathurst Regional Community Safety Committee will develop an action plan on a yearly basis. These actions will be developed to correspond with the Objectives and Strategies identified in Section Four of the Plan. When determining the actions, the Committee will consider the purpose of the project, the key partners, timeframes, funding sources and performance measures.

Community safety is essential to the overall wellbeing of Bathurst LGA residents. The implementation of this Plan and ongoing partnerships that have been established as a result of this process will contribute to the overall safety and liveability of the Bathurst LGA.



BATHURST PROFILE

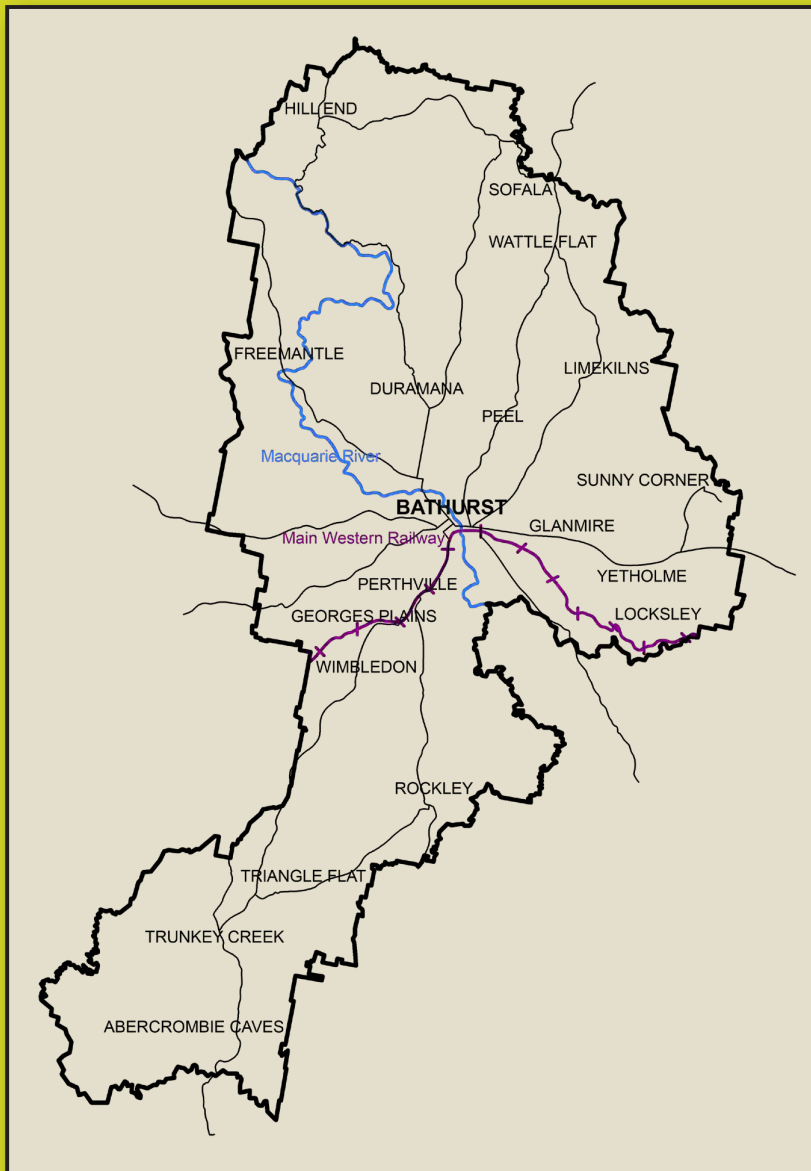
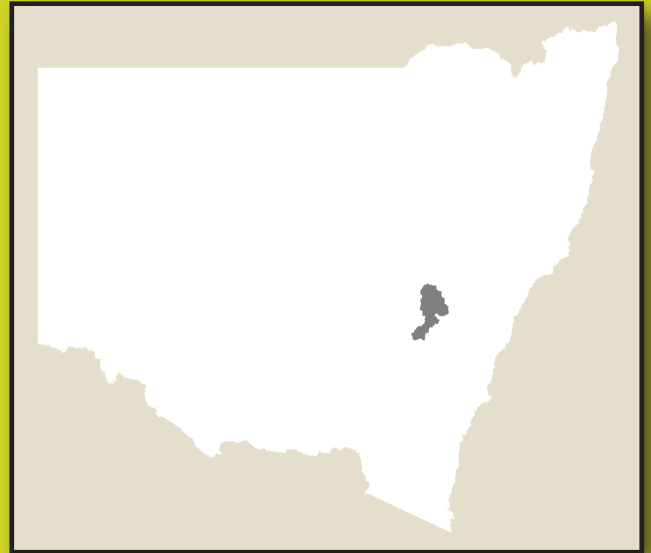
The Bathurst Regional Council area is located on the Central Tablelands of New South Wales, 200 kilometres west of Sydney. The Bathurst Regional LGA is located on Wiradjuri land. The area was proclaimed as a settlement in 1815 by Governor Macquarie, making Bathurst the oldest inland European settlement in New South Wales. At the 2016 Census, Bathurst had a resident population of 42,550. These people live in Bathurst City, the villages of Sofala, Hill End, Wattle Flat, Rockley, Trunkey Creek, Yetholme, Sunny Corner, and Peel together with a range of rural localities, covering a land area of 3,821.9 km².

The Bathurst Region has a rich history; it has been inhabited by the Wiradjuri people for over 40,000 years, early agricultural pursuits of the 1800's continue today and have provided ongoing support to the community, particularly on the banks of the Macquarie River. The gold rush of the 1850's and 60's saw the establishment of outlying townships such as Hill End and Sofala and the introduction to the region of multicultural influences. The first railway line reached Bathurst in 1876 and for the community, has been a vital link between Sydney and the West ever since.

The Bathurst Region has evolved markedly since those days. It is now recognised as an educational centre with schooling available from preschool through to tertiary pursuits; as a vibrant city that has retained its relaxed country atmosphere; a community that embraces its facilities and prides itself on being friendly and welcoming; a region that values its history, and at the same time embraces its future; a region that provides a wide range of cultural opportunities and facilities; a city that will continue to grow and respond to the needs of its residents.



BATHURST SNAPSHOT



BATHURST COMMUNITY SAFETY PLAN 2019-2023

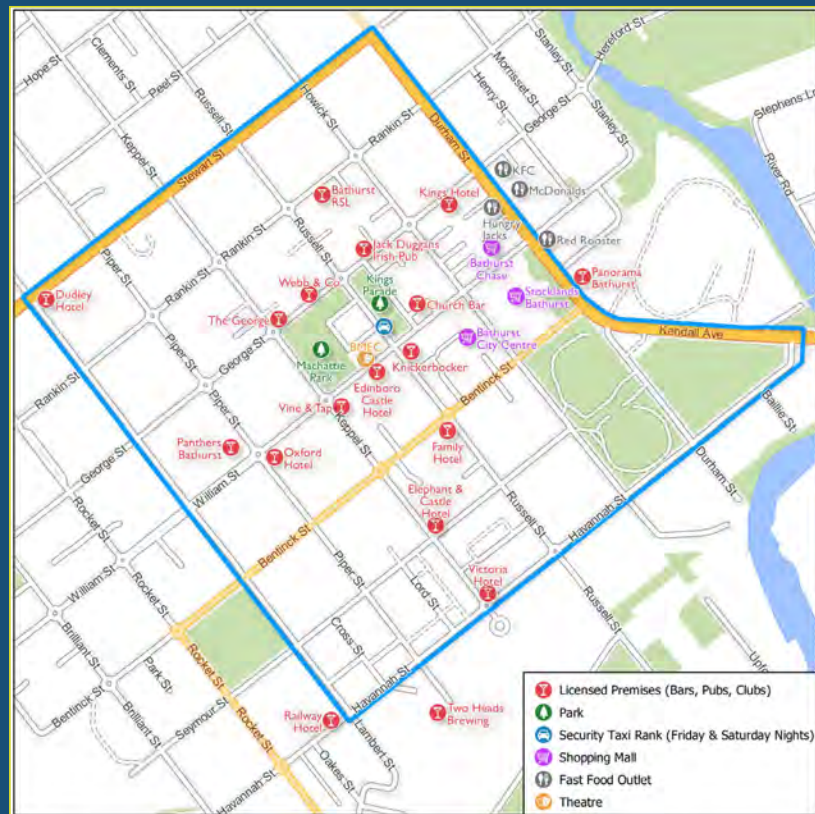


BATHURST REGIONAL COUNCIL

CENTRAL BUSINESS DISTRICT

The Bathurst Central Business District (CBD) has a centrally located business, entertainment and shopping area concentrated around Durham, Howick, William, George, and Keppel Streets. This area features a number of shopping centres mixed with strip shopping offering specialty services. The area is also known as an entertainment hub, accommodating many restaurants, cafes, and licensed venues. Several historic parks, gardens and memorials are also located in the CBD. As a result, the CBD area of Bathurst is a vibrant entertainment, cultural and business area at most times of the day and night.

FIGURE 1:
CBD map showing key entertainment venues and shopping centres



RESIDENTIAL AREAS

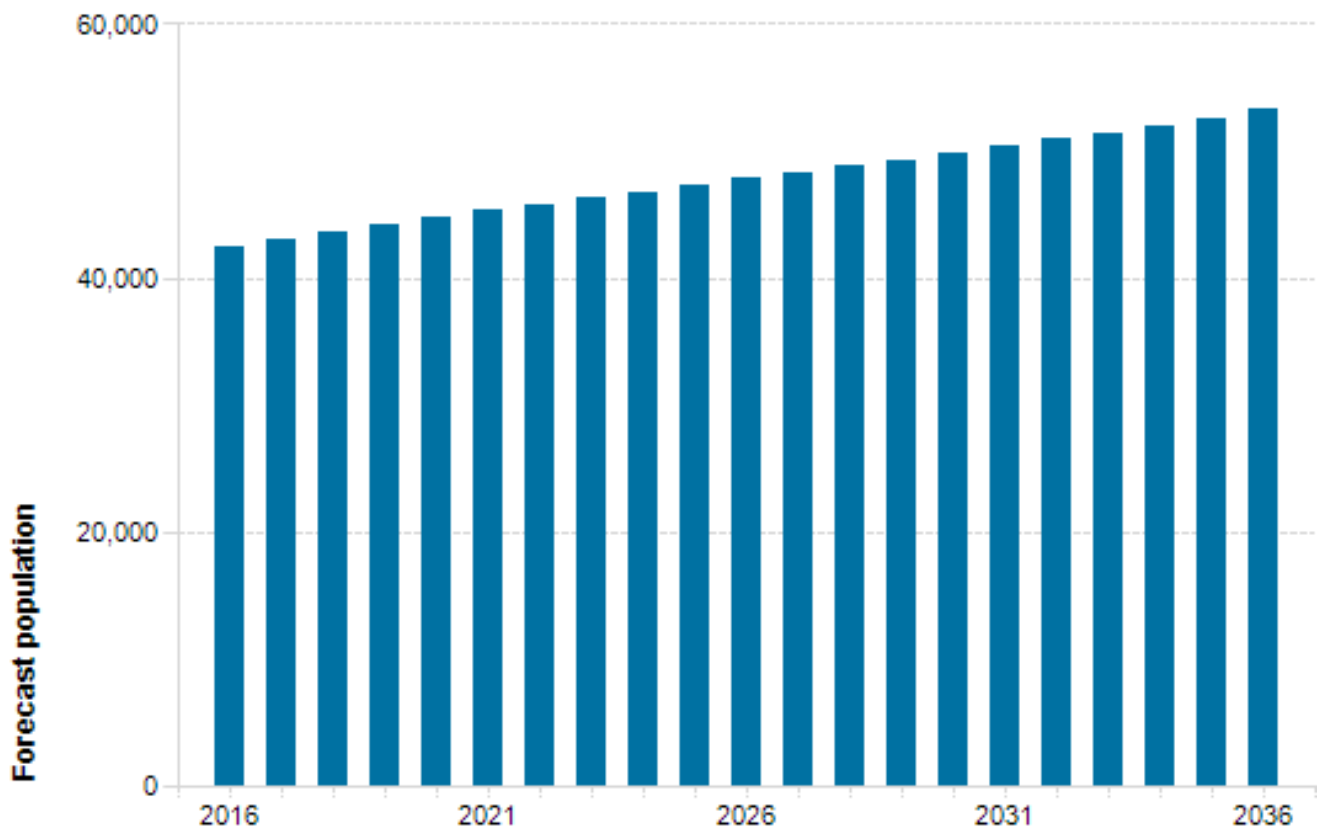
Bathurst has a number of residential areas featuring different dwelling styles. The older section of Bathurst is laid out in a traditional grid pattern and features housing stock ranging from Early Federation to more contemporary designs as a result of in fill development. Newer residential areas featuring mostly detached dwellings have spread since the 1970s from the older section of the city.

Significant residential growth is continuing in Bathurst. This is particularly evident in Kelso, Eglinton and Windradyne. Clusters of social housing developments are found in the suburbs of West Bathurst, South Bathurst and Kelso.

DEMOGRAPHICS

The Bathurst Regional LGA is expected to continue experiencing consistent population growth. The forecasted annual growth rate is 1.16% between 2016 and 2036.

FIGURE 2: Bathurst Regional LGA population forecast, 2016 to 2036, prepared by i.d, December 2017



Prepared by .id the population experts, December 2017

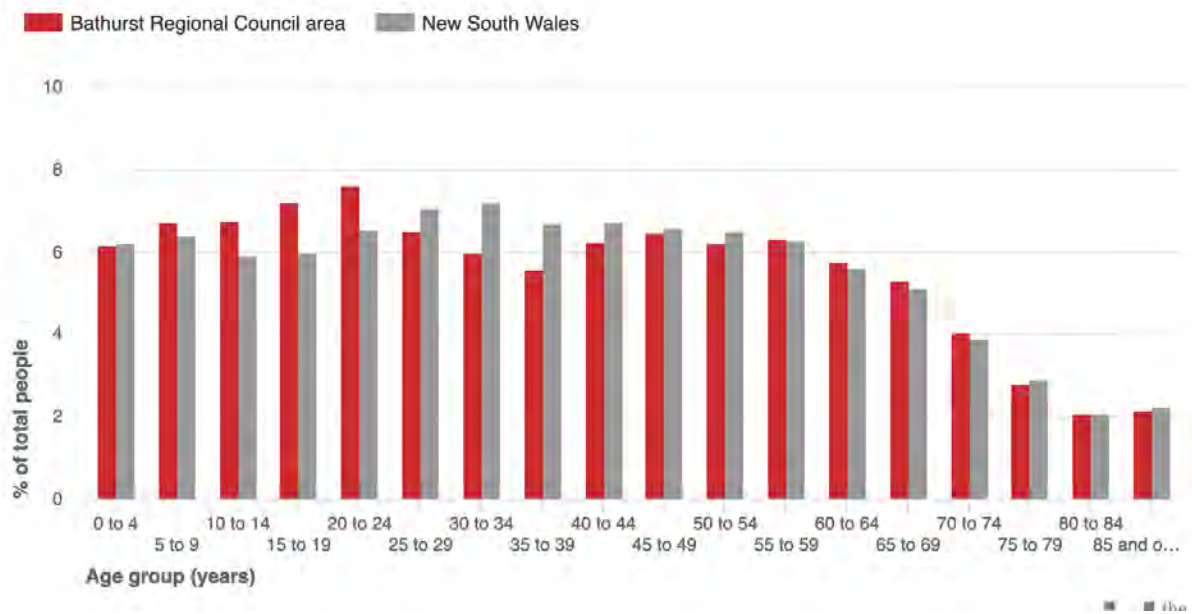
AGE STRUCTURE

The 2016 Census showed that there are a larger proportion of younger people in the Bathurst Regional LGA when compared to New South Wales as a whole. This is also consistent with the 2011 Census.

In 2016, the dominant age structure for persons in Bathurst Regional LGA was ages 20 to 24. In 2016, the major differences between the age structure of the Bathurst Regional LGA and New South Wales were:

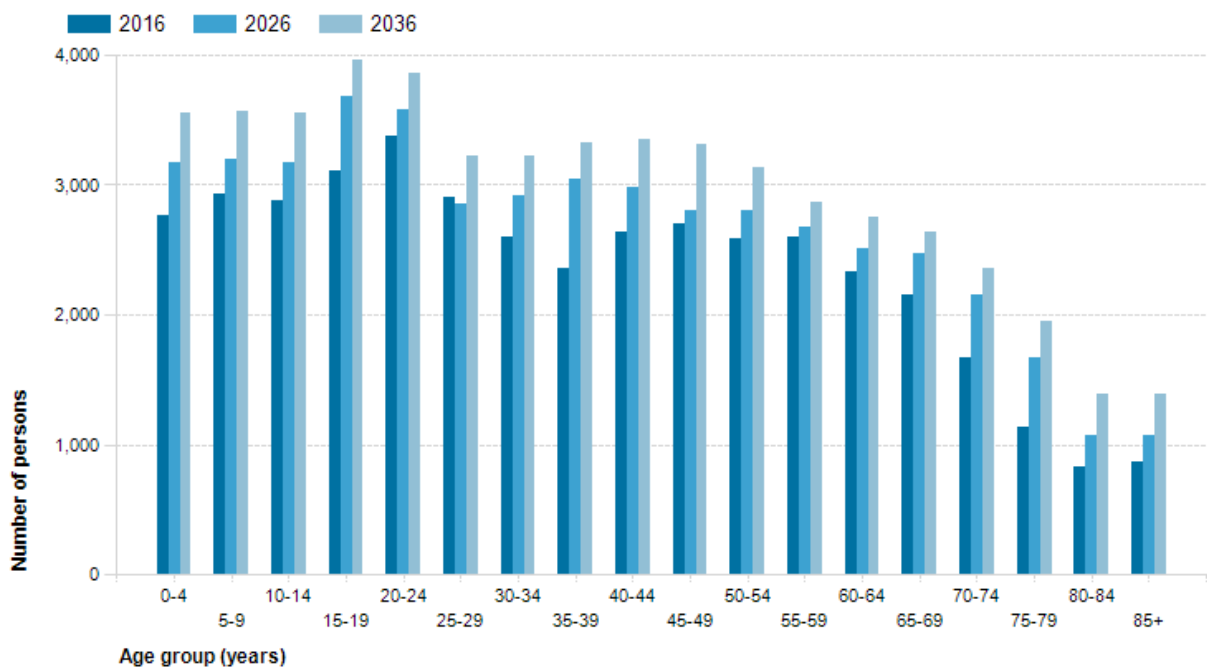
- A larger percentage of persons aged 15 to 24 in the Bathurst Regional LGA
- A smaller percentage of persons aged 30 to 39 in the Bathurst Regional LGA

FIGURE 3: Bathurst Regional LGA and New South Wales age structure, 2016, prepared by i.d, December 2017



Prepared by .id the population experts, December 2017

FIGURE 4: Bathurst Regional LGA forecast age structure, 2016 to 2036, Prepared by i.d, December 2017



Prepared by .id the population experts, December 2017

ABORIGINAL AND TORRES STRAIT ISLANDER PEOPLE

According to 2016 Census data, Aboriginal and Torres Strait Islander people made up 5.3% of the population in the Bathurst Regional LGA. This is significantly higher than NSW, with Aboriginal and/or Torres Strait Islander people making up 2.9% of the state's population.

The 2016 Census data also shows that there are a higher proportion of Aboriginal and Torres Strait Islander people in the younger age groups (0 to 17 years) and a lower proportion of people in the older age group (65+ years) in the Bathurst Regional LGA, in comparison to NSW.

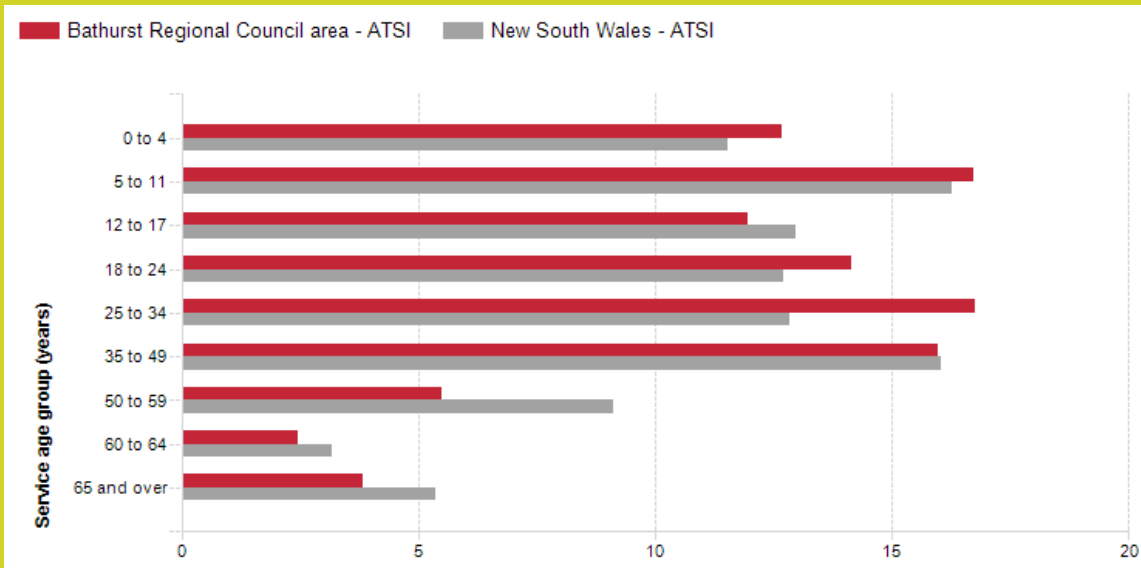


FIGURE 5: Service age groups, Aboriginal and Torres Strait Islander people, 2016 Prepared by i.d. December 2017

Prepared by .id the population experts, December 2017

CULTURALLY AND LINGUISTICALLY DIVERSE BACKGROUNDS

In 2016, there were 1,695 non-English speakers living in Bathurst Regional LGA.

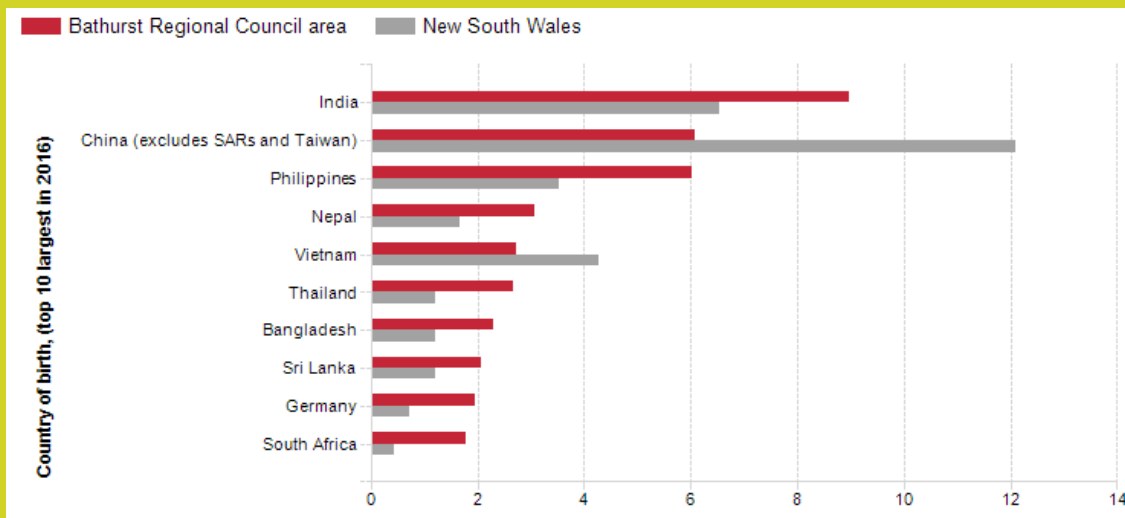


FIGURE 5: Birthplace, non-English speakers, 2016 Prepared by i.d. December 2017

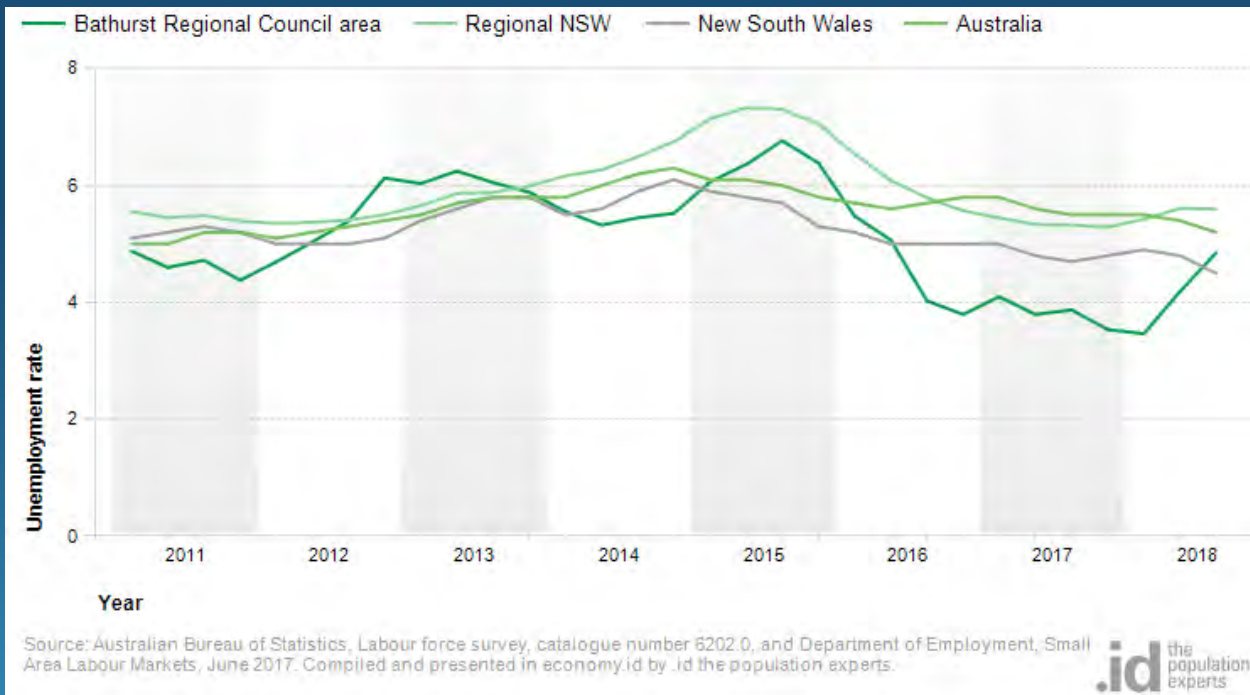
Prepared by .id the population experts, December 2017

EMPLOYMENT AND INCOME

At the 2016 Census, 19,952 residents in the Bathurst Regional LGA were employed. This was made up of 57.9% full time employees and 30.7% part-time employees.

Bathurst's unemployment rate was 5.9% at the 2016 Census. This was lower than the New South Wales unemployment rate of 6.3% and the Australian unemployment rate of 6.9%.

FIGURE 6: quarterly unemployment rate, 2011 to 2017, prepared by i.d, December 2017



Analysis of the jobs held by the local workers in Bathurst Regional LGA in 2016/17 shows the three largest industries were:

- Health Care and Social Assistance (2,894 people or 14.8%)
- Education and Training (2,474 people or 12.7%)
- Retail Trade (2,125 people or 10.9%)

In combination, these three industries accounted for 7,492 people in total or 38.4% of the local workers.

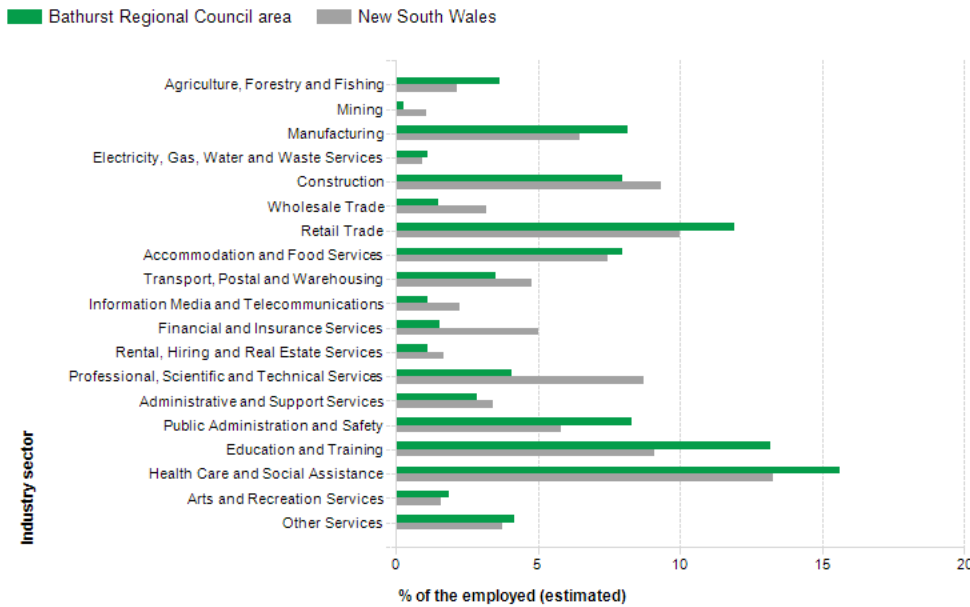


FIGURE 6: employment (total) by industry, 2016/2017, prepared by i.d, December 2017

Prepared by .id the population experts, December 2017

Analysis of the resident workers individual income levels in Bathurst Regional LGA in 2016 compared to New South Wales shows that there was a lower proportion earning a high income (those earning \$1,750 per week or more) and a higher proportion of low income persons (those earning less than \$500 per week).

Overall, 15.6% of the resident workers earned a high income, and 19.1% earned a low income, compared with 20.6% and 17.1% respectively for New South Wales.

At the 2016 Census, the median weekly personal income for people aged 15 years and over Bathurst Regional LGA was \$647, in comparison to \$664 for NSW.

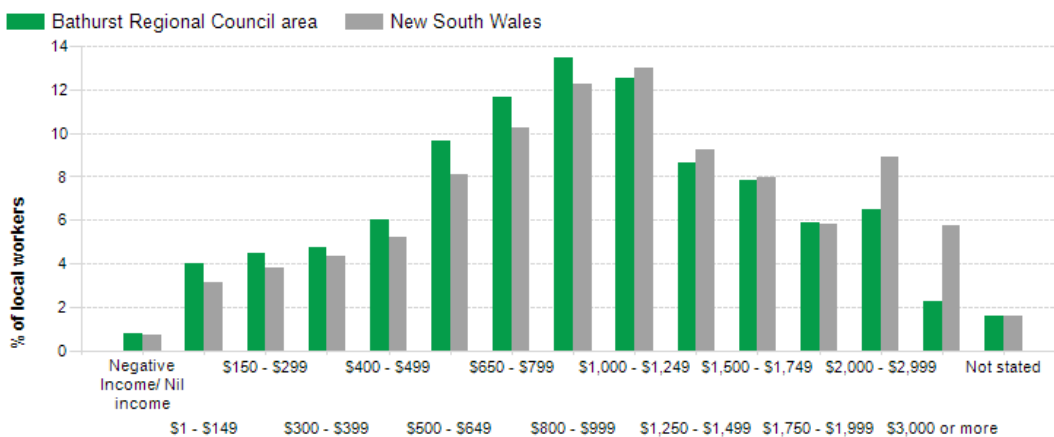


FIGURE 7: resident workers individual income, 2016, prepared by i.d, December 2017

Prepared by .id the population experts, December 2017

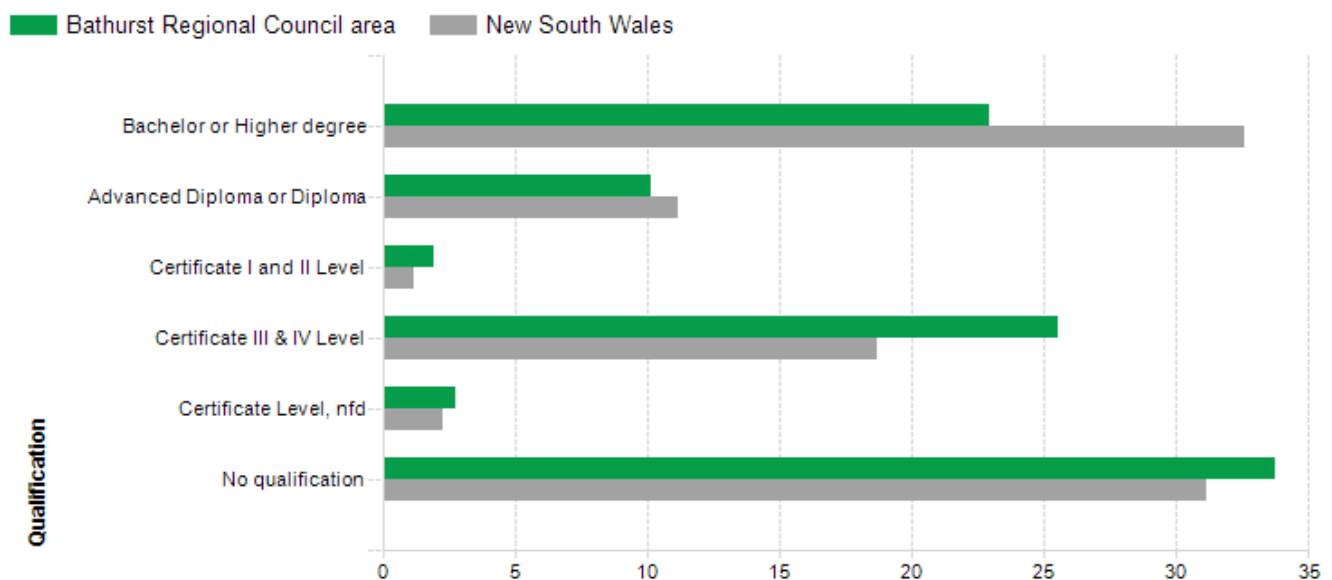
EDUCATION

At the 2016 Census, 37.7% of the resident workers in Bathurst Regional Council area have qualifications, compared to 47.2% for New South Wales.

The major differences between qualifications held by the resident workers of Bathurst Regional LGA and New South Wales were:

- A larger percentage of resident workers with Certificate III & IV Levels (26.7% compared to 18.7%)
- A larger percentage of resident workers with No qualifications (32.8% compared to 31.1%)
- A smaller percentage of resident workers with Bachelor or Higher degrees (23.0% compared to 32.6%)

FIGURE 8: resident workers qualifications, 2016, prepared by i.d, December 2017



Prepared by .id the population experts, December 2017

DWELLING TYPE AND TENURE

The 2016 Census data revealed that there are 14,848 occupied private dwellings in the Bathurst Regional LGA area.

	BATHURST	NSW
Owned outright	32.9%	32.2%
Owned with a mortgage	33.7%	32.3%
Rented	30.2%	31.8%

CONTEXT OF THE COMMUNITY SAFETY PLAN

What is a Community Safety Plan?

The Bathurst Community Safety Plan 2019 – 2023 seeks to enable a co-ordinated community approach to developing community safety through strategically implemented crime prevention programs in the Bathurst LGA. As part of its community planning process, Bathurst Regional Council has resolved to take the lead agency role in the development of the Bathurst Community Safety Plan 2019 – 2023. The Plan was developed, and will be implemented, in partnership with the broader community and key stakeholders, particularly the Bathurst Regional Community Safety Committee.

The implementation of a Community Safety Plan does not suggest that Bathurst has a crime problem. Bathurst Regional Council and the Bathurst Regional Community Safety Committee recognise that crime, including the perception of crime, can impact on the wellbeing of the local community. The development of the Community Safety Plan 2019 – 2023 will ensure ongoing implementation of strategies and actions that will support the development of the Bathurst LGA as a healthy, robust, socially cohesive, and safe community.

What are the guidelines for developing a Community Safety Plan?

The NSW Department of Justice encourages local councils to develop Community Safety and Crime Prevention Plans. Local Government is recognised as the lead agency for identifying and implementing local crime prevention strategies in New South Wales. The Department of Justice guidelines for developing a community safety plan recommends a situational crime prevention focus. The endorsement of a community safety plan by the NSW Department of Justice enables a local council to apply for grant funding to support the implementation of crime prevention strategies. The Department of Justice suggests the plan should focus on a limited number of priority crimes. These crimes are selected after firstly developing a thorough understanding of the local crime problem, where and when it occurs, who is committing it and who is affected by it. Effective strategies are identified for areas of crime risk with actions developed to reduce this risk. These strategies attempt to reduce a crime risk by implementing positive environmental and social strategies.

What was the process undertaken to develop the Plan?

The process undertaken to develop the Community Safety Plan 2019 – 2023 included:

- Broad based community consultation
- Development of a Crime Profile
- Development of demographic profile
- Research of crime prevention approaches
- Development of objectives and strategies
- Drafting of Plan
- Public comment period; and
- Adoption of Plan on behalf of the community by Bathurst Regional Council

HOW DOES THE COMMUNITY SAFETY PLAN FIT WITH COUNCIL'S OTHER PLANS?

Bathurst Regional Council adopted the Bathurst 2040 Community Strategic Plan (CSP) on 16 May 2018. The CSP is a legislative requirement as part of the NSW Government's Integrated Planning & Reporting Framework for Local Government. The purpose of the CSP is to create a whole of community vision so that Council, other agencies and the community are working in the same direction.

The CSP was developed using an asset-based approach and outlines a number of Objectives and Strategies that represent the priorities of the community. An asset-based approach emphasises the strengths and potentials of a community. It involves assessing the resources, skills, and experience available in a community. The Bathurst Community Safety Plan 2019 – 2023 has also been developed using an asset-based approach, and aligns with a number of Objectives and Strategies identified in the CSP, as outlined below:

OBJECTIVE	STRATEGY	HOW WILL THIS OBJECTIVE BE ACHIEVED?
Objective 2: A smart and vibrant economy	Strategy 2.3 Develop Bathurst as a Smart City	- Implementation of a CCTV network within the CBD
Objective 5: Community health, safety and well being	Strategy 5.3 Help build resilient, inclusive communities	- Implement community development initiatives that address the needs of the community. - Build social networks, connections and cohesion.
Objective 5: Community health, safety and well being	Strategy 5.4: Make our public places safe and welcoming	- Awareness of the needs of all members of the community. - Undertake crime risk assessments. - Work with NSW Police - Support the Community Safety Committee
Objective 5: Community health, safety and well being	Strategy 5.5 Plan and respond to demographic changes in the community	- Support different demographic groups within our community. - Review demographic trends to ensure its plans and policies remain relevant

BATHURST
COMMUNITY
SAFETY PLAN
2019-2023



WHAT WAS ACHIEVED IN THE COMMUNITY SAFETY PLAN? :

A review of the Bathurst Community Safety Plan 2015 – 2019 was undertaken as part of the process in developing the Bathurst Community Safety Plan 2019 – 2023. This process required a reflection on the approach and methodologies used in the development of the Plan, as well as key achievements and unsuccessful elements.

KEY ACHIEVEMENTS

A number of strategies and actions were successfully implemented in partnership with the Bathurst Regional Community Safety Committee. A number of actions were facilitated by the receipt of funding through the NSW Department of Justice. The key achievements include:

OFFENCE	STRATEGY	BRCSC CAMPAIGN	OTHER COMMUNITY INITIATIVES	BOCSAR STATISTICS (JANUARY 2012 – DECEMBER 2016)
Priority Crimes				
Malicious damage to property	1.2, 1.3	Don't Invite Crime		Stable
Break and enter dwelling	2.1, 2.2, 2.4, 8.4	Don't Invite Crime	Liquor Accord sponsorship of CSU research project around contributing factors e.g. drug use and break and enter offences.	Stable
Steal from motor vehicle	3.1	Don't Invite Crime		Stable
Non-domestic violence related assault	1.5, 4.2, 4.4		Liquor Accord – joint barring campaign and reduced trading hours. Council's support of CCTV funding.	Down 10.6%
Emerging Crimes				
Domestic violence related assault	5.1, 5.2, 5.3	Bathurst Says No to Domestic Violence		Stable
Fraud				Up 19.8%
Steal from dwelling	8.1	Don't Invite Crime		Stable

DON'T INVITE CRIME

A FEW SIMPLE STEPS TO BE SECURITY CONSCIOUS

- 1 Check that everything is locked and secured before leaving for a holiday. Lock all windows, doors, garden sheds, gates, garages, and any other areas of your home that are able to be secured.
- 2 Never leave valuables in your vehicle. Anything that can be removed is of interest to a thief. Take everything with you.
- 3 Keep a detailed inventory of all valuable property; this includes marking your property with your name and or driver's licence number.
- 4 Door locks are very important, as home security starts at your front door. Ensure you lock all doors whenever you are at home or leave the house.
- 5 Always keep your personal belongings close to your body and never leave them unattended.

FOR MORE INFORMATION VISIT WWW.BATHURST.NSW.GOV.AU/DONTINVITECRIME

BATHURST REGIONAL COUNCIL | SAFETY COMMITTEE | NSW Police Force



**BATHURST
REGIONAL
COUNCIL**



**BATHURST
COMMUNITY
SAFETY PLAN
2019-2023**

CHAPTER TWO:

CONSULTATION AND PUBLIC PERCEPTION

Bathurst Regional Council recognises that community consultation is vital in any integrated planning process. Extensive consultation with the community was undertaken to determine the community's perceptions, concerns and priorities in regards to community safety. A range of community consultation methods were employed to ensure all members of the community had an opportunity to provide input into the Plan. Feedback was sought from various demographic groups in the community, including youth, aged/elderly, Aboriginal and Torres Strait Islander people and people with disabilities.

Methods of consultation included:

1. Community Safety Survey
2. Community Safety Focus Groups
3. Community Survey

COMMUNITY SAFETY SURVEY

A Community Safety Survey was developed specifically for the purpose of informing the Bathurst Community Safety Plan 2019 – 2023. The survey included fifteen (15) questions focused specifically on community safety.

The Community Safety Survey was available online through YourSay, allowing the community to complete the survey on their electronic device. The survey was advertised extensively in local media as well as Council's publications, including social media.

Hard copies of the Community Safety Survey were also distributed. The Bathurst Regional Community Safety Committee held pop-up stands at several shopping precincts. This enabled surveys to be completed by a cross section of the community, while also providing an opportunity for conversations to be initiated about perceptions of safety and the importance of a Community Safety Plan.

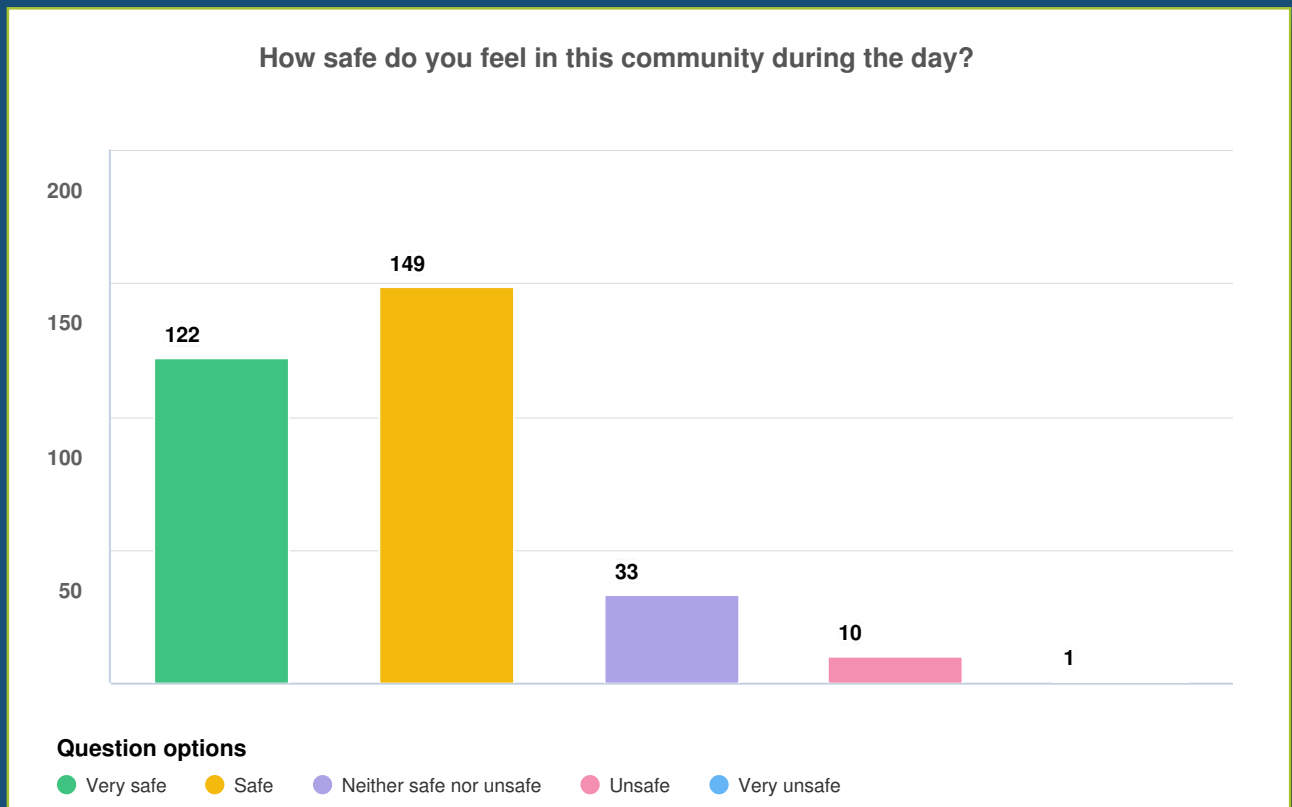
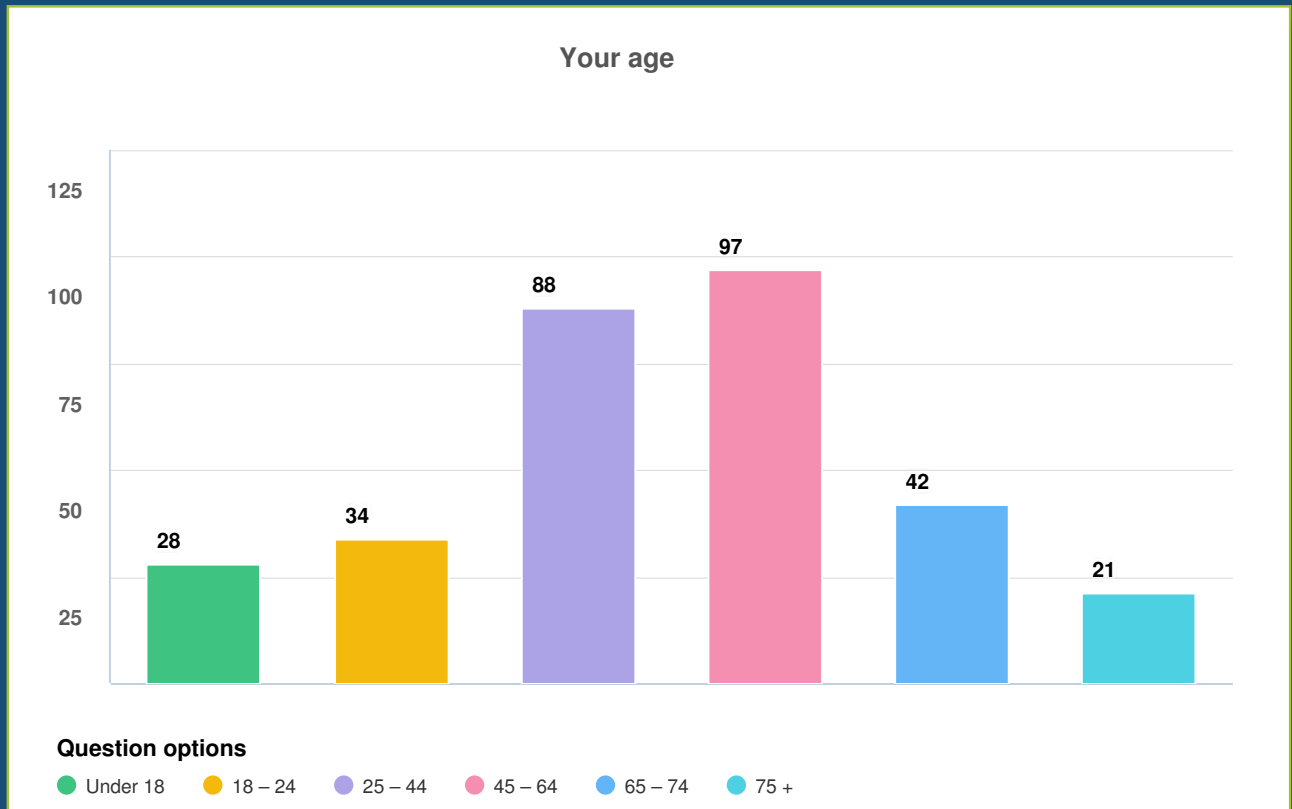
A sample of Community Safety Survey responses can be seen below:

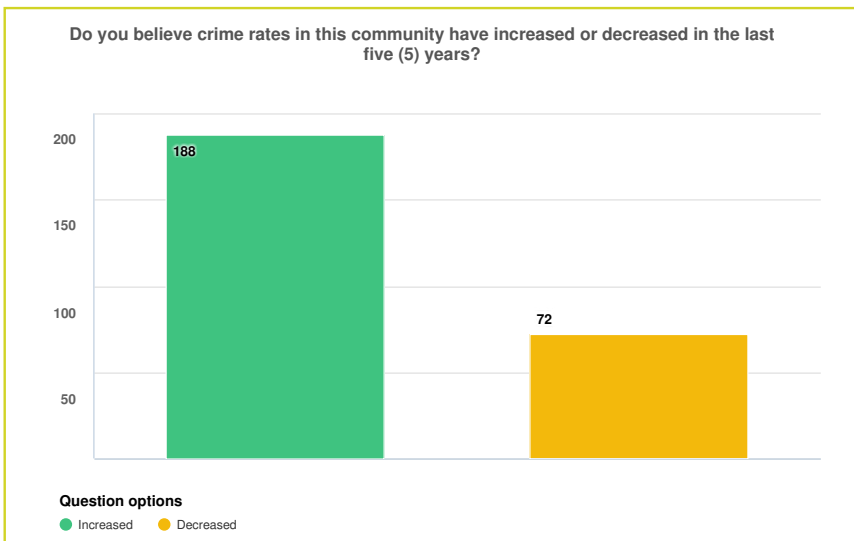
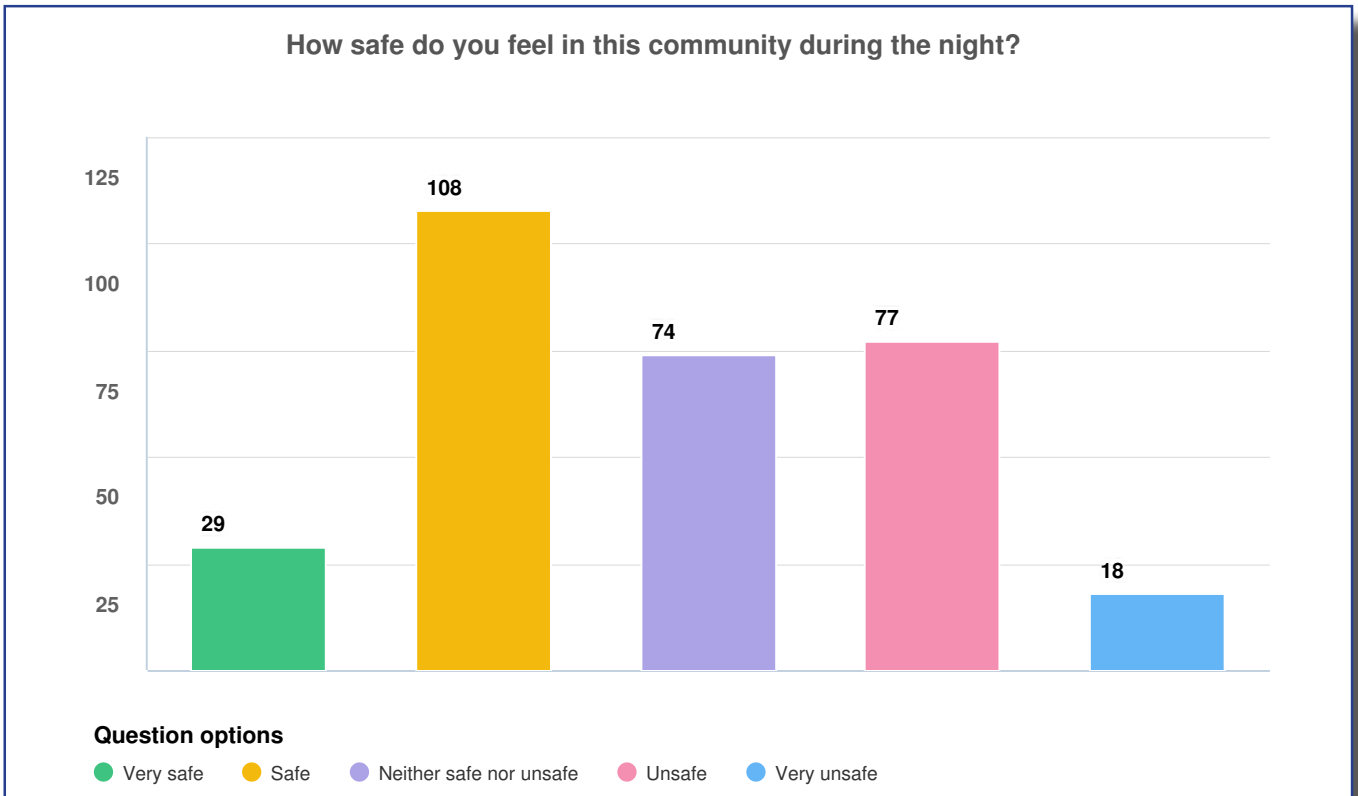
Age: Respondents were asked to tick one box from the following categories:

- Under 18
- 18 – 24
- 25 – 44
- 45 – 64
- 65 – 74
- 75+

Results of this question are shown on page 22

BATHURST
COMMUNITY
SAFETY PLAN
2019-2023





BATHURST COMMUNITY SAFETY PLAN 2019-2023

What are your three (3) most significant sources of information about local safety and crime?

Respondents were asked to choose three of the following options. The three responses chosen were not ranked.

- Personal experience
- Newspapers – hardcopy
- Newspapers – online
- Social media
- Police
- Word of mouth / information from other people
- Television
- Radio
- Crime fiction / true crime / documentaries
- Other

The most commonly elected responses are shown overpage. This demonstrates the percentage of respondents who chose these options as part of their top three sources of information about local safety and crime.



WORD OF MOUTH



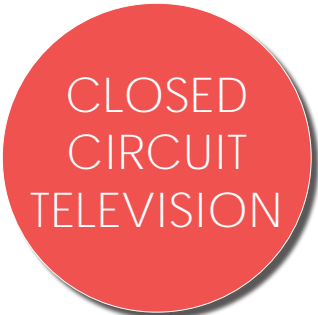
SOCIAL MEDIA



TELEVISION

What do you think could be done to make you feel safer in the community?

This was an open-ended question which allowed respondents to make suggestions about what they believe would improve community safety in the Bathurst LGA. Results showed that the following themes appearing consistently:



CLOSED CIRCUIT TELEVISION



INCREASED POLICE PRESENCE



IMPROVED LIGHTING

A number of respondents also referred to drug and alcohol use. Reduction in drug use was linked to increased feelings of safety in the community. This issue will be discussed in greater detail in Chapter Three of this Plan.

Which offences does the community perceive to be the greatest concern?

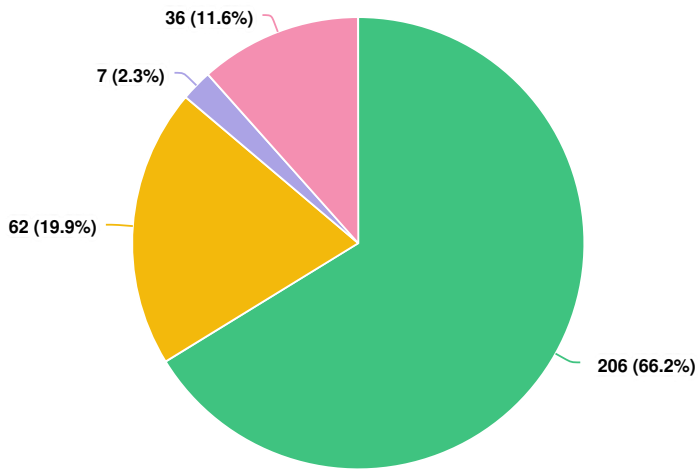
Respondents were asked to indicate whether they think various types of crime are a "major problem", "a minor problem" or "not a problem" in this community over the last 5 years. Respondents were also given the option to select "don't know".

The following crimes rated highest in regards to perceptions of being representative of a "major problem" in the Bathurst LGA. The percentages show the number of respondents who selected "major problem" for each crime type.

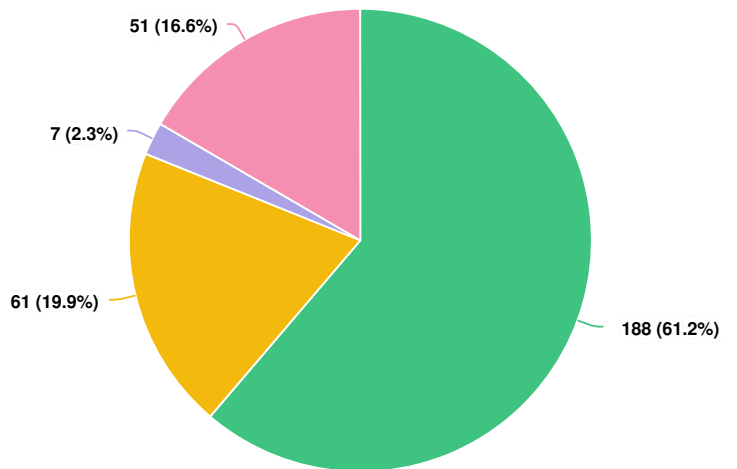
1. Drug offences – 66%
2. Assault – domestic violence related – 61%
3. Break and enter dwelling – 58%
4. Alcohol related offences – 48%
5. Steal from dwelling – 48%

The following five pie graphs provide a greater insight into the percentage of respondents who selected "major problem", "minor problem", "not a problem" and "don't know" for the five crimes listed above.

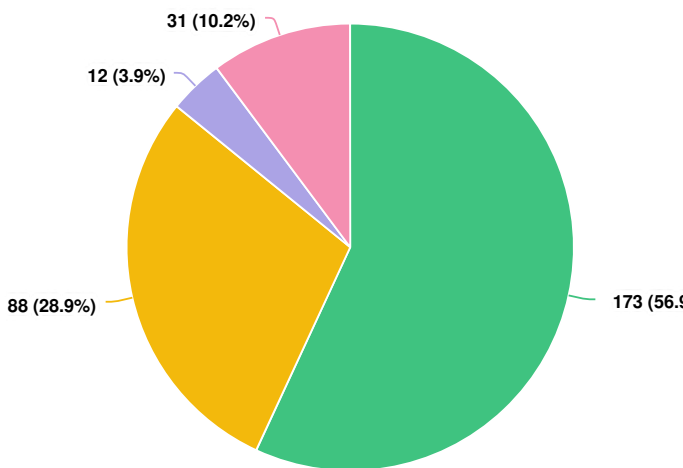
Drug offences



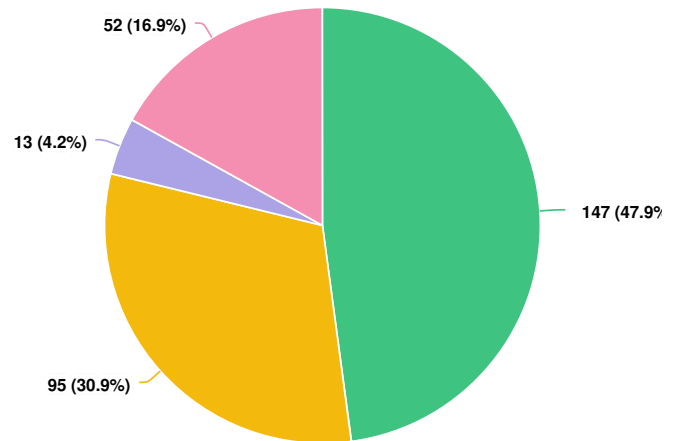
Assault - domestic violence related



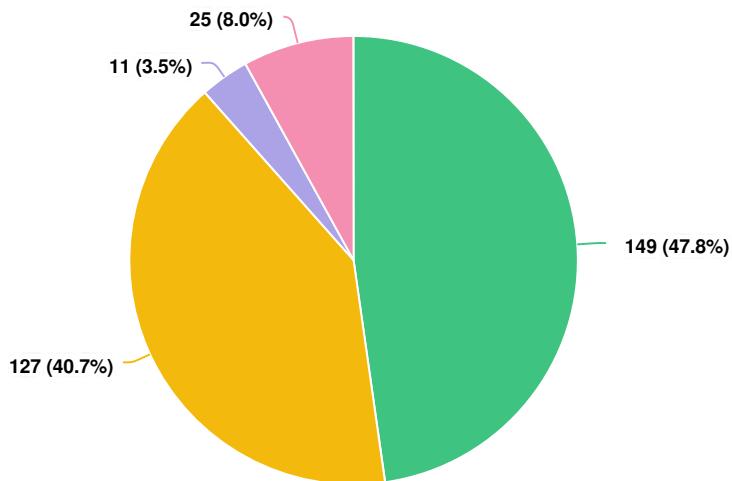
Break and enter dwelling



Steal from dwelling



Alcohol related offences



● Major problem ● Minor problem ● Not a problem ● Don't know

SUMMARY OF COMMUNITY SAFETY SURVEY FINDINGS

A cross section of the community participated in the survey, with representation from all 6 age categories. However, it is worth noting that the 25 – 44 and 45 – 64 age groups made up 28% and 30% of participants respectively.

A higher number of females participated in the survey than males, with 63% of respondents identifying as female. A significant number of respondents indicated that they are in full time employment (35%). Retirees were also largely represented, with 22% of respondents in this category.

The Community Safety Survey demonstrated that a very small percentage of residents feel unsafe in Bathurst overall (6%). There was a notable difference between feelings of safety during the day compared to feelings of safety at night, with 3% of respondents feeling unsafe during the day and 24% feeling unsafe at night.

Many respondents identified the CBD as one of the areas where they feel more safe – during the day when there are a lot of people around. Respondents in the older aged categories frequently acknowledged that they feel more safe in shopping centres and in their own home.

Locations highlighted by respondents as areas where people feel less safe include parks, areas surrounding pubs and clubs, the CBD and other streets where lighting is poor, carparks and areas of Kelso.

There was an overwhelming consensus that CCTV, more frequent police patrols and more lighting are measures which would increase feelings of safety in the Bathurst region.

72% of respondents feel crime rates in Bathurst are increasing. This result is of significance as this belief does not correlate with official crime statistics for the Bathurst LGA, which indicate that crime rates in the region are relatively stable. This will be discussed further in Chapter Three of this plan. It is also worth noting that the most common sources of information about local crime and safety are word of mouth and social media. Furthermore, police and personal experience were not commonly identified by respondents as their most significant source of information about local crime and safety issues.



COMMUNITY SAFETY FOCUS GROUPS

A number of Focus Groups were held as part of the development of the Bathurst Community Safety Plan 2019 – 2023. The Focus Groups consisted of seven (7) questions specifically related to community safety and perceptions of crime. This ensured the data corresponded with the data collected through the Community Safety Survey.

Focus groups were held with key stakeholders from community services and agencies, including the Aboriginal community, youth, seniors, people with a disability and people from culturally and linguistically diverse backgrounds. In depth discussions and consultation with the Bathurst Regional Community Safety Committee was also conducted.

Focus Groups were also held in conjunction with the following organisations and facilities:

- Bathurst Youth Network
- Bathurst Regional Youth Council
- Combined Pensioners and Superannuants Association
- Kelso Community Hub
- TAFE NSW
- Disability Alliance

A sample of some Focus Group responses held are shown below

"Feel reasonably safe during the day, at night not at all"

"I feel very safe"

"Need more cameras"

"Generally Bathurst is safe"

"Crime rates are getting much worse"

"Police need to be more visible especially at night"

"Drug related violence and drug use is a problem"

"Assaults from drunk and drug addicts"

SUMMARY OF FOCUS GROUP FINDINGS

Overall, the key messages and themes from the Community Safety Focus Groups results endorsed those from the Community Safety Survey.

Comments made throughout the Focus Groups indicate that residents of Bathurst feel safe in the region during the day. Based on Focus Group results, there is evidence that people feel less safe at night, particularly older residents.

The importance of police visibility in regards to safety and crime was highlighted. Several Focus Groups agreed that more regular police patrols would have a positive impact on criminal activity and feelings of safety in the community.

The impact of drug use and drug related crime was identified consistently in response to Question 2: What do you consider to be the main safety concerns in this community? What do you think contributes to these concerns? Drug use was also frequently associated with violence and assaults.

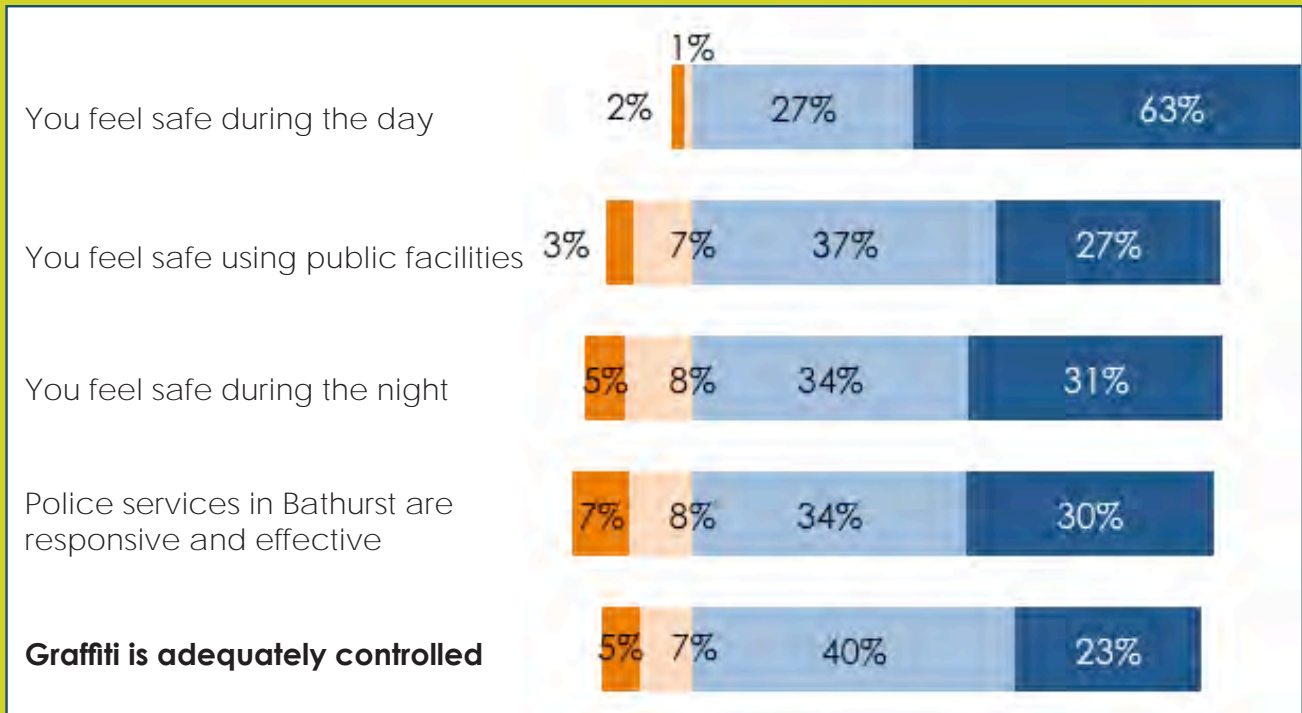
The majority of Focus Groups agreed that crime rates in the Bathurst region are increasing, which is consistent with the Community Safety Survey results.

In response to Question 6: Is there anything that could be done to make you feel safer in this community?, the most common suggestion was better street lighting.



COMMUNITY SURVEY

The Community Survey is distributed throughout the Bathurst region every two years. It collects data on a range of issues, including community safety. The most recent survey was conducted in September 2018. 402 residents participated in the survey. A statistically random, reliable and valid methodology was utilised.



SUMMARY OF COMMUNITY SURVEY FINDINGS

Overall, the 2018 Community Survey revealed that residents feel safe in the Bathurst region. Results indicate that residents strongly agree with the statement 'you feel safe during the day', whilst all other safety measures were rated moderately highly.

According to the Community Survey results, most Bathurst residents believe local police services are responsive and effective. Residents aged 65+ and those located in a rural area were significantly more likely to agree that the 'police services in Bathurst are responsive and effective', whilst those aged 18-34 were significantly less likely to agree.

COMMUNITY CONSULTATION SUMMARY AND KEY THEMES BASED ON THE THREE CONSULTATION METHODOLOGIES UNDERTAKEN

The community consultation carried out as part of the process to develop the Bathurst Community Safety Plan 2019 – 2023 identified several key themes that were consistent throughout the consultation process. The key themes related to community safety, and in particular the community's perceptions of crime feelings of safety.

The following key themes emerged from the community consultation:

- People mostly feel safe in Bathurst during the day
- The community's feelings of safety are decreased at night
- The community would feel safer if there was a greater police presence, including regular patrols
- The installation of CCTV would improve perceptions of safety
- The community believe street lighting in Bathurst needs to be improved, particularly in the CBD
- Offences associated with alcohol and licensed premises are a concern to the community
- The community believes drug use and drug related offences are a major concern in the Bathurst LGA
- A large proportion of the community believe crime rates have increased in Bathurst over the past five (5) years

BATHURST COMMUNITY SAFETY PLAN 2019-2023

CHAPTER THREE:

FOCUS CRIMES

The NSW Department of Justice suggests that Councils develop a crime profile to determine the crimes that should be the focus of any crime prevention strategy. This process allows the types of crime affecting a region to be clearly demonstrated.

The Department of Justice suggest that when Councils determine the crimes to be targeted in the LGA, they should consider focusing on:

- Crimes that have the greatest number of reported incidents;
- Crimes that rank higher in the LGA than NSW averages; and,
- Crimes that continually increase at a higher rate, than they increase elsewhere in NSW.

For the purpose of the Bathurst Community Safety Plan 2019 – 2023, the NSW Bureau of Crime Statistics and Research (BOCSAR) informed the crime profile. This involved an analysis of available statistical information. Chifley Police District contributed to the crime profile by providing localised crime information.

The four most prevalent major offences in 2017 for the Bathurst Regional LGA are listed below according to BOCSAR data. Major offence categories include the most serious personal violence and property offences.

- | | |
|---------------------------------|--|
| 1. Malicious damage to property | 3. Non-domestic violence related assault |
| 2. Steal from motor vehicle | 4. Break and enter dwelling |

The table below shows the eight most prevalent major offences in 2017 for the Bathurst Regional LGA. The table also includes the rate of offences per 100,000 population and LGA rank for the offences listed.

Rates per 100,000 population are calculated by applying the corresponding population data provided by the Australian Bureau of Statistics to the number of criminal incidents, and then multiplying the result by 100,000. The formula used to calculate the rate per 100,000 population is as follows:

$$\frac{\text{Number of criminal incidents}}{\text{Resident population of LGA}} \times 100,000$$

The LGA rank compares the rate of crime in the Bathurst Regional LGA with the rate in all 120 LGAs in New South Wales that have populations greater than 3000. A ranking of 1 indicates the highest rate of crime.

Offence type	Number of incidents	Rate per 100,000 population	2017 LGA rank
Malicious damage to property	618	1,457.9	17
Steal from motor vehicle	279	658.2	23
Non-domestic violence related assault	252	594.5	29
Break and enter dwelling	242	570.9	25
Fraud	234	552	39
Domestic violence related assault	216	509.6	39
Steal from retail store	126	297.2	33
Steal from dwelling	119	280.7	55

MALICIOUS DAMAGE TO PROPERTY

involves the willful and unlawful, damage or defacement of public or private property, and includes graffiti and vandalism.

	2015	2016	2017
Number of incidents	561	502	618
Bathurst Regional rate per 100,000	1,340.7	1,184.3	1,457.9
NSW rate per 100,000	839.6	811.7	790.4
Bathurst Regional NSW LGA rank	24	33	17

A review of the BOCSAR data identified that the number of malicious damage to property offences occurring within the Bathurst Regional LGA has fluctuated significantly over the five year period 2013 to 2017. While the number of incidents dropped from 2013 until 2016, a significant increase occurred in 2017. In recent years, Bathurst Regional LGA has consistently recorded rates per 100,000 head of population higher than the state average. In 2017, the recorded rate of malicious damage in the Bathurst Regional LGA was 17 out of 120 Councils.

At the time of drafting the Bathurst Community Safety Plan 2019 – 2023, localised information from the **Chifley Police District indicates the following in relation to malicious damage to property:**

- The incidence of malicious damage to property in central Bathurst is heavily influenced by the consumption of alcohol
- Malicious damage to property incidents are more likely to occur on Friday and Saturday nights, from 3:00pm onwards
- There is a larger concentration of incidents in the areas immediately surrounding licensed premises
- There is a higher rate of incidents in the areas surrounding public housing
- There has been a considerable increase in the number of malicious damage incidents to motor vehicles. It is believed that offenders were targeting motor vehicles for the purpose of stealing property located inside.

Where does malicious damage to property occur?

BOCSAR data shows that the three most frequent locations for malicious damage to occur in 2017 were:

- Residential – dwelling – 49% of total incidents
- Outdoor/public place – 13% of total incidents
- Residential – outside of dwelling – 13% of total incidents



HOTSPOT MAP

The hotspot map below indicates that malicious damage to property incidents are concentrated in Bathurst's CBD and Kelso. Incidents are also higher in West Bathurst and South Bathurst.

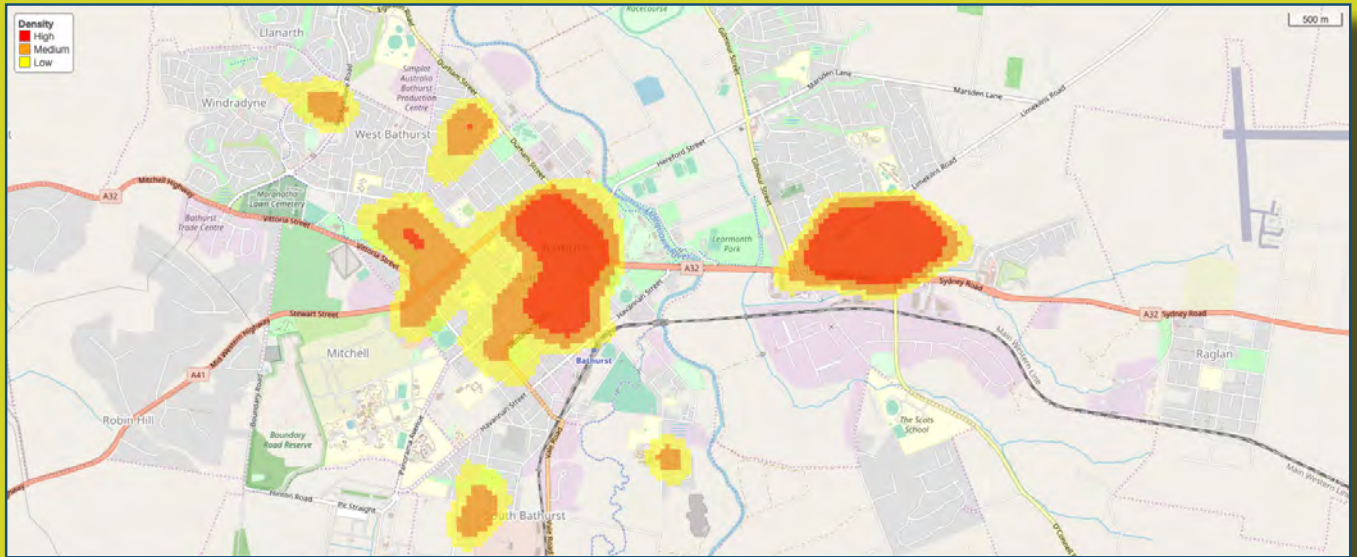


FIGURE 2: Hotspot map for Malicious Damage to Property incidents (January 2018 to December 2018)

Source: NSW Bureau Crime Statistics and Research



BATHURST COMMUNITY SAFETY PLAN 2019-2023

STEAL FROM MOTOR VEHICLE

involves the unlawful taking of parts or contents from another person's motor vehicle illegally and without permission

	2015	2016	2017
Number of incidents	244	336	279
Bathurst Regional rate per 100,000	583.1	792.7	658.2
NSW rate per 100,000	523.9	523.0	504.8
Bathurst Regional NSW LGA rank	41	16	23

A review of the BOCSAR data identified that the number of steal from motor vehicle offences occurring within the Bathurst Regional LGA has remained stable in the five year period 2013 to 2017. However, Bathurst Regional LGA has consistently recorded rates per 100,000 head of population higher than the State average. In 2017 the recorded rate of steal from motor vehicle in the Bathurst Regional LGA ranked 23 out of 120 local government areas.

At the time of drafting the Bathurst Community Safety Plan 2019 – 2023, localised information from the Chifley Police District indicates the following in relation to steal from motor vehicle:

- There has been a decline in offenders targeting high density car park areas, such as Charles Sturt University and CBD shopping centres
- High percentage of vehicles subject to steal from motor vehicle offences are left unlocked
- Most recent statistics reveal Kelso as the hot spot for this offence, with offenders both living in and committing the offence in the area
- Offences in Kelso predominantly occurred during hours of darkness
- West Bathurst has recently experienced short periods of targeting by offenders, which resulted in intensive patrols and investigation by Police

Where does it occur?

BOCSAR data shows that the three most frequent locations for steal from motor vehicle offences to occur in 2017 were:

- Residential – outside of dwelling – 42% of total incidents
- Outdoor/public place – 27% of total incidents
- Residential – dwelling – 16% of total incidents



HOTSPOT MAP

The hotspot map demonstrates that steal from motor vehicle incidents are concentrated in Bathurst's CBD, Kelso, South Bathurst, and the area between Mitchell and West Bathurst.

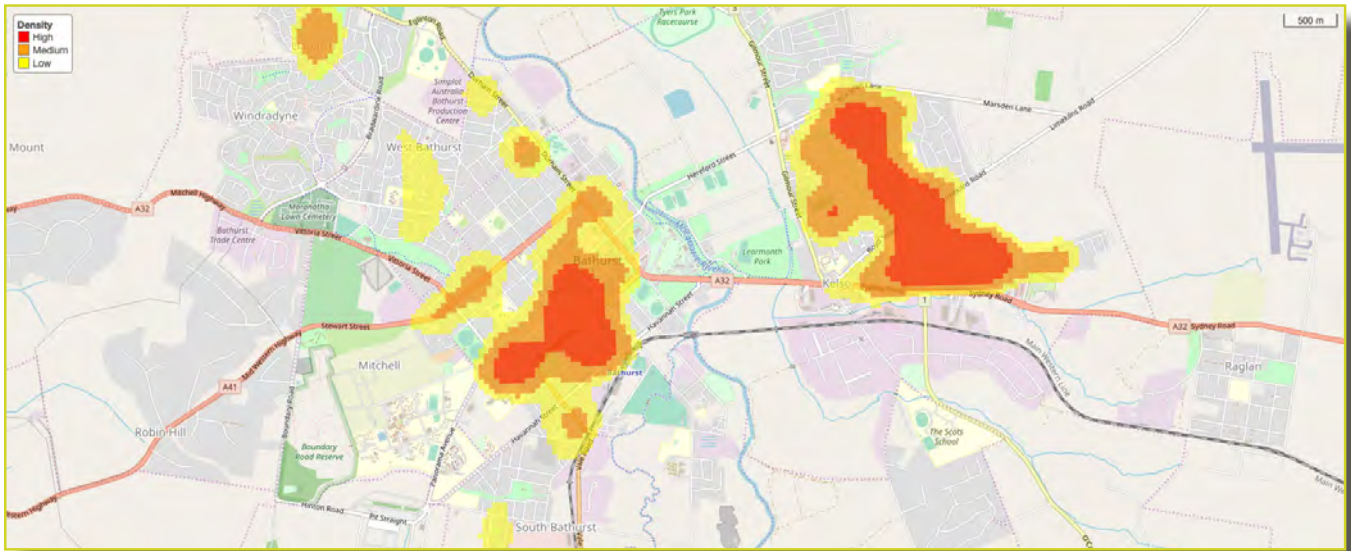


FIGURE 3: Hotspot map for steal from motor vehicles incidents (October 2016-September 2017)

Source: NSW Bureau Crime Statistics and Research



BATHURST COMMUNITY SAFETY PLAN 2019-2023

NON-DOMESTIC VIOLENCE RELATED ASSAULT

assault is defined as the direct (and immediate/confrontational) infliction of force, injury or violence upon a person or persons or the direct (and immediate/confrontational) threat of force, injury or violence where there is an apprehension that the threat could be enacted. An assault is defined as non-domestic violence related if the offender is not in a domestic relationship (either past or present) with the victim.

	2015	2016	2017
Number of incidents	209	196	252
Bathurst Regional rate per 100,000	499.5	462.4	594.5
NSW rate per 100,000	404.5	410.5	416.0
Bathurst Regional NSW LGA rank	34	43	29

A review of the BOCSAR data identified that the number of non-domestic violence related assault offences occurring within the Bathurst Regional LGA has remained stable in the five year period 2013 to 2017. However, Bathurst Regional LGA has consistently recorded rates per 100,000 head of population higher than the State average. In 2017 the recorded rate of non-domestic violence related assault incidents in the Bathurst Regional LGA ranked 29 out of 120 local government areas.

At the time of drafting the Bathurst Community Safety Plan 2019 – 2023, localised information **from Chifley Police District indicates the following in relation to non-domestic violence related assault:**

- Highest number of incidents occurred across the central Bathurst area
- There is no significant trend in relation to the time and day when the offence is committed
- The suburb of Kelso had the second highest number of incidents. These incidents predominantly occur in and around public housing areas.
- A hotspot exists around Bathurst Base Hospital, with a number of assaults localised to this location
- A higher number of incidents have been recorded in and around various public housing areas

Where does it occur?

BOCSAR data shows that the three most frequent locations for non-domestic violence related assault offences to occur in 2017 were:

- Residential – 29% of total incidents
- Outdoor/public place – 25% of total incidents
- Licensed premises – 13% of total incidents

HOTSPOT MAP

The hotspot map demonstrates that non-domestic violence related assault incidents are concentrated in Bathurst's CBD. This suggests that the location of the majority of the entertainment venues and licensed premises have a contributory effect. A higher number of non-domestic violence related assaults also occur in Kelso.

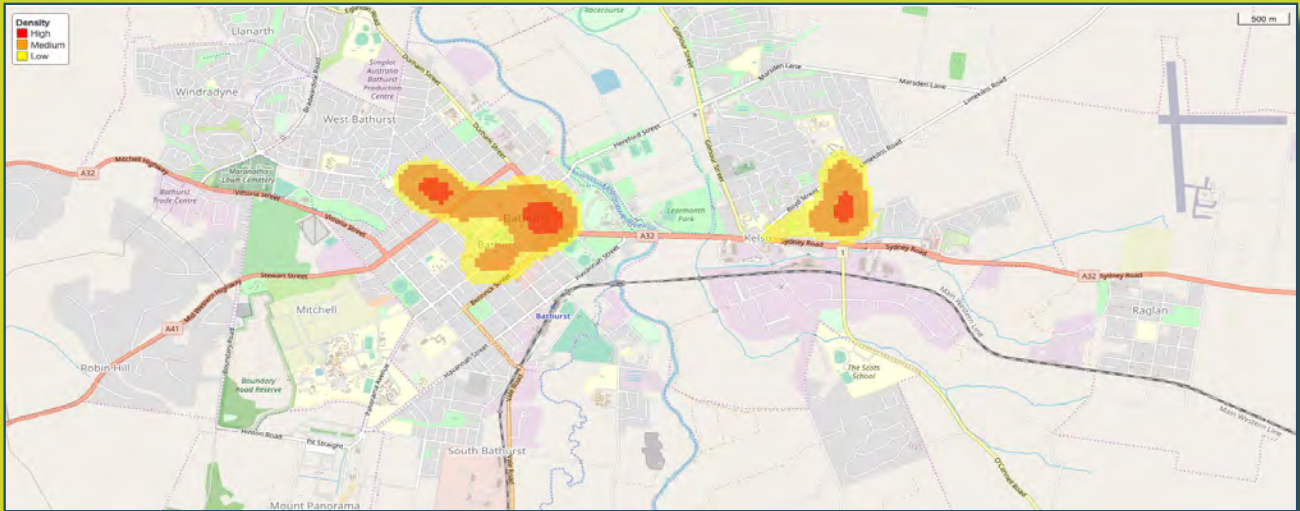


FIGURE 3: Hotspot map for non domestic violence related assault (October 2016-September 2017)

Source: NSW Bureau Crime Statistics and Research



BATHURST COMMUNITY SAFETY PLAN 2019-2023

BREAK AND ENTER DWELLING

involves the unlawful entry to a dwelling with the intent to commit an offence where the entry is either forced or unforced. Dwellings include residential premises such as houses, home units or villas.

	2015	2016	2017
Number of incidents	350	328	242
Bathurst Regional rate per 100,000	836.4	773.8	570.9
NSW rate per 100,000	414.6	384.0	359.3
Bathurst Regional NSW LGA rank	18	22	25

A review of BOCSAR data identified that the number of break and enter dwelling offences occurring within the Bathurst Regional LGA have remained stable in the five year period 2013 to 2017. Bathurst Regional LGA has consistently recorded rates per 100,000 head of population significantly higher than the State average in the five year period 2013 to 2017. In 2017 the recorded rate of break and enter dwelling in the Bathurst Regional LGA ranked 25 out of 120 local government areas.

Where and when does it occur?

At the time of drafting the Bathurst Community Safety Plan 2019 – 2023, localised information from Chifley Police District indicates the following in relation to break and enter dwelling:

- Strong mid-week trend in the Bathurst CBD, particularly during day time
- Kelso has been the target of break and enter dwelling offences, however a number of offenders (both adult and juvenile) have recently been charged which has subsequently resulted in a decline
- Older residents have been targeted in West Bathurst, whereby offenders have stolen from sheds and laundry areas of premises

BOCSAR data shows that the two most frequent locations for break and enter dwelling offences to occur in 2017 were:

- Residential – dwelling – 91% of total incidents
- Residential – outside of dwelling – 9% of total incidents



HOTSPOT MAP

The hotspot map indicates that break and enter dwelling incidents tend to occur in the older residential areas of the Bathurst area and in the vicinity of the Kelso public housing area.

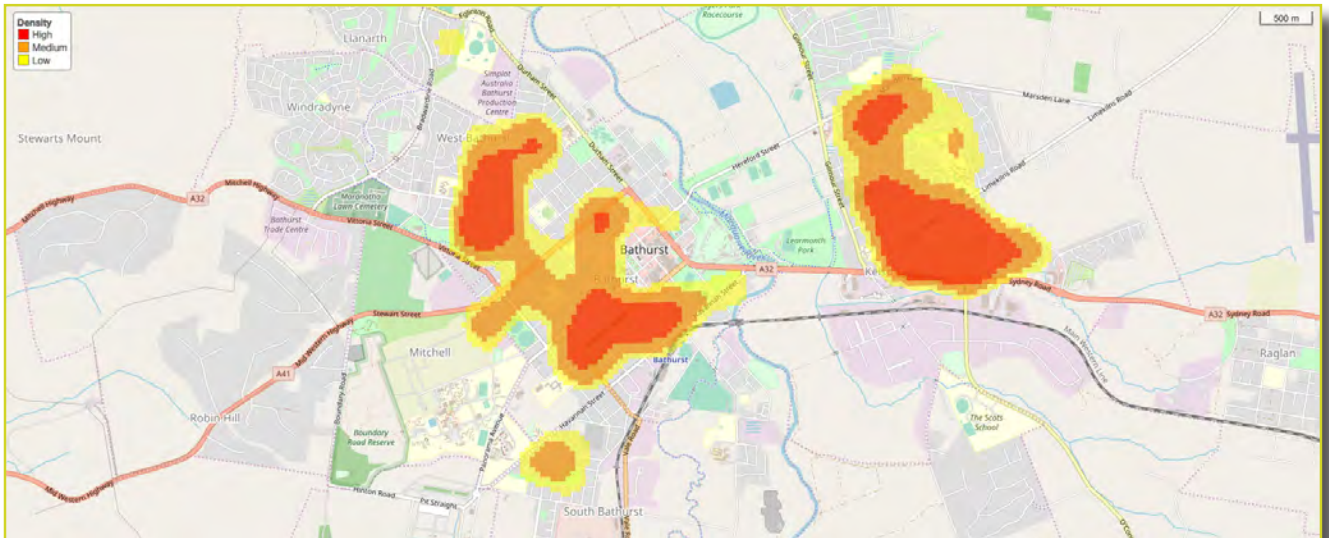


FIGURE 3: Hotspot map for break and enter dwelling (October 2016-September 2017)

Source: NSW Bureau Crime Statistics and Research



BATHURST COMMUNITY SAFETY PLAN 2019-2023

ADDITIONAL FOCUS CRIMES BASED ON COMMUNITY PERCEPTION

Selection of the focus crimes for the Community Safety Plan 2019 – 2023 also took consultation results into consideration. Consultation was carried out with the community as well as the Bathurst Regional Community Safety Committee. The purpose of this consultation was to obtain data regarding perceptions of crime in the Bathurst Regional LGA. This allowed perceptions of crime to be compared to actual crime statistics.

It is widely accepted that perceptions of crime are an important element to consider in relation to community safety. The Bathurst Regional Community Safety Committee therefore felt it was necessary to broaden the scope of crimes for inclusion in the Bathurst Community Safety Plan 2019 – 2023. This will ensure the Committee can continue their focus on the most prevalent crimes in the Bathurst LGA, whilst also allowing attention to be devoted to other crime areas that appear to be of major concern to the community.

Based on community consultation results, the following crimes have been included in the Bathurst Community Safety Plan 2019 – 2023:

- Fraud
- Drug offences

FRAUD

Fraud encompasses a wide variety of corrupt, deceptive, dishonest or unethical behaviour. It is described as using false representation to obtain unjust advantages.

https://www.police.nsw.gov.au/safety_and_prevention/safe_and_secure/business/pages/fraud

	2015	2016	2017
Number of incidents	210	291	234
Bathurst Regional rate per 100,000	501.9	686.5	552.0
NSW rate per 100,000	682.3	657.7	640.2
Bathurst Regional NSW LGA rank	41	21	39

Anyone can be a target of fraud – both individuals and organisations. Obtaining consistent data on fraudulent activity is difficult as information systems, legislative definitions, data collection practices and prosecution activity vary significantly. Accurately determining the scale of the problem is therefore very limited. Despite this, it is known that a substantial amount of fraud occurs, with the problem increasing as technology continues to advance.

<https://aic.gov.au/publications/rpp/rpp129/fraud>

Several members of the Bathurst Regional Community Safety Committee, including Chifley Police District have highlighted their increasing concern of fraud and the impact it is having on the Bathurst community. The complexity and diverse nature of fraudulent activity is evident, with the Committee acknowledging that fraud offences are often undetected or not reported.

According to results from the Community Safety Survey, a large proportion of the community does not consider fraud to be a major problem in the Bathurst LGA. This is demonstrated below, which shows only 16.8% of respondents consider fraud to be a 'major problem' while 41.4% of respondents consider it to be a 'minor problem'. The percentage of respondents who indicated that they 'don't know' is also of significance. This may be a reflection that many community members have limited awareness of fraud and the actions it entails.

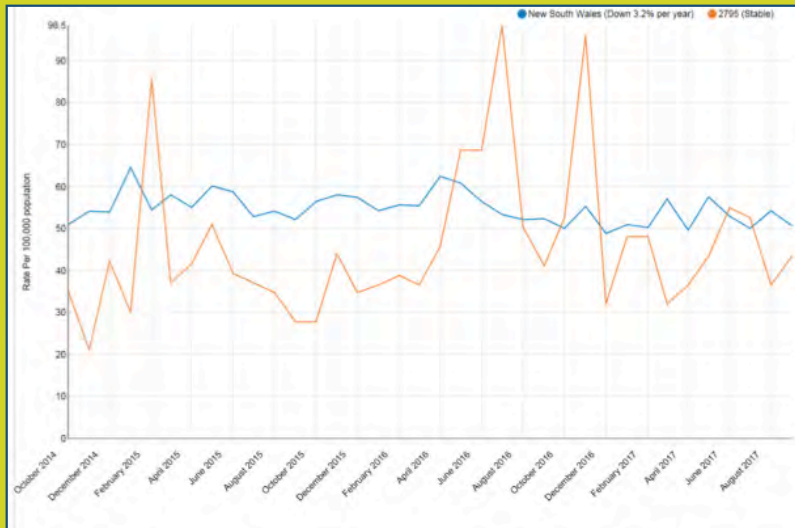
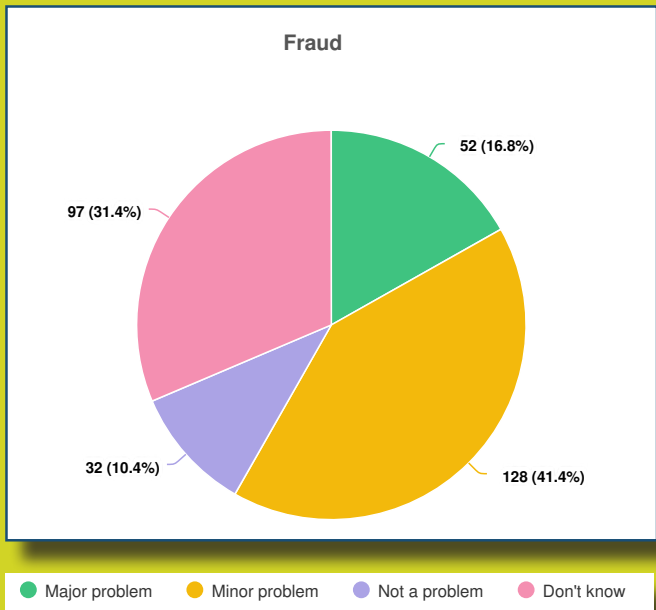


FIGURE 5: Incidents of fraud in Bathurst LGA compared to New South Wales (October 2014-September 2017)

BATHURST COMMUNITY SAFETY PLAN 2019-2023

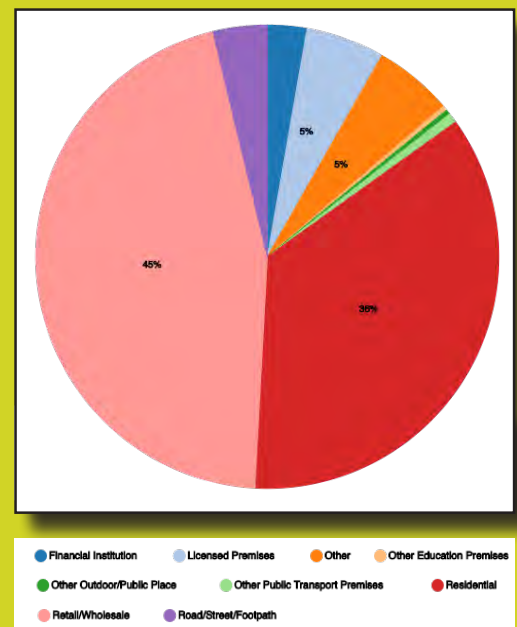


FIGURE 6: Incidents of fraud in the Bathurst LGA via premises (October 2016 to September 2017)

DRUG OFFENCES

Possessing, selling, dealing, trafficking, importing, manufacturing or cultivating illicit drugs and misuse of licit prescription drugs.

According to BOCSAR data, drug offences are not overly prevalent in the Bathurst Regional LGA. Despite this, drug offences and drug related crimes have been a concern to the Bathurst Regional Community Safety Committee for a number of years.

Additionally, community consultation carried out as part of the development of the Bathurst Community Safety Plan 2015 – 2019 revealed that the local community also consider drug offences to be a significant issue in the Bathurst LGA. This was particularly evident in the Community Safety Survey results. Particular reference was also made to the drug known as ice and problems associated with this.

A sample of responses from the Community Safety Survey are shown below which relate to drug offences and drug use in the Bathurst LGA

Question 14:

What do you think could be done to make you feel safer in this community?

"Address
Drug Problems"

"Remove
Drugs"

"Overall
reduction
in drug use"



While official crime statistics indicate that drug offences are not overly prevalent in the Bathurst region, the above Community Safety Survey results demonstrate that the Bathurst community considers drug use to be a major problem. Responses indicate that residents perceive drug use to be a contributing factor to other criminal activity. It is also evident that perceptions of safety in the Bathurst community are impacted by the use of drugs – people would feel safer if drug use was addressed.

The graph below shows the results from Question 18 in the Community Safety Survey. Respondents were asked to consider how problematic Drug Offences are in the Bathurst LGA, by choosing one of the below options. The percentages listed demonstrate that a significant proportion of the community feel are majorly problematic, with only a very small number of people believe drug offences are “not a problem”.

- Major problem – 66% of responses
- Minor problem – 20% of responses
- Don't know – 12% of responses
- Not a problem – 2% of responses

BATHURST COMMUNITY SAFETY PLAN 2019-2023

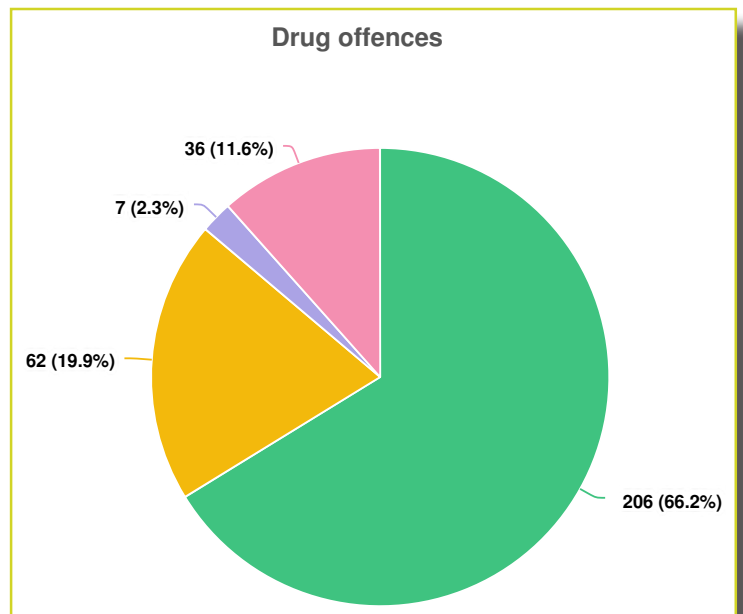
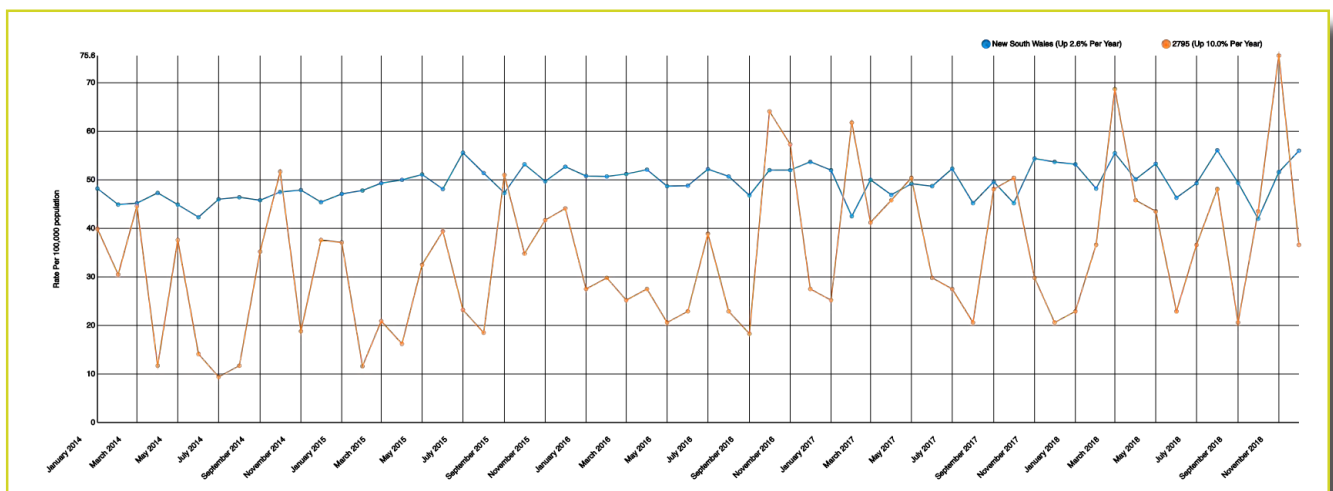


FIGURE 7: Incidents of Drug Offences in Bathurst LGA compared to New South Wales (January 2014 to December 2018)

Major problem Minor problem Not a problem Don't know



Source: NSW Bureau of Crime Statistics and Research

CHAPTER FOUR:

OBJECTIVES AND STRATEGIES

Incidents of crime, public perception and factors contributing to crime are inter-connected and multifaceted. Therefore, strategies and actions employed to reduce the incidence of crime need to take a multi-interventional approach that simultaneously target various aspects of the identified crime.

Common themes and patterns for the Bathurst region were revealed through the analysis of BOCSAR data, localised police information and community consultation results. Based on this analysis, four priority outcomes were identified. These outcomes reflect the community's priorities in regards to safety in the Bathurst region. The outcomes are:

- | | |
|--|--|
| 1. Safe at night | 3. A safe place for all members of the community |
| 2. Shared commitment to a safe community | 4. Improve perceptions of community safety |

These outcomes provide a framework to guide the development of strategies and actions that will enable Bathurst to continue to be a safe region. The priority outcomes will underpin the overall implementation of the Bathurst Community Safety Plan 2019 – 2023.

Strategies and Actions aimed at reducing the focus crimes are identified in this Plan. These strategies and actions will be the focus of Bathurst Regional Community Safety Committee, who will be responsible for their implementation and achievement. Each Action considers the contributing factors indicated by BOCSAR statistics, data provided by Chifley Police District, as well as consultation with the community and key stakeholders.

Each Action summarises the selected program/s to be employed. It also identifies the stakeholders who have committed to support that program, what the project will achieve, performance measures, timeframes and potential funding sources.

Selection of Objectives and Strategies

It is now widely accepted that crime prevention programs are most effective when combined with other crime prevention initiatives, as opposed to standalone initiatives. The Strategies included in this Plan are therefore intended to be implemented concurrently, allowing a multi-faceted approach to crime prevention.

The Objectives and Strategies were selected with consideration of what has previously been successful in Bathurst and other LGAs who have experienced similar issues. The Strategies aim to positively impact each focus crime, reduce risk factors, and increase the protective factors in the community. Opportunity reduction measures such as target hardening, modification of the environment, increasing natural surveillance, reducing provocations, and target removal have been selected where appropriate.

The Objectives and Strategies are based on resources available in Bathurst, with an emphasis on utilising the infrastructure, resources, skills and capabilities of existing organisations. The success of identified Strategies will be largely dependent on the development of cooperative partnerships. This will allow an integrated community approach to key issues of concern.

Consideration was also given to perceptions of crime and safety throughout the development of Objectives and Strategies. As discussed previously, perceptions of crime play a large role in the community's wellbeing and feelings of safety. The Strategies selected therefore reflect both perceptions of crime as well as official crime statistics.

Implementation, coordination and review of the Bathurst Community Safety Plan 2019 – 2023

The Plan will be implemented and coordinated by the Bathurst Regional Community Safety Committee. The Committee is made up of key stakeholders, including:

- Bathurst Regional Council
- Councillors
- Chifley Police District
- Bathurst Community Corrections
- Community Mental Health / Drug & Alcohol Service
- FACS Housing
- Bathurst Liquor Accord
- Bathurst Business Chamber
- TAFE NSW
- Charles Sturt University
- Neighbourhood Centre
- headspace
- Bathurst PCYC
- Bathurst Seymour Centre

Coordination of the Plan by the Bathurst Regional Community Safety Committee will ensure a collaborative approach is taken in regards to crime prevention, as well as increasing the sense of community safety in the Bathurst Regional LGA. The Committee will ensure key stakeholders involved in the community safety process are aware of the latest developments, trends and patterns in regards to local crime.

Performance measures will be identified to ensure the success of each Strategy can be monitored. Bathurst Regional Council will facilitate an annual review of the Strategies, to determine those which have been achieved and those which still need to be addressed.

Bathurst Regional Council will seek endorsement of the Bathurst Community Safety Plan 2019 – 2023 by the NSW Department of Justice as a Safer Community Compact. Additional funding opportunities will also be sought where appropriate.

OBJECTIVES AND STRATEGIES

MALICIOUS DAMAGE TO PROPERTY

Objectives

- to reduce the incidence of malicious damage to property in the Bathurst LGA including in and around licensed premises and public housing areas
- to increase the reporting of malicious damage to property in the Bathurst LGA

Strategies

- 1.1 develop, deliver and evaluate an education and awareness project aimed to reduce the incidence of malicious damage to property immediately around areas with a high density of licensed premises
- 1.2 develop, deliver and evaluate an education and awareness project aimed to reduce the incidence in and around public housing areas of Bathurst, including Kelso and West Bathurst
- 1.3 develop, deliver and evaluate an education and awareness project to encourage community members to report malicious damage to property incidents

Performance measures	Timeframe	Funding	Partners
Reduction in the number of malicious damage to property incidents	Annual	Existing operational budget External funding, when secured	Relevant community and government agencies Chifley Police District Licensed premises Bathurst Business Chamber

STEAL FROM MOTOR VEHICLE

Objectives

- to reduce the incidence of steal from motor vehicle offences

Strategies

2.1 develop, deliver and evaluate an education and awareness project aimed to raise awareness in the community of steps and actions that reduce the likelihood of steal from motor vehicle incidents occurring

Performance measures	Timeframe	Funding	Partners
Reduction in the number of steal from motor vehicle incidents	Annual	Existing operational budget External funding, when secured	Relevant community and government agencies Chifley Police District

**BATHURST
COMMUNITY
SAFETY PLAN
2019-2023**



NON-DOMESTIC VIOLENCE RELATED ASSAULT

Objectives

- to reduce the incidence of non-domestic violence related assault in the areas of the Bathurst CBD
- to reduce the incidence of non-domestic violence related assault in the suburb of Kelso
- to reduce the incidence of non-domestic violence related assault in the area surrounding Bathurst Base Hospital

Strategies

- 3.1 work with relevant community partners, including licensed premises and the Bathurst Business Chamber, to develop, deliver and evaluate projects to reduce incidents of non-domestic violence related assault in the Bathurst CBD
- 3.2 work with relevant government and non-government agencies, including FACS Housing, to develop, deliver and evaluate projects to reduce incidents of non-domestic violence related assault
- 3.3 work with relevant government and non-government agencies, including Community Mental Health Drug and Alcohol Service, to develop, deliver and evaluate projects to reduce incidents of non-domestic violence related assault in the area surrounding Bathurst Base Hospital

Performance measures	Timeframe	Funding	Partners
Reduction in the number of non-domestic violence related incidents	Annual	Existing operational budget External funding, when secured	Relevant community and government agencies Chifley Police District Licensed premises Bathurst Business Chamber



BATHURST COMMUNITY SAFETY PLAN 2019-2023

BREAK AND ENTER DWELLING

Objectives

- to reduce the incidence of break and enter dwelling in the Bathurst LGA
- to increase awareness in the community of steps and actions that can reduce the likelihood of break and enter dwelling incidents occurring

Strategies

- 4.1 develop, deliver and evaluate an education and awareness project aimed to reduce the incidence of break and enter dwelling, with a focus on times when dwellings are unoccupied (mid-week, during the day)
- 4.2 develop, deliver and evaluate a project aimed to improve the community's awareness of steps and actions that can be taken to reduce the incidence of break and enter dwelling, with a particular focus on elderly members of the community

Performance measures	Timeframe	Funding	Partners
Reduction in the number of break and enter dwelling incidents	Annual	Existing operational budget External funding, when secured	Relevant community and government agencies Chifley Police District



FRAUD

Objectives

- to reduce the incidence of fail to pay at service stations offences
- to reduce the incidence of pay wave and stolen credit card offences
- to reduce the incidence of telephone scams
- to reduce the incidence of fraudulent activity targeted at local businesses

Strategies

- 5.1 develop, deliver and evaluate an education and awareness project that defines fraud and the elements that are classified as fraudulent offences
- 5.2 develop, deliver and evaluate an education and awareness project that aims to reduce the incidence of fraudulent activity at service stations
- 5.3 develop, deliver and evaluate an education and awareness project that aims to reduce the incidence of pay wave and stolen credit card offences
- 5.4 develop, deliver and evaluate an education and awareness project that aims to reduce the incidence of telephone-based scams, with a particular focus on older residents
- 5.5 develop, deliver and evaluate an education and awareness project that aims to reduce the incidence of fraudulent activity targeting local businesses

Performance measures	Timeframe	Funding	Partners
Reduction in the incidence of fraudulent activity	Annual	Existing operational budget External funding, when secured	Relevant community and government agencies Chifley Police District Bathurst Business Chamber

DRUG RELATED OFFENCES

Objectives

- to reduce the number of drug related offences in the Bathurst LGA
- to reduce the incidence of drug related offences and the sale of illicit drugs in central Bathurst and licensed premises
- to reduce the incidence of drug detection and supply of illicit drugs in areas where incidents have been known to occur

Strategies

- 6.1 Audit and research local existing programs and systems that aim to reduce drug supply, use, sale and manufacture.
- 6.2 Audit and research existing programs that target illicit drug use.
- 6.3 Audit and research existing programs within licensed premises.
- 6.4 Utilising information from Strategy 6.1, 6.2 and 6.3, develop, deliver and evaluate an education and awareness project that aims to reduce the sale of illicit drugs in central Bathurst and licensed premises.
- 6.5 utilising information from Strategy 6.1, 6.2 and 6.3, develop, deliver and evaluate an education and awareness project that aims to reduce incidence of drug related offences and supply of illicit drugs in areas where incidents have been known to occur.

Performance measures	Timeframe	Funding	Partners
Reduction in the number of drug related offences	Annual	Existing operational budget External funding, when secured	Relevant community and government agencies Chifley Police District Licensed premises

BATHURST COMMUNITY SAFETY PLAN 2019-2023

BATHURST
COMMUNITY
SAFETY PLAN
2019-2023



BATHURST
REGIONAL
COUNCIL

DRAFT



BATHURST
COMMUNITY
SAFETY PLAN
2019-2023

DRAFT



COUNCILLORS/ DELEGATES REPORTS - ATTACHMENTS

ORDINARY MEETING OF BATHURST REGIONAL COUNCIL

17 APRIL 2019



MINUTES OF AUSTRALIA DAY WORKING PARTY MEETING
HELD TUESDAY 19 FEBRUARY 2019

PRESENT: Cr Ian North (Chair), Phil Cole , Jeff Cox, Christine Sweeney, Lesley Buchan

IN ATTENDANCE: Events Manager

ABSENT: Bob Parady, Hugh Gould

1. APOLOGIES Mayor Cr Graeme Hanger OAM, Cr Alex Christian, Peter Cosgrove, Jeff Cox

MOVED: Christine Sweeney **SECONDED:** Cr Ian North

RESOLVED: That the apologies as listed be accepted.

2. PREVIOUS MINUTES

MOVED: Christine Sweeney **SECONDED:** Cr Ian North

RESOLVED: That the minutes of the Australia Day Working Party meeting held 15 January 2019 be adopted.

3. DIRECTOR CORPORATE SERVICES & FINANCE REPORT

After discussion the party resolved to debrief

Item 1: AUSTRALIA DAY DEBRIEF

Awards Ceremony

- Friday night made it performance appropriate
- Great experience for Youth Arts, venue is excellent
- MC kept everything on time and ran well
- Cool and comfortable venue that accommodates for the performances
- Phil Coles encourages the night before as cultural & arts work well
- Main attendees are an older demographic
- Perceived as a red carpet event

Eglinton Breakfast

- All went well
- Attendance was low on previous years, probably due to heat
- Australia Day working Party will monitor attendance decline

Citizenship Ceremony

- Positive feedback
- All agreed it is very important to the committee and the Public

Australia Day by the Pool

- All went well
- Number appeared down from previous years

Rockley

- Minimal attendance due to extreme heat

Ambassador

- Interesting, motivational speaker and engaging

Event of the Year

- Close application on November 30
- Working Party to control nominations
- All year-round application process
- Working Party to arrange a list of event and groups for the application to be sent out to

Item 2: ENVIRONMENTAL CITIZEN OF THE YEAR

- Application was submitted

Item 3: 2020 PLANNING

- Public forum to be held on Tuesday 19 March 4pm in the Council Chamber
- Extended invitation to other community groups
- Notification to go in Council Notices and Radio Ads

MOVED: Peter Cosgrove

SECONDED: Jeff Cox

4. GENERAL BUSINESS

- N/A

5. MEETING CLOSE – 4.45pm

6. NEXT MEETING – 19 March 2019 at 4:00 pm



**MINUTES OF COMMUNITY SAFETY COMMITTEE
MEETING HELD ON THURSDAY 28 MARCH 2019 AT
11:30AM**

MEMBERS PRESENT: Senior Constable Sue Rose (Chifley Police District), Joanne Stapleton (Bathurst Community Corrections), Emma Colvin (Charles Sturt University), Inspector David Abercrombie (Chifley Police District), Rachael Eldridge (TAFE NSW), David Bull (community member).

IN ATTENDANCE: Erin Trevor-Jones (Community Development Team Leader, Bathurst Regional Council)

1. **APOLOGIES:** Cr Jacqui Rudge, Stephen Harper (Bathurst Business Chamber), Jean Fell (Neighbourhood Centre)
2. **MINUTES FROM THE PREVIOUS MEETING HELD ON 29 NOVEMBER 2018.**

RESOLVED that the minutes of the meeting held 29 November 2018 be accepted.

MOVED: Inspector David Abercrombie

SECONDED: David Bull

3. **REVIEW OF DRAFT COMMUNITY SAFETY PLAN 2019 – 2023**

Community viewed and discussed key points in the Community Safety Plan 2019 – 2023.

The Committee agreed that one of the key messages from the consultation carried out is that people feel safe in Bathurst. Another key point is that there is a vast difference between perceptions of crime and reality. The most common sources of crime information were noted, including social media and word of mouth. The Committee felt this could be connected to the difference between crime perceptions and reality.

The Draft Plan will be emailed to Committee members for review. The Plan will then go to Council for consideration, following by a public exhibition period of 28 days. The Plan will then go to Council for adoption.

General Business

Chifley Police District are holding a White Ribbon community engagement event on 21 November 2019. The event will be held in Pitt Straight on Mount Panorama. There will be school involvement, emergency vehicles and a sausage sizzle. Participants will be asked to wear a white shirt and hat to create a “white human ribbon”. Business leaders will be invited to attend.

Emma Colvin reported that her workload has increased so she will be replaced by another representative from her Department at Charles Sturt University. This person is still being confirmed.



**MINUTES OF COMMUNITY SAFETY COMMITTEE
MEETING HELD ON THURSDAY 28 MARCH 2019 AT
11:30AM**

4. NEXT MEETING

The next meeting will be held Thursday 30 May 2019 at 11:30am at Council Chamber, Civic Centre.

There being no further business, the meeting closed at 12:20pm.