

29 July 2015

His Worship the Mayor & Councillors

**Notice of Policy Committee Meeting of Bathurst Regional Council - Wednesday, 5 August 2015**

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 5 August 2015 commencing at 6.00 pm.



D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

## **POLICY COMMITTEE**

**TO BE HELD ON WEDNESDAY, 5 AUGUST 2015**

**1. 6:00 PM - MEETING COMMENCES**

**2. APOLOGIES**

**3. REPORT OF PREVIOUS MEETING**

\* MINUTES - POLICY COMMITTEE MEETING - 1 JULY 2015

**4. 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.

**5. RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

\* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

\* GENERAL MANAGER'S REPORT

**6. GENERAL BUSINESS**

**7. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS**

\* DEVELOPMENT APPLICATION NO. 2015/0196 – RECREATION FACILITY - OUTDOOR GO KART TRACK AT MCPHILLAMY PARK, BROCKS SKYLINE, MOUNT PANORAMA.

APPLICANT: BATHURST KART CLUB. OWNER: BATHURST REGIONAL COUNCIL

\* DEVELOPMENT APPLICATION NO. 2015/0210 – DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF WAREHOUSE/OFFICE BUILDING AND TWO LOT SUBDIVISION (CONSOLIDATION) AT LOT 462 DP 718644 AND SP 89817, 215 ROCKET STREET AND 291 STEWART STREET, BATHURST. APPLICANT: BAR CONSTRUCTIONS. OWNER: MABRODA PTY LTD

**8. DISCUSSION FORUM OTHER**

**9. GENERAL BUSINESS**

**10. MEETING CLOSE**

## MINUTE

### 1 MEETING COMMENCES

**Present:** Councillors Rush (Chair), Aubin, Bourke, Coote, Jennings, Morse, North, Westman.

**MINUTE**

- 2 **APOLOGIES**  
**MOVED: Cr G Westman SECONDED: Cr M Coote**

**RESOLVED:** That the apology from Cr Hanger and the apology for late arrival from Cr Aubin be accepted and leave of absence granted.



**REPORT OF PREVIOUS MEETING AND MINUTES**

POLICY COMMITTEE

## **1 MINUTES - POLICY COMMITTEE MEETING - 1 JULY 2015 (07.00064)**

**Recommendation:** That the Minutes of the Policy Committee Meeting held on 1 July 2015 be adopted.

**Report:** The Minutes of the Policy Committee Meeting held 1 July 2015, are attached.

**Financial Implications:** N/A

### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

**MINUTE**

- 3**     Item 1   MINUTES - POLICY COMMITTEE MEETING - 1 JULY 2015 (07.00064)  
MOVED: Cr G Westman SECONDED: Cr I North

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 1 July 2015 be adopted.

**MINUTES OF THE POLICY COMMITTEE**  
**HELD ON 1 JULY 2015**

**MEETING COMMENCES**

**1 MEETING COMMENCES 6:00 PM**

**Present:** Councillors Rush (Chair), Coote, Hanger, Morse, North, Westman.

**APOLOGIES**

**2 APOLOGIES**  
**MOVED** Cr M Coote and **SECONDED** Cr I North

**RESOLVED:** That the apologies from Crs Aubin, Bourke & Jennings and the apology for late arrival from Cr Hanger be accepted and leave of absence granted.

**REPORT OF PREVIOUS MEETING**

**3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 3 JUNE 2015 (07.00064)**  
**MOVED** Cr G Westman and **SECONDED** Cr I North

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 3 June 2015 be adopted.

**DECLARATION OF INTEREST**

**4 DECLARATION OF INTEREST 11.00002**  
**MOVED** Cr M Coote and **SECONDED** Cr M Morse

**RESOLVED:** That the Declaration of Interest be noted.

**RECEIVE AND DEAL WITH DIRECTORS' REPORTS**

**Director Environmental Planning & Building Services' Report**

**5 Item 1 POLICY UPDATE (41.00089)**  
**MOVED** Cr I North and **SECONDED** Cr M Coote

**RESOLVED:** That Council adopt the amendments to the Policy Manual as detailed in the report.

Cr Hanger arrived at the meeting

**6 Item 2 REFUND OF FEES FOR DCP AND LEP AMENDMENTS (41.00089 &**

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This is page 1 of Minutes of the Policy Committee held on 1 July 2015.

**16.00044)**

**MOVED** Cr M Coote

and **SECONDED** Cr I North

**RESOLVED:** That Council adopt the Refund of fees for DCP and LEP Amendments Policy.

### **Director Corporate Services & Finance's Report**

- 7** **Item 1 REVISED POLICY - SECTION 356 DONATIONS (18.00004, 41.00089)**  
**MOVED** Cr M Coote and **SECONDED** Cr G Westman

**RESOLVED:** That Council adopt the revised Policy - Section 356 Donations.

### **GENERAL BUSINESS**

- 8** **Item 1 LOGGING TRUCKS, ROCKLEY (TRAFFIC COMMITTEE) (25.00575)**

**Cr North** - stated there are concerns with logging trucks going through Rockley. Could this be raised with Police at the next Traffic Committee Meeting .

- 9** **Item 2 LEE STREET - RAIL CROSSING (25.00074)**

**Cr North** - asked can Council talk to relevant authorities about Lee Street being left permanently open, if its operation works successfully during the Highway upgrade.

- 10** **Item 3 GREAT WESTERN HIGHWAY UPGRADE TO AERODROME (25.00018)**

**Cr North** - advised Council needs to start lobbying the State Government for the next stage of the Great Western Highway upgrade, with the section to the Gold Panner now being constructed.

- 11** **Item 4 ICE RINK EVENT (20.00153)**

**Cr North** - stated rink looks really good for Saturday, what are bookings like?

**The Mayor** advised 4,044 tickets have been sold as at this morning.

- 12** **Item 5 EVENTS - ICE SKATING, ILLUMINATION FESTIVAL, FOSSIL MUSEUM TOUR (20.00153)**

**Cr Coote** - spoke to excellent press articles about events this weekend in Bathurst. The articles were in the Sunday Herald, Victoria and other major capital city newspapers, reaching 1.75 million readers.



**D Mansell - East Street, Rockley** - wishes to object to the proposal, has forwarded an objection to Council. Issues raised included; loss of views, privacy concerns, closeness to other properties, concerns with East Street standards. If DA is approved will create a precedent for future developments.

**P Oxenbridge - owner of property (subject of DA)** - advised purchased land that envelopes the village of Rockley, spoke to history of the property. Has access to village via East Street and three other paper roads. Referred to operation of various properties that are owned by the family. Access to school and the village is why wish to use East Street, which is a residential street. Already use East Street, no extra traffic will occur. Using Burruga Road is not practical as it is 100km/h with logging trucks. Raised concerns with objectors suggestion to utilise the tip road, not practical. Wish to use a village road. Topography and infrastructure in the location determine the most suitable location. Raised concerns with access to electricity and costs thereof. Need to be within 50 metres of the available power pole. Spoke to details of objections presented to Council and concerns with these and prior tree plantings which have been poisoned.

**E Webster - Rockley resident** - spoke to power pole concerns. There is a power line through the developers property. The section of East Street to be used is Crown Road not council road. The trees previously planted were eaten by rabbits.

**F Golsby - Rockley resident** - not interested in DA. Rather raises with Council about need to help the village grow. Need to be sustainable into the future.

**17**

**Item 2 DEVELOPMENT APPLICATION NO. 2015/0106 – EXTRACTIVE INDUSTRY AT LOT 3, DP 226520, NAPOLEON REEF ROAD, NAPOLEON REEF. APPLICANT: HOTHAMS SAND SOIL & GRAVEL SUPPLIES PTY LTD. OWNER: HOTHAMS SAND SOIL & GRAVEL SUPPLIES PTY LTD (DA/2015/0106)**  
**MOVED** Cr G Westman and **SECONDED** Cr I North

**RESOLVED:** That the information be noted.

Discussion included:

**B Bailey - Napoleon Reef resident** - spoke to developers briefing document and concerns with this. What is proposed jeopardises small business in the area, 9 of the 10 in the area have raised concerns about viability. Availability of materials (lack thereof) in the Bathurst basin is not valid to support the proposal. There are 360 persons in the area, not a few residents as claimed in the DA. There are a number of adjoining owners who will be impacted by the development. Raised traffic concerns, noted no tippers, flat top trucks currently use the roads in this area. Tabled document on concerns contained in the DA briefing document, which residents consider are incorrect.

**T Aitken - Hillview Estate** - spoke to zoning issues and background on the Hillview Estate. The Housing Estate adjoins the proposed development. Hillview is unsuitable for production (agriculture), in 1983 Evans Shire made LEP 3 to cover the Hillview Estate area. This was to reduce conflicts. Spoke to adjoining council land which is zoned E2 as very high environmental value. In 2005 the land was rezoned 1(e) outer rural by Bathurst Regional Council, there is no explanation for this. The land is now zoned RU1. There is no reason for this and is incompatible with existing uses. The DA is totally inappropriate.

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**This is page 4 of Minutes of the Policy Committee held on 1 July 2015.**

**D Willman** - Windy Hill - Napoleon Reef Road - Napoleon Reef Road is a rural local road (circulated photos), spoke to conditions of the road. Proposed truck usage, bulldozers, trucks etc for the site. There are inconsistencies about average truck movements proposed and road widths claimed by the proponent. There are safety concerns with vehicle movements. Noted movement in and out of the site will necessitate trucks to use most of the road width and this creates safety risks. Braking distances are also of concern, there is no way safety of children, buses and vehicles can be guaranteed. The proposal is not in the community interest. Tabled a document for Council consideration.

**K Armstrong** - Napoleon Reef resident - raised concerns with water availability. Rainfall in area is low and soil profile is light. St Anthony's Creek and issues of flow raised, now not a permanent creek. Spoke about the difficulty with the existing bore water provided by council. How can the quarry operate in an area where water is not freely available? Issues such as; dust, soil profile damage by trucks, possible damage to St Anthony's Creek were raised. Tabled a set of questions for council to consider, such as how is water to be sourced, how will this impact on surrounding properties, impact on aquifer, contamination impact on aquifer, blasting issues.

**J Page** - Napoleon Reef resident - advised has had a lifelong association with the area. Concerned with the proposal and the future for the area if the quarry goes ahead. Bathurst Regional Council's rural strategy talks of protecting mining and extractive industries. The area was intended for rural residential development, this proposal would compromise this. Raised a number of questions about the DA; material reserves, how will operations occur, parking processes, fuel storage, waste, area of containment, blasting requirements. A list of questions were tabled. Spoke to current works that are occurring on the site, is this development by stealth?

**R Mottram** - Ridgeway - raised concerns about noise. The report seems to dismiss any noise issues. The proposed quarry will lead to more quarries being put in place. This will rip the area apart. There have been no field studies undertaken and much of the report is copy/paste and is inaccurate. Climate condition surveys have only been taken from the Bathurst Agriculture station, not out at the site. Data utilised is 10 years old. The noise report is cheap and basic, has not covered necessary issues that should be covered in a noise report. Road and traffic noise is also not covered adequately by the noise report. Referred to statutory documents on assessing a developments noise impact. No background noise testing has occurred. No consideration of impact on property values, environmental matters, amenity of the area. The noise propositions need to be tested, the noise of the quarry will be significantly different to what currently exists. Council should request a comprehensive sound report. There are 3 working observatories in the area. The proposal will affect these.

**T Collins** - Napoleon Reef resident - water is not to come from St Anthony's Creek, does this mean extra truck movements? There is no place for a quarry in this area. Raised traffic safety concerns and issues with wildlife.

**C Aitken** - Hillview Estate - provided handouts to Council. Family has been based in the area for 20 years. Expressed concerns at quality of documents provided with DA. Concerns included health issues, incorrect statements that population is very small. Noted there are 75 homes (350 residents) in the area, which will be impacted by dust. There will be impacts on animals as well. Dust will spread far and wide in the area. Possible contaminants in the soil from prior gold operations is unknown. The proposal is in the habitat area of the Copper Wing butterfly, the quarry will be a

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**This is page 5 of Minutes of the Policy Committee held on 1 July 2015.**



key threat. The proposal is incompatible with council planning instruments.

**H Price - Napoleon Reef** - provided a handout to Councillors. Has completed environmental science qualifications. Spoke to DA and issues with possibility of koalas being in the area. Noted SEPP44 requirements. Closeness of Winburndale Reserve creates factors relevant to koala presence. Spoke to studies undertaken in completing qualifications on koalas in Rockley Mount and similarity of area to Napoleon Reef location. Development should not be allowed.

**C Bailey - Ridgeway** - referred to Bathurst Copper Wing Butterfly and koala matters. Noted thorough surveys of species need to be undertaken. The current environmental study is inadequate. There are a number of inadequacies in the study, including species names, incorrect listing of species, reference to Hill End (inappropriately), inconsistencies with federal/state guidelines.

Impact on the Butterfly is highly likely, the Ozark report is inadequate. Raised concerns at the prior clearing that has occurred on the site. The area is high conservation value, the quarry must not be allowed to proceed. There are other threatened species in this area which will be affected.

**G Sanders - Napoleon Reef resident** - runs an organic farm. Concerns about dust, inadequacy of DA. Requests quarry be refused.

**G Mader - Napoleon reef resident** - has been in the area since the mid 1980's. Extremely concerned at the proposal. Operates a small local business. The area is an amazing place, spoke to history of area. It is very poor productive rural land, but has rare bushes and shrubs in the area. The quarry will significantly deplete these. The area is a key tourism asset, this is an important fact in the recently adopted Destination Management Plan (DMP). Tourism is growing in the region and is very valuable to the community. Tourism is sustainable.

**J Bower - Wiradyuri Elder** - concerned at proposed quarry. There is inadequate assessment of aboriginal sites in the proposal, only Aboriginal Heritage Information Management System (AHIMS) used. Noted concerns with fauna in the area, particularly with closeness of Winburndale reserve. Why are there no reports on the site about aboriginal heritage? The rock in this site was used by aboriginals to create knives and other implements. There are scarred trees in the area.

## **MEETING CLOSE**

### **18 MEETING CLOSE**

The Meeting closed at 8 pm.

**CHAIRMAN:** \_\_\_\_\_

**Date:** \_\_\_\_\_ **(15 July 2015)**

**MINUTE**

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

**RESOLVED:** That the Declaration of Interest be noted.

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

POLICY COMMITTEE

5 AUGUST 2015

## **1 DELEGATIONS REGISTER UPDATE (20.00009, 41.00088)**

**Recommendation:** That Council adopt the Delegations Register in accordance with the report.

**Report:** Clause 17 of Council's Delegations Register lists legislation that Council is required to comply with as part of its day to day operations. Council recently undertook a review of this list and this process identified two pieces of legislation that need to be adjusted in the list being the addition of the Local Land Services Act 2013 and the deletion of the Rural Lands Protection Act 1998.

It is recommended that the Delegations register be updated to include these two adjustments to the list of legislation at Clause 17. Clause 17 would then read as follows:-

17. Be authorised to perform all necessary activities, to serve any notices or orders, undertake inspections, issue or refuse license and permits, to exercise the power of entry, to appoint appropriate staff as an authorised officer, authorised person, authorised Council employee, or impounding officer as the case may be, to exercise the functions of those positions under the relevant acts and associated regulations and to implement the provisions as relating to the operation of Council of the relevant Acts and associated regulations, including but not limited to:

- Boarding Houses Act 2012
- Building Professionals Act 2005
- Companion Animals Act 1998
- Community Land Development Act 1989
- Conveyancing Act 1919
- Crown Lands Act 1989
- Dividing Fences Act 1991
- Environmental Planning and Assessment Act 1979 as amended
- Food Act 2003 and Regulations
- Fire Brigades Act 1989
- Government Information (Public Access) Act 2009
- Health Records & Information Privacy Act 2002
- Heritage Act 1977
- Independent Commission Against Corruption Act 1988
- Interpretation Act 1987
- Impounding Act 1993 as amended
- Land Acquisition (Just Terms Compensation) Act 1991
- Library Act 1939
- Local Government Act 1993 as amended plus regulations
- Local Land Services Act 2013
- Mt Panorama Motor Racing Act 1989 plus regulations
- Motor Vehicle Sports (Public Safety) Act 1985 as amended plus regulations
- Native Title Act 1994 as amended

- Noxious Weeds Act 1993 as amended
- Ombudsman Act 1974
- Plumbing & Drainage Act 2011 plus Regulation
- Privacy & Personal Information Protection Act 1998
- Property, Stock and Business Agents Act 2002 plus regulation
- Protection of Environment Operations Act 1997 as amended
- Public Health Act 2010 and Regulations made thereunder
- Public Interest Disclosures Act (1994)
- Real Property Act 1900 plus regulation
- Recreation Vehicles Act 1993 as amended
- Roads Act 1993 as amended
- Road Transport (General) Act 2005
- Rural Fires Act 1997 as amended
- Strata Schemes (Freehold Development) Act 1973
- Strata Schemes (Leasehold Development) Act 1986
- State Emergency and Rescue Management Act 1989
- State Emergency Service Act 1989
- Swimming Pools Act 1992 as amended
- Transport Administration Act 1988
- Unclaimed Money Act 1995
- Waste Avoidance & Resource Recovery Act 2001
- Water Management Act 2000
- Work Health and Safety Act 2011

A copy of the updated Delegations Register is provided at **attachment 1**.

**Financial Implications:** Nil.

**Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 1: To attract employment, generate investment and attract new economic development opportunities. Strategy 1.8
- Objective 32: To ensure Council is supported by an adequate workforce and appropriate governance procedures. Strategy 32.2

**MINUTE**

- 5 **Item 1 DELEGATIONS REGISTER UPDATE (20.00009, 41.00088)**  
**MOVED: Cr G Westman SECONDED: Cr M Coote**

**RESOLVED:** That Council adopt the Delegations Register in accordance with the report.

Yours faithfully



R Roach  
**DIRECTOR**  
**CORPORATE SERVICES & FINANCE**

**GENERAL MANAGER'S REPORT AND MINUTES**

POLICY COMMITTEE

5 AUGUST 2015

## **1 SENIOR STAFF CONTRACTS (19.00030)**

**Recommendation:** That the information be noted.

**Report:** The provisions of Section 339 of the Local Government Act (1993), requires that, "The General Manager must, at least once annually, report to the Council on the contractual conditions of senior staff."

The only staff position that is appointed by the governing body of Council is that of the General Manager. The position of General Manager is a senior staff position under Section 334(1) of the Local Government Act (1993).

The General Manager is responsible for the appointment of all other staff (including senior staff) in accordance with the organisation structure and resources approved by the Council's governing body.

The following staff are employed as senior staff:

- General Manager
- Director Corporate Services & Finance
- Director Engineering Services
- Director Environmental Planning & Building Services
- Director Cultural & Community Services

Each senior staff member is employed on a five year fixed term performance based contract. Employment Contracts are in accordance with the Department of Local Government's Standard contracts for General Managers and Senior Staff.

Performance of senior staff is reviewed annually by the General Manager. A sub-committee of Council undertakes the performance review of the General Manager, which is reported to the full Council.

All contracts have the same conditions, which include four (4) weeks annual leave (cumulative), three (3) weeks sick leave (cumulative), long service leave in accordance with the Local Government Award, public holidays as gazetted and motor vehicle included in the salary package.

**Financial Implications:** Staff costs are provided for in the Council's adopted budget.

### **Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 33: To be and develop good leaders. Strategy 33.5
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.6



**MINUTE**

- 6 **Item 1 SENIOR STAFF CONTRACTS (19.00030)**  
**MOVED: Cr I North SECONDED: Cr M Morse**

**RESOLVED:** That the information be noted.

Yours faithfully



D J Sherley  
**GENERAL MANAGER**

**GENERAL BUSINESS**

POLICY COMMITTEE

## MINUTE

### 7 Item 1 BROADCASTING COUNCIL MEETINGS (11.00005)

**Cr Bourke** - advised has been contacted by Western Advocate, queried if Council is looking at this.

**The General Manager** noted a communication review is currently occurring, this matter could be considered as part of this process.

**MINUTE**

**8 Item 2 CODE OF CONDUCT (46.00142)**

**Cr Bourke** - has been the subject of a complaint recently, has not heard anything back on it.

**The General Manager** advised that the review was being conducted by an external reviewer.

## MINUTE

### 9 Item 3 GREEN WASTE BINS (14.00053)

**Cr Bourke** - noted this could have come out in the paper a little bit better. Has been receiving emails from various persons. Issues such as cost and need for it have been raised. Not in favour of the green bins. Can Mayor include something in his column to explain better?

**The Director Engineering Services** noted units/flats are an opt in situation. Stand alone houses will all be on the system.

**MINUTE**

**10    Item 4    CODE OF CONDUCT (46.00142)**

**Cr North** - asked will the determination of the Code of Conduct issue be made public.

**The General Manager** advised Council is awaiting a response from the independent reviewer. When the response is received, the matter will be processed in accordance with Council's adopted Code of Conduct.

**MINUTE**

**11 Item 5 GREEN WASTE BINS (14.00053)**

**Cr North** - has received a lot of positive feedback on the introduction of green bins.

**Cr Aubin arrived at the meeting.**

**MINUTE**

**12    Item 6    GREAT WESTERN HIGHWAY, EAST OF BATHURST (25.00018)**

**Cr North** - need to keep pressure for double lanes into the city, out to the aerodrome. Could we raise it with State member?



## MINUTE

### 13 Item 7 GEORGE & HOWICK INTERSECTION, KEPPEL STREET REDEVELOPMENT, DURHAM & RANKIN STREET (20.00010)

**Cr North** - queried how these were going, especially George & Howick Street intersection.

**The Director Engineering Services** gave an update on discussions with RMS.

- Traffic modelling of George & Howick and also of problem at traffic lights in George & Durham is occurring.
- Durham & Rankin Street further investigation is on hold.
- Keppel Street funding for carpark is included in the 2015/2016 Management Plan.

## **MINUTE**

### **14 Item 8 KANGAROOS AT AERODROME & HIGHWAY (14.00665)**

**Cr Aubin** - asked does Council have a plan for the management of kangaroos at the aerodrome.

**The Director Engineering Services** provided advice on actions taken at aerodrome when such an issue occurs.

**Cr Aubin** - noted kangaroos are a problem at Mount Panorama and spoke to economic, social issues.

**MINUTE**

**15**    **Item 8.01    SUSPENSION OF STANDING ORDERS (11.00005)**  
**MOVED: Cr M Morse SECONDED: Cr I North**

**RESOLVED:** That the Standing Orders be suspended to deal with the DA Discussion Forum items.

**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS AND MINUTES**

POLICY COMMITTEE

**1 DEVELOPMENT APPLICATION NO. 2015/0196 – RECREATION FACILITY - OUTDOOR GO KART TRACK AT MCPHILLAMY PARK, BROCKS SKYLINE, MOUNT PANORAMA. APPLICANT: BATHURST KART CLUB. OWNER: BATHURST REGIONAL COUNCIL (DA/2015/0196)**

**Recommendation:** That the information be noted.

**Report:** The Site

Council has received a Development Application for a recreation facility - outdoor go-kart track at McPhillamy Park, Brocks Skyline, Mount Panorama, described as:

Lot: 1 DP: 634401,  
Lot: 2 DP: 634401,  
Lot: 1 DP: 700629,  
Lot: 9 DP: 1047248,  
Lot: 40 DP: 1056379,

A location plan is provided at **attachment 1**.

Existing improvements on the site include two dwellings, picnic shelters, water tanks and amenities buildings. Part of the site is currently also used for camping during major events.

**The proposal**

The Development Application proposes a 950 metre long go-kart track, associated pit area, general parking area and competitor parking area ("paddock").

Plans of the proposed development are at **attachment 2**, the Statement of Environmental Effects at **attachment 3** and the Acoustic Assessment at **attachment 4**.

**Submissions**

The Development Application was notified to 41 property owners who reside or own land in the immediate vicinity of Mount Panorama (including property owners adjacent to the site on Hen & Chicken Lane). The Development Application was notified between 12 June 2015 and 22 June 2015. During the notification period a total of four (4) submissions were received (**attachment 5**).

Issues raised in the submissions included the following:

- Noise impact and accuracy of the submitted acoustic assessment;
- Health and safety;
- Definition of proposed development and permissibility;
- Lack of consultation with residents;

Following the Discussion Forum the application will be referred to Council for determination.

**Financial Implications:** Nil.

**Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.8

## MINUTE

### **16 Item 1 DEVELOPMENT APPLICATION NO. 2015/0196 – RECREATION FACILITY - OUTDOOR GO KART TRACK AT MCPHILLAMY PARK, BROCKS SKYLINE, MOUNT PANORAMA. APPLICANT: BATHURST KART CLUB. OWNER: BATHURST REGIONAL COUNCIL (DA/2015/0196)**

**RESOLVED:** That the information be noted.

Discussion included:

**D Dickenson** – Mount Panorama resident - has concern at noise, the assessment made was only a computer model. No objection to circuit as long as cannot hear it. How is noise recognised as offensive and what actions can be taken if noise is offensive. There is no measure of decibels in the Environmental Planning & Assessment Act. Spoke to 5dB condition and queried how this works with offensive noise. Has put in a submission.

**The Acting Director Environmental, Planning & Building Services** spoke to specification of noise levels in the consent. The question of background noise and offensive noise. Noted that consent specifies actual conditions that if complaints received, would monitor and seek action from operator.

**T Hickson** - resident - spoke to tourism and proper development of Bathurst. Noted heritage issues and noise concerns. Mount Panorama may be a soft out as cannot find another location. Go Kart racing is not appropriate for Mount Panorama. Views are important. Help people to find another location.

**M Cordato** – Mount Panorama resident - has put in a submission. Concerns at noise and feels process has been flawed. The noise assessment has not taken into account other racing noises in the area. Referred to prior AECOM report which said 5 race days per year are limited due to Health & Safety. Also referred to quality of noise issues. The noise from Go Karts will provide a noise risk to workers at the Waste Management Centre. Council should not be dumping everything in the one place. Need to consider overall noise burdens on individuals.

**N Swan** – 160 Mountain Straight - stated the main issue is noise. The PKA report is false. Need truly independent report to be requisitioned. Cumulative noise exposure from existing events is not reasonable. Referred to Wilkinson Murray report which has much higher decibel levels. PKA analysis doesn't look at what existing noise levels (cumulative) that are imposed. Queried why PKA didn't use Wilkinson Murray information.

**K Burgess** - resident - concerned at noise, not worried about the development itself.

**2 DEVELOPMENT APPLICATION NO. 2015/0210 – DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF WAREHOUSE/OFFICE BUILDING AND TWO LOT SUBDIVISION (CONSOLIDATION) AT LOT 462 DP 718644 AND SP 89817, 215 ROCKET STREET AND 291 STEWART STREET, BATHURST. APPLICANT: BAR CONSTRUCTIONS. OWNER: MABRODA PTY LTD (DA/2015/0210)**

**Recommendation:** That the information be noted.

**Report:** Council has received a Development Application for demolition of an existing dwelling, construction of a warehouse/office building and a two lot subdivision (consolidation) at Lot 462 DP 718644 and SP 89817, 215 Rocket Street and 291 Stewart Street, Bathurst. A location plan is provided at **attachment 1**.

**The site**

The site is currently 2235.6 sqm.

Located on 215 Rocket Street is a single storey dwelling. 291 Stewart Street contains a two storey office building and carpark.

**The proposal**

The proposal involves the demolition of the dwelling at 215 Rocket Street, construction of a warehouse/office building and a consolidation of two lots. Plans of the proposed development are at **attachment 2**.

The applicant has provided shadow diagrams in support of the application (**attachment 3**).

The subject land is located within the Bathurst Heritage Conservation Area however the site does not contain any identified heritage items.

The Development Application was advertised and notified to the adjoining property owners from 22 June 2015 to 6 July 2015 in accordance with Section 2 of the Bathurst Regional Development Control Plan 2014. At the closure of the notification period a total of eight submissions had been received. One late submission was also received. These submissions are provided at **attachment 4**.

Issues raised in the submissions included:

- Impacts on the heritage conservation area
- Height of the proposed building
- Car parking
- Blocking of views
- Overshadowing
- Privacy
- Impacts on property values
- Landscaping
- Proposed signage

Following the Discussion Forum the application will be referred to Council for determination.

**Financial Implications:** Nil.

**Bathurst 2036 Community Strategic Plan - Objectives and Strategies**

- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets.

Strategy 28.8



## MINUTE

### **17 Item 2 DEVELOPMENT APPLICATION NO. 2015/0210 – DEMOLITION OF EXISTING DWELLING, CONSTRUCTION OF WAREHOUSE/OFFICE BUILDING AND TWO LOT SUBDIVISION (CONSOLIDATION) AT LOT 462 DP 718644 AND SP 89817, 215 ROCKET STREET AND 291 STEWART STREET, BATHURST. APPLICANT: BAR CONSTRUCTIONS. OWNER: MABRODA PTY LTD (DA/2015/0210)**

**RESOLVED:** That the information be noted.

Discussion included:

**J Maher – 256 Rocket Street** - Lives opposite the development. Spoke to submission by neighbours (Harvey's). Feels a better ambience could be achieved. Rocket Street has a heritage nature. Feels building could be moved to parking area on corner of Rocket and Stewart Streets. Referred to sun issues and the street is residential. The building is built right up to the footpath.

**M Hardy - resident** - noted parking in the area is appalling, residential parking is non-existent. The development will cause more and more problems, with staff parking in the street. This is a heritage area and don't need area to be degraded. Shouldn't be knocking down a heritage building. What was the process that allowed area to go from commercial area to residential area?

**The Acting Director Environmental, Planning & Building Services** spoke to zoning issues and how rezoned last year to commercial by Council.

**L Loneragan – National Trust** - representing Iain MacPherson who was unable to attend. Issues raised rezoning height of buildings, entrance way to city, bulk of building. The closeness to residential buildings, needs further setback. Change the roof lines and problems with signage: The Developer has been very respectful and hopes something can be done.

**M Buttsworth – Gladstone Street** - was not aware land was rezoned. Rocket Street is a heritage street. Noted issue of certification to ensure new building fits within the context. The proposal will not fit in with heritage area.

**P Webb – adjoining owner** - objects to the proposal, it is basically a warehouse in a residential area. The Heritage Impact Statement says adjoining buildings built in 1960s, this is not so, more recently built. Need to keep in line with height of adjoining buildings. If they want a warehouse it should front Stewart Street. Setback should be in line with residences.

**G Buttsworth – Gladstone Street** - spoke to heritage nature of area and the restored buildings. People are proud of their homes, when put in a carport had to ensure fitted in the nature of the area and spoke to problem with tree. This development is not sympathetic with the area. The development should be in the trade centre. Will devalue homes.

**J Quill – George Street** - was sad when first building went up and impact on entrance to city. With this DA need to get it right, the aesthetics are not right for entrance to a heritage city. There are no setbacks and will be very tall. This is a residential area, queried why allowed. Parking is already a problem, staff of existing businesses park in the street and so need to consider further impact. Council is making an effort around heritage, need to go forward, please look at it in a different way so fits into heritage nature.

**T Davenport** – 219 Rocket Street - objects to the proposal, has made a submission to Council. More suited to an industrial area. Would not be a good neighbour, size and bulk will take away from street ambience.

**MINUTE**

**18** **Item 2.01 RESUMPTION OF STANDING ORDERS (11.00005)**  
**MOVED: Cr I North SECONDED: Cr B Bourke**

**RESOLVED:** That Council resume Standing Orders.

**GENERAL BUSINESS**

POLICY COMMITTEE

**MINUTE**

**19     Item 9    TRAFFIC LIGHTS - WILLIAM STREET (25.00002)**

**Cr Morse** - expressed concern at a proposed review of traffic light sequencing changes at pedestrian crossings to improve safety. Could Traffic Committee please consider.

**MINUTE**

**20    Item 10    DEVELOPMENT CONTROL PLANS (20.00143)**

**Cr Morse** - requests Council review it's Development Control Plans. There have been a number of issues where common sense has not been applied. Spoke to developments such as: Mitre Street shed; Quarry development; habitable room occupancies and rules applying to these. Becomes a question of individual, community and conservation area rights and the question of just ticking the boxes.

**MINUTE**

**21    Item 11    GREEN WASTE BINS (14.00053)**

**Cr Jennings** - queried information delivery and asked could Council provide dollar savings of reduction in organic matters to the Waste Management Centre. Perhaps utilise Mayor's column and ratepayers newsletter.

**MINUTE**

**22    Item 12    PRICKLY PEAR (13.00022)**

**Cr Jennings** - advised there are shoots appearing out on Lagoon Road. Is this a matter that Upper Macquarie County Council is aware of and taking action?

**Cr North** advised will take to Friday meeting with Upper Macquarie County Council.



**MINUTE**

**23    Item 13    MOUNT PANORAMA SECOND TRACK (07.00084 & 20.00278)**

**Cr Jennings** - asked when are we likely to see business plan and cost/benefit analysis.

**The General Manager** advised will follow up this matter.

**MINUTE**

**24    Item 14    INCENTIVES LARGE SCALE MANUFACTURING (20.00071)**

**Cr Jennings** - asked what incentives exist in this Council area.

**The General Manager** spoke to provision of land, water availability, State and Federal Government incentive programs, local assistance and attractiveness.

**MINUTE**

**25    Item 15    AGRICULTURAL MONUMENT (04.00032)**

**Cr Jennings** - noted there is no monument recognising Bathurst as the first inland agriculture settlement. Could we look at the area where first cropping occurred, near the Bathurst Visitor Information Centre (where the trees are) and put a monument here recognising agriculture in this area. Perhaps a report could be done on this.

**MINUTE**

**26     MEETING CLOSE**

The Meeting closed at 7.08 pm.

**CHAIRMAN:** \_\_\_\_\_.

**Date:** \_\_\_\_\_ **(19 August 2015)**

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

POLICY COMMITTEE

5 AUGUST 2015



# DELEGATIONS REGISTER



## **MAYOR**

Pursuant to the Local Government Act and Regulations, and any expressed policy or direction of Council, that Council in accordance with the provisions of Section 377 of the Local Government Act 1993 and every other enabling statutory power, delegates to the person who occupies the position of Mayor, to perform on behalf of Council the following powers, authorities, duties or functions.

### **1. Council Seal**

Authorise the Mayor to be the necessary witness to documents requiring Council's seal.

### **2. Media Relations**

To make media statements or releases on behalf of Council.

### **3. Policy Making**

To exercise in cases of necessity, the policy-making functions of the governing body of the Council between meetings of the Council.

### **4. Correspondence**

To sign correspondence on behalf of the Council.

### **5. Urgent Works**

To authorise any work which is deemed urgent at a cost not exceeding \$5,000 provided that such expenditure is reported to the council at its next Ordinary Meeting.

### **6. Complaints Against the General Manager**

The Mayor shall have the power to investigate substantive written complaints against the General Manager and shall, if warranted, report to the next Ordinary Meeting of Council.

### **7. Attendance at Conference, Seminars and functions by Councillors**

The Mayor may authorise a Councillor to attend a conference, seminar or function within and outside the Council area. (Conference means conferences, seminars, congresses, forums, workshops, courses, meetings, deputations, information and training sessions events, etc, held within Australia, related to the industry of local government - See Policy Manual : Governance - Payment of Expenses and



Provision of Facilities for Councillors.

## **8. Day-to-Day Oversight and Liaison with the General Manager**

The Mayor shall be responsible for the day-to-day oversight and liaison with the General Manager including, but not limited to:

- . approving leave.
- . approving expenses incurred.
- . managing complaints about the General Manager.

## **DEPUTY MAYOR**

### **1. Council Seal**

Authorise the Deputy Mayor to be the necessary witness to documents requiring Council's seal.

### **2. In the absence of the Mayor**

In the absence of the Mayor and subject to compliance with the requirements of the Local Government Act 1993, and any expressed policy or direction of the Council, the Council pursuant to the provisions of Section 377 of the Act, and every other enabling statutory power, delegates to the person who occupies the position of Deputy Mayor to exercise and perform on behalf of the Council the powers, authorities, duties and functions of the Mayor including the powers, authorities, duties and functions which the council has delegated by this Instrument to the Mayor.

## **LOCAL TRAFFIC COMMITTEE**

Pursuant to the delegation of powers from the Roads and Maritime Services, the authority for regulation of traffic and traffic control signs on public roads. This authority is limited to the powers, authorities, duties and functions that are specified in the Roads and Maritime Services Instrument of Delegation to Council, from the Roads and Maritime Services.

## **AUDIT AND RISK MANAGEMENT COMMITTEE**

The Audit & Risk Management Committee is granted delegated authority by Council to carry out its duties and responsibilities as defined in this charter. The Audit & Risk Management Committee has delegated authority to approve investigations into any matters within its scope of responsibility.

- Resolve any disagreements between management and the auditor regarding financial reporting (subject to confidentiality considerations).
- Pre-approve all auditing and non-audit services
- After due consultation with the General Manager, retain independent counsel, accountants, or others to advise the committee or assist in the conduct of an investigation.

- Meet with Council management, external auditors, or outside counsel, as necessary.
- Bathurst Regional Council acknowledges that professional independence and objectivity are key attributes of an efficient and effective Audit & Risk Management Committee. The Bathurst Regional Council and the General Manager are therefore committed to uphold and guarantee the professional independence and objectivity of the Audit & Risk Management Committee.

## **CENTROC**

To authorise CENTROC to call tenders for the supply of goods and services to Bathurst Regional Council. (Council still has the final decision on whether the tender is accepted.)

## **NSW RURAL FIRE SERVICE**

That Council delegate to the Manager, Chifley Zone, NSW Rural Fire Service the authority to approve payments and expenditure up to \$1,000.

## **GENERAL MANAGER**

The General Manager's powers to act on behalf of Council are given through power of attorney, his/her employment contract and delegations made by Council pursuant to Section 377 of the Local Government Act (1993).

### **Power of Attorney**

Council has appointed its General Manager as its Attorney to act for the Council to execute instruments resulting from resolutions of meetings from time to time by Council.

The General Manager of the Council for the time being and from time to time holding such office to be the Attorney of the Council for and in the name of and on behalf of the Council to sign any document which the Council would be required to sign for the purpose listed in the schedule.

### **The Schedule**

- Agreement for the sale or purchase of any land or other form of property
- The transfer of any land
- The acceptance of the transfer of any land
- The mortgage or other form of security of or over any property
- Loan Agreement documents
- The acceptance of any mortgage or other form of security
- The release of any mortgage or other form of security whether registered or unregistered (including any withdrawal of caveat or vacation of causes, writs and orders)
- Any plan of subdivision of land in which the Council has an interest including plan accepting a dedication of land for any purpose
- Any instrument creating easements over land or releasing varying or modifying any such easement
- The consent to the subdivision of land which is subject to a mortgage or other form of security in favour of the Council
- Consent to the grant of any easement and/or covenant affecting land which is the subject of a mortgage or other form of security in favour of the Council

- The lease of any land or other property
- Consent to the assignment of the lease of any property
- Surrender of the lease of any property
- Guarantees and indemnities by the Council
- Agreements for the provision of services by the Council
- Joint Venture agreements
- Licences for the use of any property or to permit any activity
- Deposit of money with any financial institution
- Granting and accepting options in respect of the acquisition or sale of any property whether real or personal or corporeal or incorporeal
- To create or release vary or modify any restriction or covenant affecting land

### **Contracts**

The General Manager, Director Corporate Services & Finance, Director Engineering Services, Director Cultural & Community Services, Director Environmental Planning & Building Services, are employed under contracts that are performance based.

The legislative requirements for Council to have a contract with the General Manager results in delegations being included under schedule B of the contract of employment as well as by resolution under the Local Government Act 1993.

### **Australian Fossil & Minerals Museum (Home of the Somerville Collection)**

Pursuant to an agreement between the Somerville Collection Board of Directors and the Council, the authority to:

- (a) oversee and carry out its day to day management and administration of the Australian Fossil & Minerals Museum
- (b) appoint a Company Secretary on a needs basis for the Somerville Collection, subject to the appointment being ratified at a subsequent meeting of the Somerville Collection Board.

### **Delegation**

Pursuant to the provisions of the Local Government Act 1993, and any expressed policy or direction of Council, that Council in accordance with the provisions of Section 377 of the Local Government Act, 1993 and every other enabling statutory power, delegates to its General Manager authority to exercise and to perform on behalf of the Council, all necessary powers, authorities, duties and functions, including but not limited to:

### **Corporate and Executive Powers**

1. To carry on the regular services and operations of the Council within the sums voted by the Council for expenditure thereon and in accordance with any resolution of Council. To control and direct the staff of the Council.
2. To carry on the regular services, functions and operations of the Council in accordance with Local Government Act 1993, and other Legislation, Regulations and or policies of the Council.
3. To authorise any action necessary to comply with any policy or code of Council, any statutory requirements of the Local Government Act or Ordinance or any

- other law, rule or regulation affecting Council.
4. To obtain legal advice from Council's Solicitors or Counsel where necessary.
  5. To institute, conduct and defend legal proceedings with respect to Council's activities in all Courts, and instruct and engage Council's Solicitors and Counsel where necessary.
  6. Be authorised to respond to notices in respect of such applications to the Licensing Court of NSW for Liquor licences for functions.
  7. Authorise action to be taken in connection with any complaints or requests received.
  8. Provide interpretation, counsel and advice on applicable Statutes, and Council's existing and proposed policies; and on statutory limitations during the deliberative and decision making process and provide to the Mayor, individual Councillors and senior staff, a common source of statutory and policy interpretation.
  9. To affix the seal of Council to a document.
  10. To prepare and lodge applications for grants provided such action is consistent with Council's Delivery and Operational Plan or Council Policy.
  11. To authorise any works which is deemed urgent, provided that such expenditure is reported to the Council at its next Ordinary meeting, where funds have not been voted by Council.
  12. Control communications internally and externally.
  13. Rearrange and reorganise staff in all departments.
  14. Sign legal contracts where Council has approved the making of that Contract.
  15. Internal and external projection and promotion of Council's mantle of dignity, together with its image of efficiency and effectiveness.
  16. To approve/refuse public access to Council books or documents which are required to be produced for any legal proceedings.
  17. Be authorised to perform all necessary activities, to serve any notices or orders, undertake inspections, issue or refuse license and permits, to exercise the power of entry, to appoint appropriate staff as an authorised officer, authorised person, authorised Council employee, or impounding officer as the case may be, to exercise the functions of those positions under the relevant acts and associated regulations and to implement the provisions as relating to the operation of Council of the relevant Acts and associated regulations, including but not limited to:
    - Boarding Houses Act 2012
    - Building Professionals Act 2005
    - Community Land Development Act 1989
    - Companion Animals Act 1998

- Conveyancing Act 1919
- Crown Lands Act 1989
- Dividing Fences Act 1991
- Environmental Planning and Assessment Act 1979 as amended
- Fire Brigades Act 1989
- Food Act 2003 and Regulations
- Government Information (Public Access) Act 2009
- Health Records & Information Privacy Act 2002
- Heritage Act 1977
- Impounding Act 1993 as amended
- Independent Commission Against Corruption Act 1988
- Interpretation Act 1987
- Land Acquisition (Just Terms Compensation) Act 1991
- Library Act 1939
- Local Government Act 1993 as amended plus regulations
- Local Land Services Act 2013
- Motor Vehicle Sports (Public Safety) Act 1985 as amended plus regulations
- Mt Panorama Motor Racing Act 1989 plus regulations
- Native Title Act 1994 as amended
- Noxious Weeds Act 1993 as amended
- Ombudsman Act 1974
- Plumbing & Drainage Act 2011 plus Regulation
- Privacy & Personal Information Protection Act 1998
- Property, Stock and Business Agents Act 2002 plus regulations
- Protection of Environment Operations Act 1997 as amended
- Public Health Act 2010 and Regulations made thereunder
- Public Interest Disclosures Act (1994)
- Real Property Act 1900 plus regulations
- Recreation Vehicles Act 1983 as amended
- Road Transport Act 2013
- Roads Act 1993 as amended
- Rural Fires Act 1997 as amended
- State Emergency and Rescue Management Act 1989
- State Emergency Service Act 1989
- Strata Schemes (Freehold Development) Act 1973
- Strata Schemes (Leasehold Development) Act 1986
- Swimming Pools Act 1992 as amended
- Transport Administration Act 1988
- Unclaimed Money Act 1995
- Waste Avoidance & Resource Recovery Act 2001
- Water Management Act 2000
- Work Health and Safety Act 2011

**Corporate Services/Administration**

- 101 To determine the matters which are to be included in the business papers, subject to the inclusion of the following items whenever they arise:
- (a) Reports on matters that cannot be determined under delegated authority;
  - (b) Reports required to be submitted under any Act or Ordinance;
  - (c) Reference to any deputations which the Council has agreed to receive;
  - (d) Matters requiring a determination of Policy;
  - (e) Reports directed by Council to be submitted;
  - (f) Matters essential for the Council's information;
  - (g) Matters requiring a vote;
  - (h) Matters or decisions of a potentially contentious nature, or involving a significant variation of Council's policy or standard practice relating to Development Applications.
- 102 Have charge of the records of Council, except as otherwise specifically provided, and be responsible for the recording, filing and safe keeping of such records.
- 103 Keep accurate, permanent records of all properties purchased, leased or sold by, or in the possession of Council.
- 104 Sign contracts for the sale and purchase price of land where Council has approved the sale or purchase price.
- 105 Authority to terminate any lease or rental agreement on any Council owned property where the terms of the lease have been breached, and accounts fall into arrears.
- 106 Sign all applications addressed to the Registrar General to record the Council as the registered owner of resumed land.
- 107 Authority to establish, maintain, alter or terminate leaseback agreements with employees.
- 108 To approve payment of expenses for elected members.
- 109 Authorise such employees time off for fighting fires within the boundaries of the Council area without loss of pay if properly called out by the Fire Brigade or the Rural Fire Service, where employees of the Council are members of the Voluntary Fire Brigade or Volunteer Rural Fire Service Brigades.
- 110 Review Council's exposure to risk on a continuing basis and effect any changes by way of insurance, retention or transfer to protect Council's interest.
- 111 To determine levels of public liability insurance required in accordance with Council's adopted policy.
- 112 The authority to exercise and perform on behalf of Council, all powers, authorities, duties, functions and matters in relation to Asset Management Initiatives applying to:

- (a) Public roads;
  - (b) Footpaths;
  - (c) Carparks;
  - (d) Parks, reserves, recreational facilities, gardens and cemeteries;
  - (e) Solid Waste Disposal Depot;
  - (f) Council owned and managed public buildings and facilities;
  - (g) Floodplain Management.
- 113 Be authorised to offer a reward for information leading to the conviction of people found vandalising Council property, and further that Council, without exception, takes all legal steps available to it to prosecute people found vandalising Council property.
- 114 Authority to exercise and perform on behalf of Council all functions, powers, authorities, duties and matters contained in Council's asset management program.
- 115 Authority to appoint alcohol and drug testing officers.
- 116 To adopt on behalf of council the Publication Guide required under Section 20 of the Government Information (Public Access) Act 2009.
117. To appoint a representative of Council as the Chairperson to the Local Emergency Management Committee in accordance with Section 28 of the State Emergency & Rescue Management Act (1989) as amended."
- 118 To appoint a Disclosures Coordinator for the purpose of the Public Interest Disclosures Act (1994)

### Finance

- 201 To authorise the payment of salaries and wages of the staff of the Council.
- 202 To authorise the purchase of goods, works and services and to obtain tenders for items over \$150,000.
- 203 To keep accounts of the Council and present to audit in accordance with the requirements made by or under the Local Government Act 1993 and regulations.
- 204 Determine the categorisation of each parcel of rateable land in accordance with Section 514 of the Local Government Act 1993.
- 205 Sign cheques on behalf of Council.
- 206 Sign vouchers on behalf of Council.
- 207 To authorise the investment of surplus Council funds and sign such application and redemption documents as may be required.
- 208 To determine applications for reductions of rental charges for Council facilities in accordance with Council's policy.
- 209 To determine applications for pensioner rate reduction in accordance with the provisions of Section 575 of the Local Government Act 1993.

- 210 To take action at any time for recovery of unpaid rates and any other amounts owing to Council.
- 211 To order restriction or disconnection of premises if excess water accounts are not paid.
- 212 To approve applications for extension of time to pay accounts.
- 213 To lay information, issue summonses, swear statements and affidavits for enforcing default judgements and institute any other legal and approved procedure necessary for the recovery of outstanding amounts and debts owing to the Council.
- 214 To determine assistance to ratepayers experiencing genuine and substantial hardship.
- 215 To allow unpaid rates to accumulate and be paid from the estate of such aged pensioners, where such a request has been made, or from the sale of the house provided that in such cases no Council rate rebate shall be granted.
- 216 To certify that prices and computations on vouchers have been checked and are correct, and as far as able to be ascertained, are fair and reasonable and are in accordance with any quotation/contract under which the goods/services were supplied.
- 217 To determine the amount of bond required to be lodged by developers as surety for completion of works under Council's control.
- 218 To write-off rates or debts which are determined not financially viable to recover to a limit in any one case not exceeding \$5,000.
- 219 To authorize goodwill payments for Public Liability/Public Indemnity claims up to \$2,000.
- 220 To sign Section 603 Certificates on behalf of Council.
- 221 To authorise the release of any bond or bank guarantee where the required works or services have been completed in accordance with approvals granted by Council.
- 222 To authorise the disposal of surplus materials and goods.
- 223 To sign as the responsible accounting officer the statement of financial position with respect to Budget Review Statements in accordance with the Regulation.
- 224 To authorise Council participation in tenders called by CENTROC on behalf of the participating councils.
- 225 To authorise the purchase of goods, works and services from Local Government Procurement in accordance with funds voted by Council and Council's Purchasing Manual.

## Engineering



- 301 To organise and allocate the priority of all construction and maintenance works, subject to any direction of the Council.
- 302 To determine applications for the use of (approve subject to conditions, or refuse) public roads for :
- (a) walk-a-thons, motor car trials, charitable collections or other like events;
  - (b) recruiting or similar purposes or for public health or other purposes on behalf of the Army, Navy or Air Force or other organisations to utilise part of a road or land owned by or under the control of the Council.
- 303 Be authorised to issue permits for holding of street stalls, processions on roads; holding of meetings in public places; and use of roads during building operations and standing of vehicles in restricted parking areas for any specific purposes and any other Act regulating functions under the control of the Council.
- 304 To provide temporary grandstands at Carrington Park for crowds anticipated to be in excess of 5,000 people, funded from Carrington Park Vote, subject to the provision of substantiated material by the promoters.
- 305 (i) To sign and issue approval of designs for subdivision plans and construction certificates.
- (ii) To sign survey requests/amendments to the Land Titles Office.
  - (iii) To sign property identification reports.
  - (iv) To sign survey plans.
- 306 To order the removal of obstructions placed illegally on road reserves, footpaths and public places.
- 307 To close the Ben Chifley Dam to specified users.
- 308 To close roads, or parts thereof, temporarily for repairs or construction.
- 309 To issue/refuse compliance and construction certificates in relation to subdivisions and engineering works.
- 310 Determine the extent and design of works associated with subdivisions and other development applications in accordance with Council Policies and Codes and to determine whether such works have been completed to a satisfactory standard.
- 311 To write to affected landowners seeking an indication on whether they wish the construction of concrete footpaving to be done, upon receipt of such requests for such work and then arrange a report to Council.
- 312 Grant approval for helicopter touchdowns on Public Reserves in a manner and at a time under such conditions as may be appropriate.
- 313 Authorise the private planting of trees and /or shrubs on footpaths.
- 314 To sign permits authorising maintenance or removal of trees under Council's Tree Preservation Policy and Council's Tree Preservation Order.

- 315 To remove dangerous trees on public works' construction sites under the control of the Council, where such removal is necessary, to allow work to proceed immediately.
- 316 To carry out private works and authorise the hire of Council plant subject to satisfactory arrangements being made for the payment of such works.
- 317 (i) To purchase new light vehicles and dispose of existing vehicles where the standard of the vehicle remains the same;
- (ii) To have the discretion to dispose of vehicles at other than 50,000km;
- (iii) Obtain trade prices when replacing vehicles; and
- (iv) To have the discretion to dispose of vehicle by either auction or trade-in.
- 318 To authorise the release of Council plant and other resources to assist fire fighting, emergency work, and assist the Local Emergency Management Committee in emergency work.
- 319 (i) To hire Council plant and equipment or to make it available to community groups in accordance with Council's Section 356 policy.
- (ii) To approve annual, standard parking and camping requests that occur each year from the Bathurst AH&P Association Inc.
- 320 Authorise the carrying out of water supply extensions up to 225m per tenement.
- 321 Authorise the carrying out of sewer extensions up to 75 m per tenement.
- 322 To determine the conditions of use of parks, gardens, reserves and other public places under Council's control.
- 323 To enter into Pipeline Agreements with the Rail Infrastructure Corporation.
- 324 To implement water restrictions in accordance with Council policy.

### **Planning & Development**

- 401 To determine Development Applications, Complying Development Certificates, and Construction Certificates.
- 402 To determine the fast tracking of Development Applications.
- 403 To issue or refuse to issue compliance, construction, subdivision and occupation certificates under Part 4A.
- 404 To defend appeals against failure or refusal to issue Part 4A certificates.
- 405 To give notice of intention to serve orders and issue orders, and modify or revoke orders pursuant to the Local Government Act, Environmental Planning and Assessment Act, Food Act, Companion Animals Act.

- 406 To review determinations of development applications made by other staff under delegated authority.
- 407 To issue or refuse to issue a complying development certificate.
- 408 To modify or refuse to modify a complying development certificate.
- 409 To vary or extend the lapsing period of a consent in accordance with Sections 95 and 95A.
- 410 To approve or refuse applications to modify development consents, being consents originally determined under delegated authority.
- 411 To defend appeals made pursuant to Division 8 of Part 2 of the Environment, Planning & Assessment Act (EP&A).
- 412 To refer for comment Development Applications within the Conservation Areas to the National Trust, where deemed appropriate.
- 413 That Council delegate to the General Manager the powers, authorities, duties and functions delegated to Council by "Instrument of Delegation" dated 9 August 1995 by the Director General of the Department of Local Government, pursuant to Section 745 of the Local Government Act 1993, as amended in respect to Section 82(3) of that Act in relation to modification of the provisions of Clauses 51 or 52 of the Local Government (General) Regulation 2005.
- 414 To ensure that premises used for the preparation, storage and/or sale of food are maintained.
- 415 To commence legal proceedings pursuant to the Environmental Planning and Assessment Act 1979, the Local Government Act 1993 and the Protection of the Environment Operations Act 1997.
- 416 *This item is intentionally left blank.*
- 417 To approve of a flue terminating at a location not complying with the provisions of the policy if satisfied that compliance with the policy is not practicable, and that the proposed alternative is satisfactory.
- 418 Sign applications on behalf of Council as applicant and/or owner for works previously approved by Council to be undertaken by Council or on Council's behalf.
- 419 To sign Section 149 and Section 149A Certificates.
- 420 To sign and issue Section 121ZP and Section 735A Certificates on behalf of Council.
- 421 To exercise all of the powers of Council in respect of:
- (a) Applications for all those matters listed in Part A of the Table contained in Section 68 of the Local Government Act 1993.
  - (b) The variation of building lines made under Council's Approvals Policy.

- (c) The variation of Restrictive Covenants created pursuant to Section 88B of the Conveyancing Act 1919, as amended, provided that the subject of the variation complies with the relevant planning instrument.
  - (d) Applications for those matters contained in Items 5 and 6 of Part B of the table contained in Section 68 of the Local Government Act 1993.
  - (e) Applications for all those matters listed in Part C of the table contained in Section 68 of the Local Government Act 1993.
  - (f) Applications for those matters contained in Items 3, 4, 5 and 6 of Part D of the table contained in Section 68 of the Local Government Act 1993.
  - (g) Applications for all those matters listed in Part E of the table contained in Section 68 of the Local Government Act 1993.
  - (h) Applications for all those matters listed in Part F of the table contained in Section 68 of the Local Government Act 1993.
- 422 Determine applications for the creation of temporary construction zones on public roads restricting public parking in such zones.
- 423 To take any action considered necessary under the Mount Panorama Policy.
- 424 To administer the policy in relation to advertising on light standards.
- 425 To commence the preparation of a draft Local Environmental Plan under Section 54(1) of the Environmental Planning and Assessment Act 1979 as amended:
- (a) Preparation and exhibition of Environmental Studies and Local Environmental Plans in accordance with Sections 56-64 and 66-67 of the Act.
  - (b) To exercise any delegation conferred upon him/her from time-to-time by the Director General of the Department of Planning under Section 65 and/or 69 of the Act.
- 426 To prepare a draft Development Control Plan in accordance with Section 72 of the Environmental Planning & Assessment Act 1979 and in accordance with the appropriate Regulations, but not including Clause 24(1) of the Regulations, and exhibit, but not to adopt or amend, Town Planning Codes, Guidelines and Policies.
- 427 Development Applications
- (a) To make any decision or to take any actions required of or open to Council to take in accordance with Part IV "Environmental Planning Control" of the Environmental Planning and Assessment Act 1979 as amended, but not including the power:
    - (1) To determine any Development Application in respect of a designated development as defined in Section 4;
    - (2) To determine any Development Application in relation to which a negative submission has been received and where the matters raised in that submission have not been resolved; or,

- (3) To revoke or modify a Development Consent (not being at the applicant's request) in accordance with Section 103;
  - (b) To call meetings of the Departmental Discussion Forum in relation to any Development Application or Compliance Certificate.
  - (c) To call meetings of the Council Discussion Forum in relation to any Development Application or Compliance Certificate.
- 428 To assume the concurrence of the Director General of the Department of Planning for variations of development standards in accordance with State Environmental Planning Policy 1 and Department of Environment and Planning Circular 117.
- 429 To authorise the release of subdivision certificates by signing the required documents, where the Council Seal or Power of Attorney is not required.
- 430 To refund unexpended Development Application fees on actual costs basis.
- 431 To commission an independent structural assessment of a building for which a Development Application has been made for demolition where, in assessing the development, the building is found to be of heritage significance.
- 432 To authorise the refund of fees in total or in part in respect of applications either refused by Council or withdrawn by the applicant under the provisions of Section 88 of the Local Government Act 1993.
- 433 To carry out rabbit eradication on roadsides in conjunction with the Livestock Health and Pest Authority.
- 434 To impound stock pursuant to Section 2 of the Act.
- 435 To implement the delegations from the NSW Heritage Office in respect of issuing approvals under Section 60 of the Heritage Act 1977 and the making of orders.
- 436 Pursuant to Section 381(3) of the Local Government Act 1993 approve the NSW Food Authority's delegation to the General Manager to provide written approval for dispensations and alternative methods of compliance in regard to the Food Standards Code's Standard 3.2.2 (clauses 15 and 17) and Standard 3.2.3 (clauses 10 and 14).
- 437 Pursuant to Section 109E(3) of the Food Act 2003, and conditional upon approval from the NSW Food Authority resolve to approve the General Manager to sub-delegate the power to provide written approvals for dispensations and alternative methods of compliance in regard to the Food Standards Code's Standard 3.2.2 (clause 15 and 17) and standard 3.2.3 (clauses 10 and 14) to the Director Environmental, Planning and Building Services.
- 438 Authority to make recommendations in relation to applications for accreditation of Council building surveyors under the Building Professionals Act 2005.
- 439 To undertake the powers, authorities, duties and functions delegated to Council by "Instrument of Delegation" dated 8 November 2012 by the Acting Commissioner for Fair Trading pursuant to Section 21 of the Plumbing and Drainage Act 2011.

- (a) to monitor compliance with the Plumbing and Drainage Act (s19(a))
  - (b) to ensure that any plumbing and drainage work carried out does not threaten public health or safety (s19(b))
  - (c) to undertake any other functions conferred or imposed on the plumbing regulator by the Plumbing and Drainage Act (s19(c)) other than:
    - receiving notices of work and other documentation required to be submitted to the plumbing regulator concerning proposed alternative solutions (s9(3) of the Plumbing and Drainage Act and Clause 10 of the Plumbing and Drainage Regulation)
    - authorising fittings for use in plumbing and drainage work (s20)
    - initiating criminal proceedings as provided for in Part 5 of the Plumbing and Drainage Act.
- 440 To undertake the following plan-making functions delegated by the Minister
- (a) to make – and determine not to make – an LEP under section 59(2), and (3) of the EP&A Act
  - (b) to defer inclusion of certain matters in an LEP under section 59(3) and
  - (c) to identify which matters must be considered and which stages of the plan-making process must be carried out again prior to resubmission (section 59(4)) if the council defers the proposal or if a matter is deferred from the LEP
- 441 to enter into agreements with members of the public for certification works as defined under the Building Professionals Act 2005.

## Introduction and Protocols – Delegations Instrument

### Introduction

Pursuant to Section 377 of the Local Government Act Council, in performing its functions can either exercise these directly or by delegation to other groups. As part of the overall running of the Council, Council delegates a number of tasks to the General Manager to ensure the efficient day to day management of Council.

Additionally, in accordance with Section 378 of the Act the General Manager may delegate any of the functions of the General Manager, other than this power of delegation.

### When are revisions required?

Section 380 of the Local Government Act states that the Register of Delegations is required to be reviewed during the first 12 months of each term of office. Additionally, it is Council policy that a review of delegations occurs every 12 months. However, there will be times when the delegations register will require revision. These are listed as follows:

- When the powers granted to the General Manager are changed for any reason; such as
  - By resolution of Council, or
  - Amendment to an Act of Parliament;
- When the General Manager determines that a new delegation needs to be made or an existing delegation amended;
- When a staff member with delegations resigns and someone new is appointed to the position. Note name change only;
- When a position or (department) undergoes a name change, or has its responsibilities revised.

### Responsibility for making revisions

- The General Manager is the only person who can authorise a revision of a delegation;
- Any changed delegation must be in writing and under the General Manager's signature;
- The responsibility for amending delegations in the circumstances indicated are as follows:

**Circumstance****Responsible person**

When the powers granted to the General Manager is changed for any reason.

Director Corporate Services & Finance

When the General Manager determines that a new delegation needs to be made or an existing delegation amended.

Director Corporate Services & Finance

When a staff member with delegations resigns and someone new is recruited. Note name only.

Director Corporate Services & Finance

When a position or (department) undergoes a name change or has its responsibilities revised.

Director (relevant department)

**Process for Revising a Delegation**

- A delegation can only be changed when the General Manager signs the Instrument of Delegation.

The Schedule of Delegation should be prepared in the following format:

Act/Reference	Function	Authority/Limitation
The Act which empowers the General Manager	Brief description of the power, duty or authority being delegated	Details of the authority and any limitations on this authority that need to be spelt out.

Once authorised by the General Manager, the Manager Corporate Governance will then:

1. Log the instrument and the delegation into the physical Register of Delegations.
2. Issue the revised approved delegation in accordance with the distribution list.

**Changing People or Positions**

When a person or position name changes, but there are no changes in the delegated responsibilities, the General Manager or Director's signature on the letter of appointment is sufficient to trigger the change.

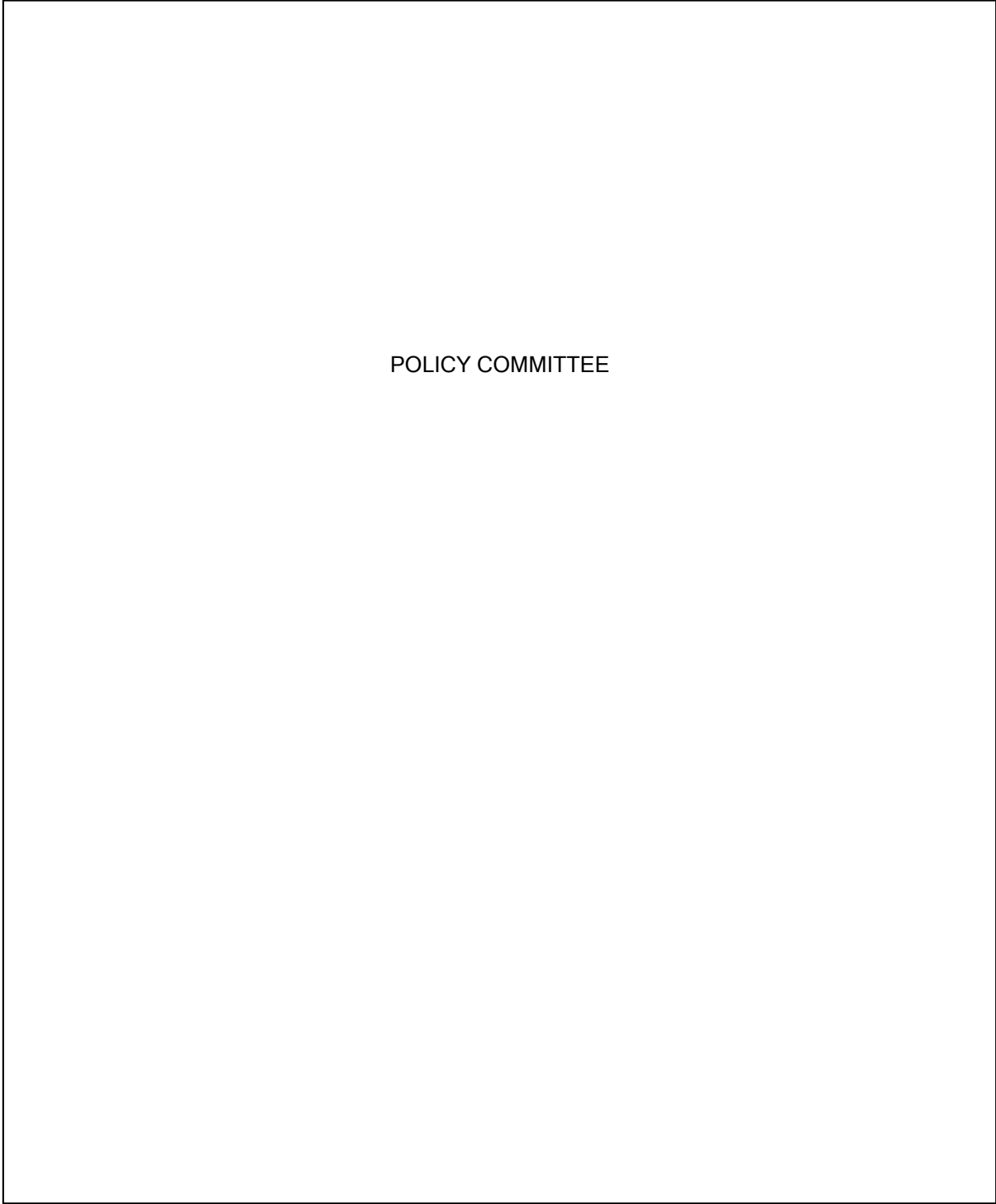
When the delegated responsibilities change with the person or position, it is the responsibility of the Director to ensure that the process of revising a delegation is adhered to and that the Manager Corporate Governance is advised to amend the control delegation register and issue an update.

**Correspondence**

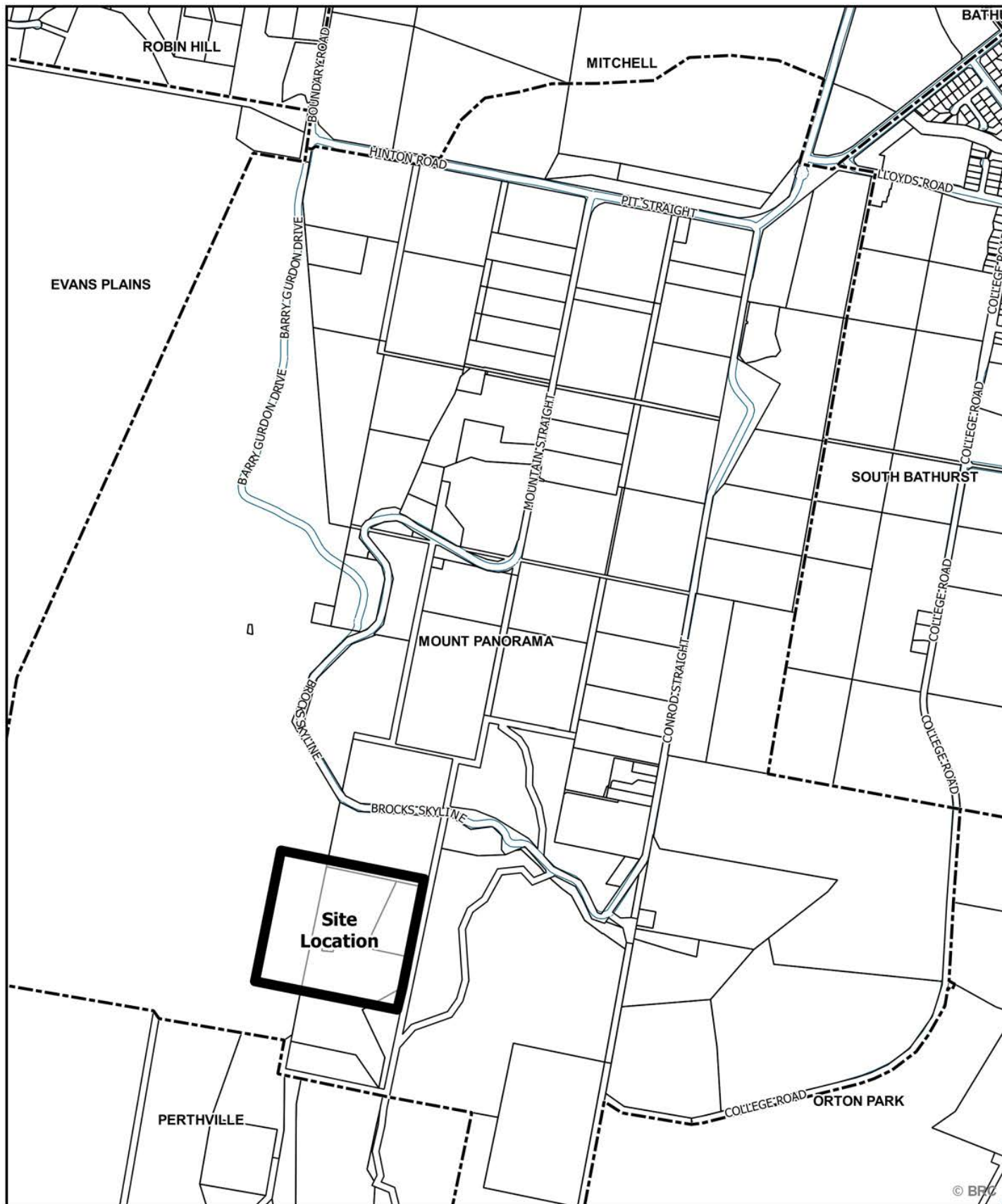
- Any officer given authorised delegation to sign correspondence must forward a copy to the file.
- Standard letters must be in the manual of standard procedures.



**DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS - ATTACHMENTS**



POLICY COMMITTEE



**BATHURST REGIONAL COUNCIL**  
 Bathurst Regional Council  
 158 Russell Street  
 Bathurst  
 NSW  
 2795  
 Telephone: 02 6333 6411  
 Facsimile: 02 6331 7211  
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**Important Notice !**

This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground.

Bathurst Regional Council expressly disclaims all liability for errors or omissions of any kind whatsoever, or any loss, damage or other consequence which may arise from any person relying on information comprised in this Plan.

Note: The colours on this Plan do not indicate landuse zones under the Bathurst Regional Local Environment Plan 2014.

This map was produced on the GEOCENTRIC DATUM OF AUSTRALIA 1994 (GDA94), which has superseded the Australian Geographic Datum of 1984 (AGD66/84). Heights are referenced to the Australia Height Datum (AHD) heights. For most practical purposes GDA94 coordinates and satellite derived (GPS) coordinates based on the World Geodetic Datum 1984 (WGS84) are the same.

Aerial  
 Photography: April 2013

Contour  
 Interval: ...

Projection: MGA94 Zone 55

Cost: ...

Date: 16/07/2015

Drawn By: GIS Section

**Location Plan for  
 DA 2015/0196**

**Mount Panorama NSW 2795**

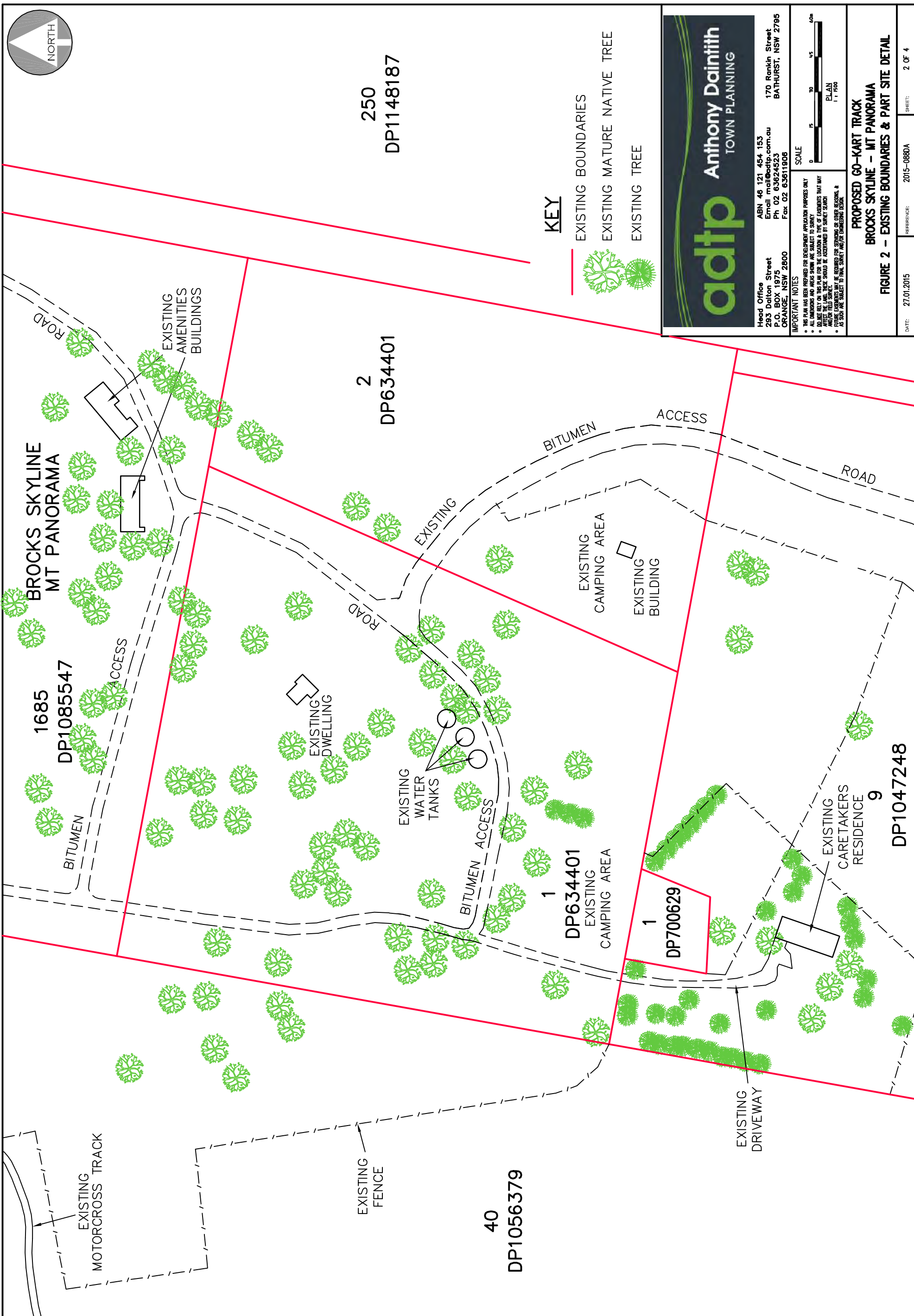
**Map Scale: 1:15,000 at A4**











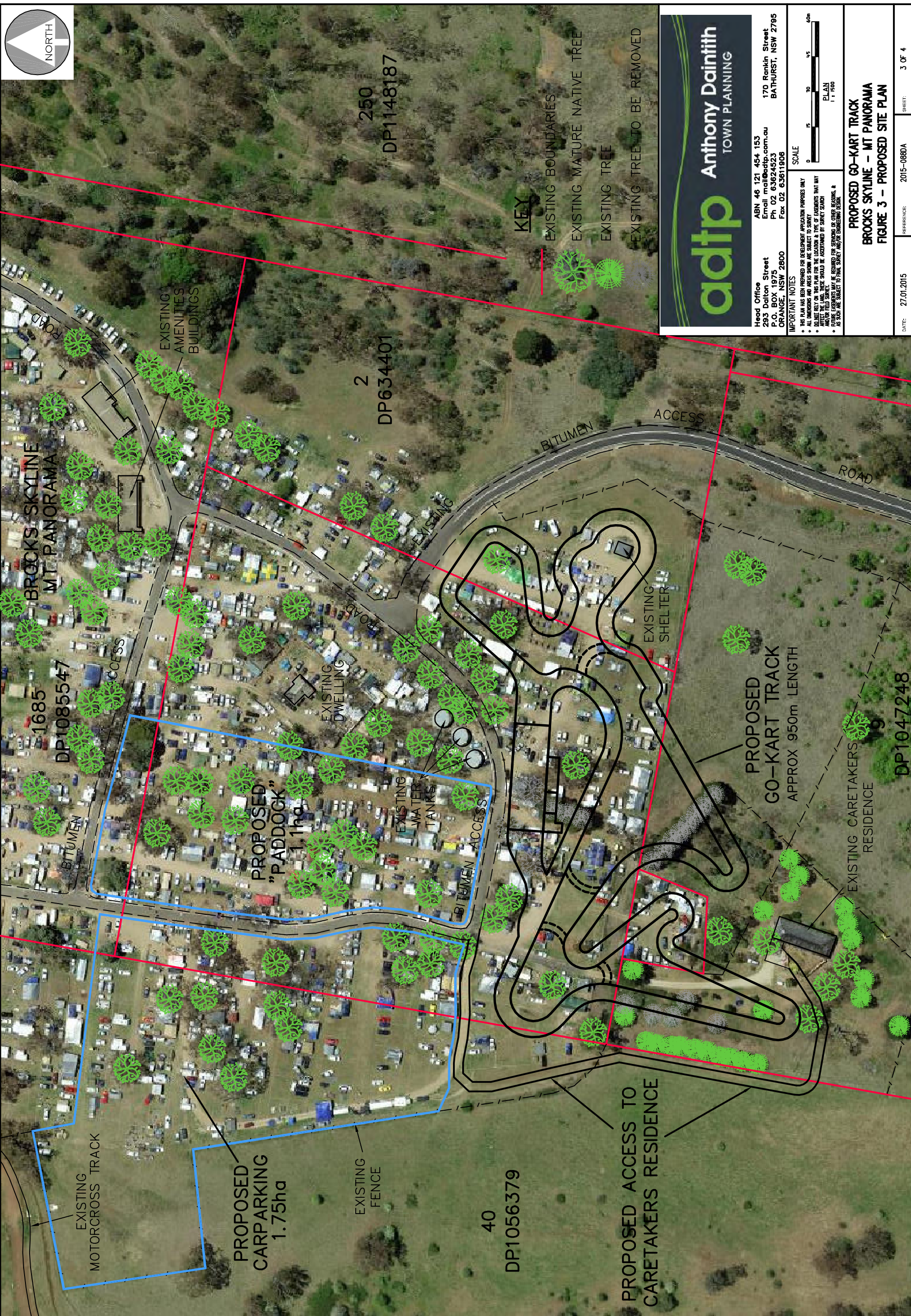




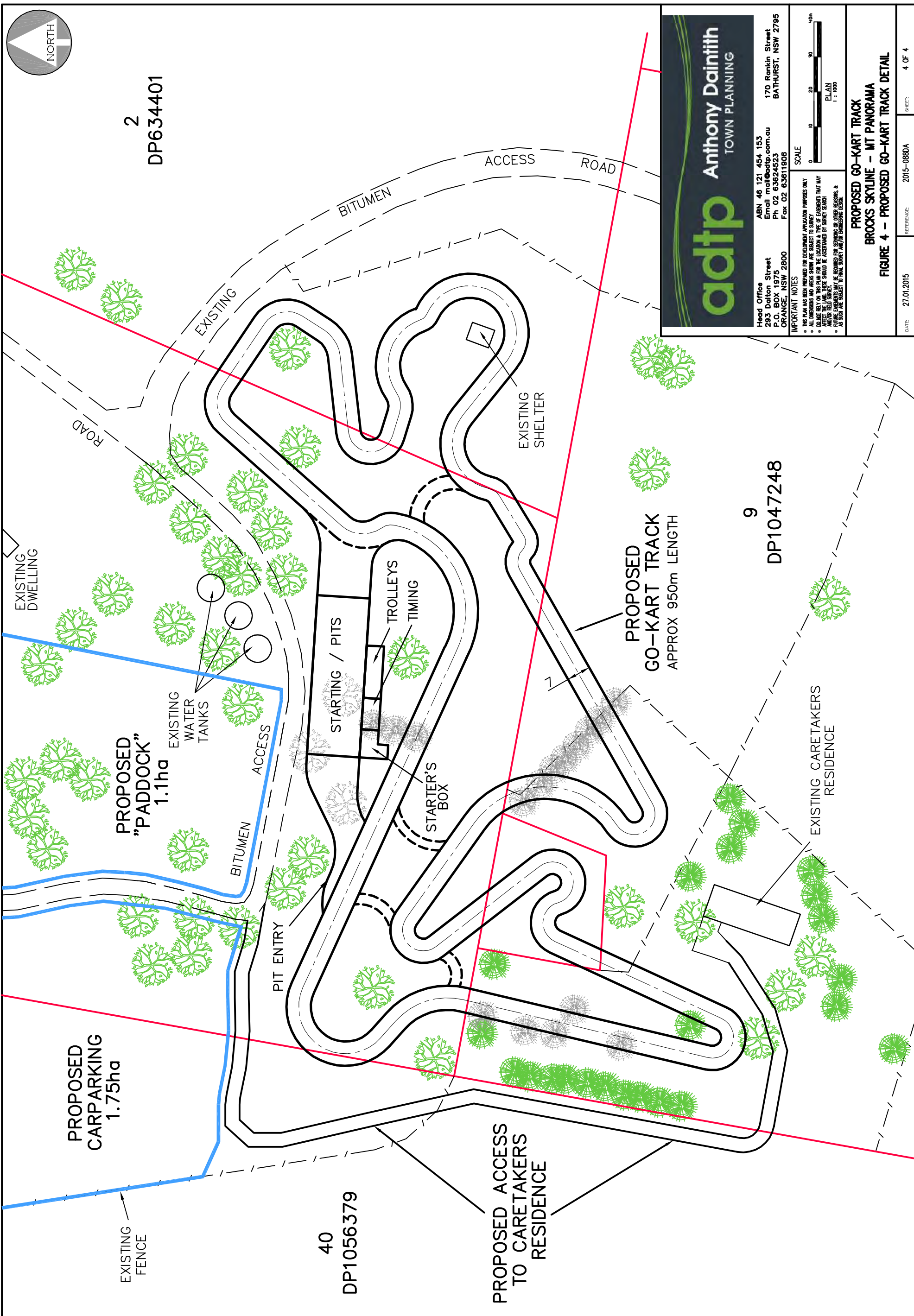


















# STATEMENT OF ENVIRONMENTAL EFFECTS

Prepared for:

**Bathurst Kart Club**

Development:

**Recreation Facility  
(Go Kart Track)**

Address:

**Brocks Skyline, Mount Panorama  
Lot 1 DP 634401, Lot 2 DP 634401, Lot  
1 DP 700629, Lot 9 DP 1047248, Lot 40  
DP 1056379 and Lot 1685 DP 1085547**

Date:

**30 May 2015**



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170 Rankin Street, Bathurst  
293 Dalton Street, Orange  
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**DESCRIPTION: Recreation Facility (Outdoor) - Go kart track**

**CLIENT: Bathurst Kart Club**

**Anthony Daintith Town Planning Pty Ltd**

**ABN 46 121 454 153**

**ACN 121 454 153**

Contact: 170 Rankin Street, Bathurst  
293 Dalton Street, Orange  
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### QUALITY ASSURANCE

This document has been prepared, checked and released in accordance with the Quality Control Standards established by Anthony Daintith Town Planning.

Version	Date	Description	By
1.0	23/3/2015	Draft	AD
2.0	30/5/2015	Approved	AD

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This document has been authorised by

Anthony Daintith (Principal)  
Date: 30 May 2015



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# 1 BACKGROUND

## 1.1 INTRODUCTION

Bathurst Kart Club has engaged Anthony Daintith Town Planning (ADTP) to prepare a Statement of Environmental Effects (SOEE) to support a Development Application to be lodged with Bathurst Regional Council, for a proposed recreation facility (go kart track) at the top of Brocks Skyline, Mount Panorama.

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;
- Noise Impact Assessment (PKA Acoustic Consulting);
- Site Plans.

## 1.2 APPLICANT AND OWNER

The applicant is Bathurst Kart Club C/- Anthony Daintith Town Planning.

The registered owner of the subject land is Bathurst Regional Council. The owner has provided their written consent to the lodgement of the Development Application.





## 2 SUBJECT LAND

### 2.1 LOCATION AND TITLE

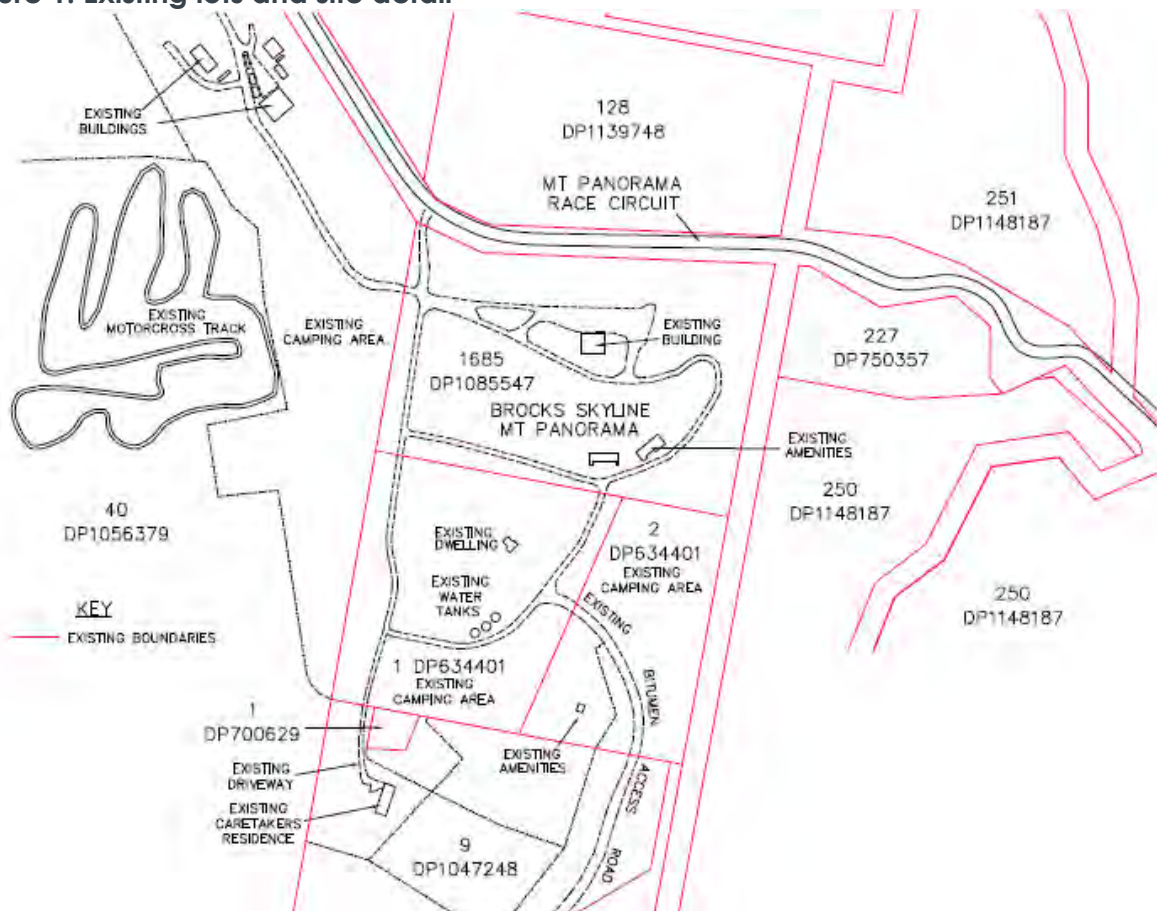
The subject land is located on Brocks Skyline. Refer to **Figures 1 & 2** which depicts the site within the locality.

The land title description is:

**Table 1: Lot Description**

Lot	Deposited Plan
1	634401
2	634401
1	700629
9	1047248
40	1056379
1685	1085547

**Figure 1: Existing lots and site detail**





## 2.2 GENERAL SITE DESCRIPTION

### Topography

The site of the track is relatively level and falls away from the centre of the site.

### Vegetation

There is a large section of the site cleared of vegetation and the remainder of the site has scattered eucalypt and pine species.

### Waterways

There are no water courses traversing the site.

### Buildings

The site contains an existing dwelling. There is also a number of communication towers on the site.

**Photos 1 - 4** provide a visual representation of the property.





Figure 2: Locality Plan

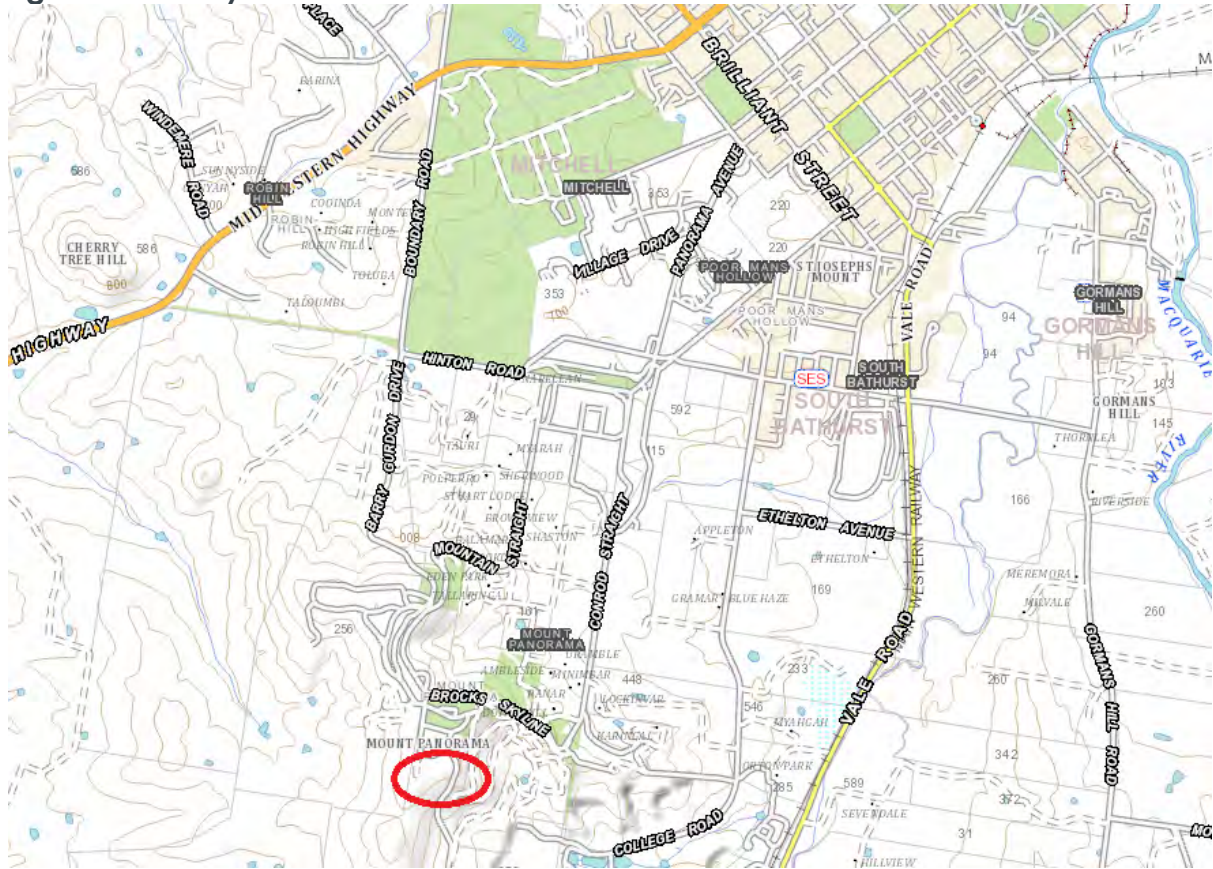


Figure 3: Aerial Photo



## 2.3 NEIGHBOURING LAND USES

Surrounding land uses from the proposed development include:

- Mount Panorama Racing track
- Mount Panorama Motocross track
- Councils Landfill
- Dwellings on Mount Panorama
- Grazing and rural land uses





Photo 1: Looking towards the eastern portion of the site



Photo 2: Middle portion of the site







Photo 3: Southern portion of the site



Photo 4: Existing infrastructure to be removed





### 3 PROPOSAL

It is proposed to construct a “recreation facility (go kart track)” on the subject land. The proposed facility includes the following features:

- The go-kart track would be 950m long.
- The track will be constructed in asphalt (also including earthworks and drainage works).
- It is proposed to operate 7 days a week, opening hours being 9.00am to 5.00pm.
- The site will not be open to the general public.
- The Bathurst Kart Club Inc. is an affiliate of the Australian Karting Association.

#### Daily Practise

The go-kart track can be used daily for practise sessions. It is expected that a maximum of 5 go-karts would be accessing the track on any given day (more than likely a maximum of 3 go-karts using the track simultaneously).

#### Race Events

It is proposed that there would be up to nine (9) race event weekends (with 3 to 4 events to be held in school holidays) – therefore a potential for 18 individual race days.

However, it is more likely that three (3) of these meetings would be two day events (so the total days would be more likely closer to 12 individual race days).

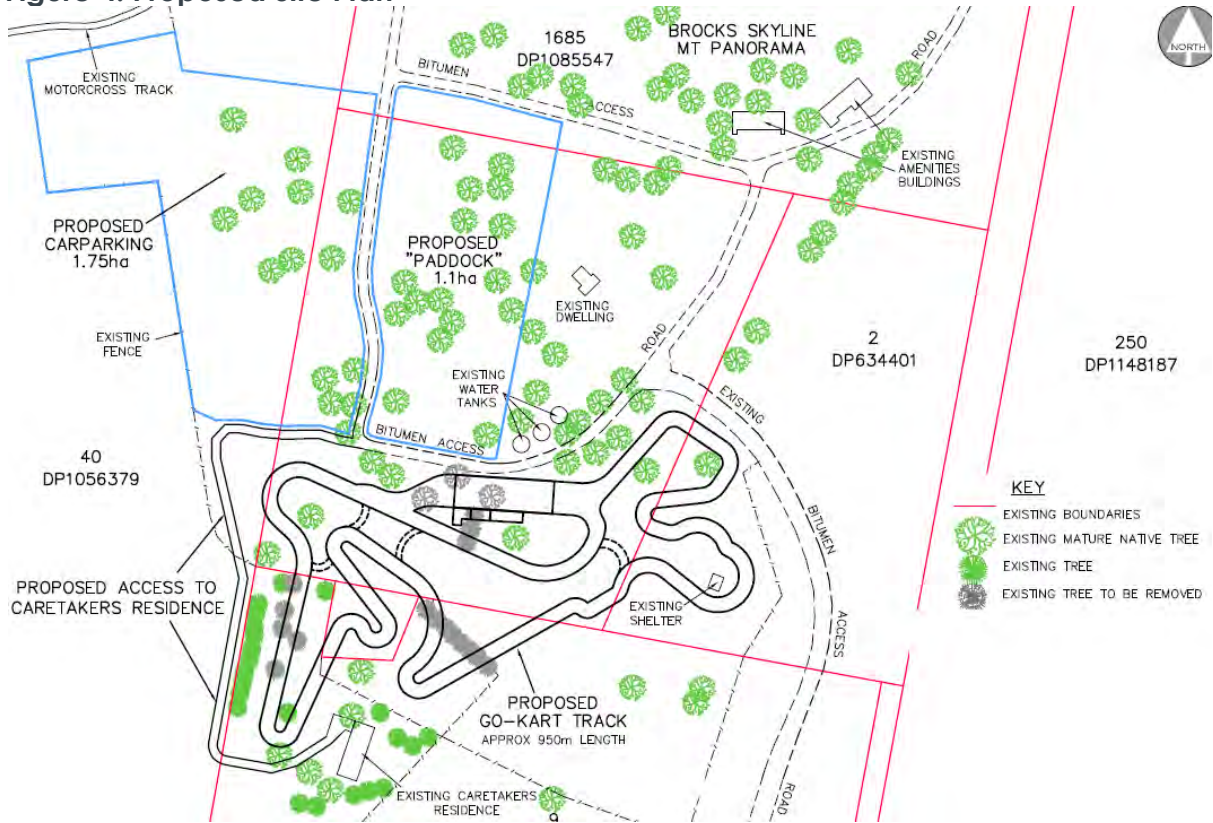
It is expected that a maximum of 32 go-karts could use the track simultaneously, however as few as 5 go-karts may race together. It is expected that throughout the day an average of 15 go-karts would race together.

There would be on average 80-100 competitors per meeting.

Refer to development plans for greater detail.



Figure 4: Proposed Site Plan







## 4 TOWN PLANNING CONSIDERATIONS

In determining the application, Council must take into consideration the relevant matters under Section 79C (1) of the *Environmental Planning and Assessment Act, 1979*.

### 79C Evaluation

(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 draft environmental planning instrument that is or has been placed on public exhibition and details of which have been notified to the consent authority (unless the Director-General has notified the consent authority that the making of the draft 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 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
  - (iv) *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), 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; and*
- (e) *the public interest.*

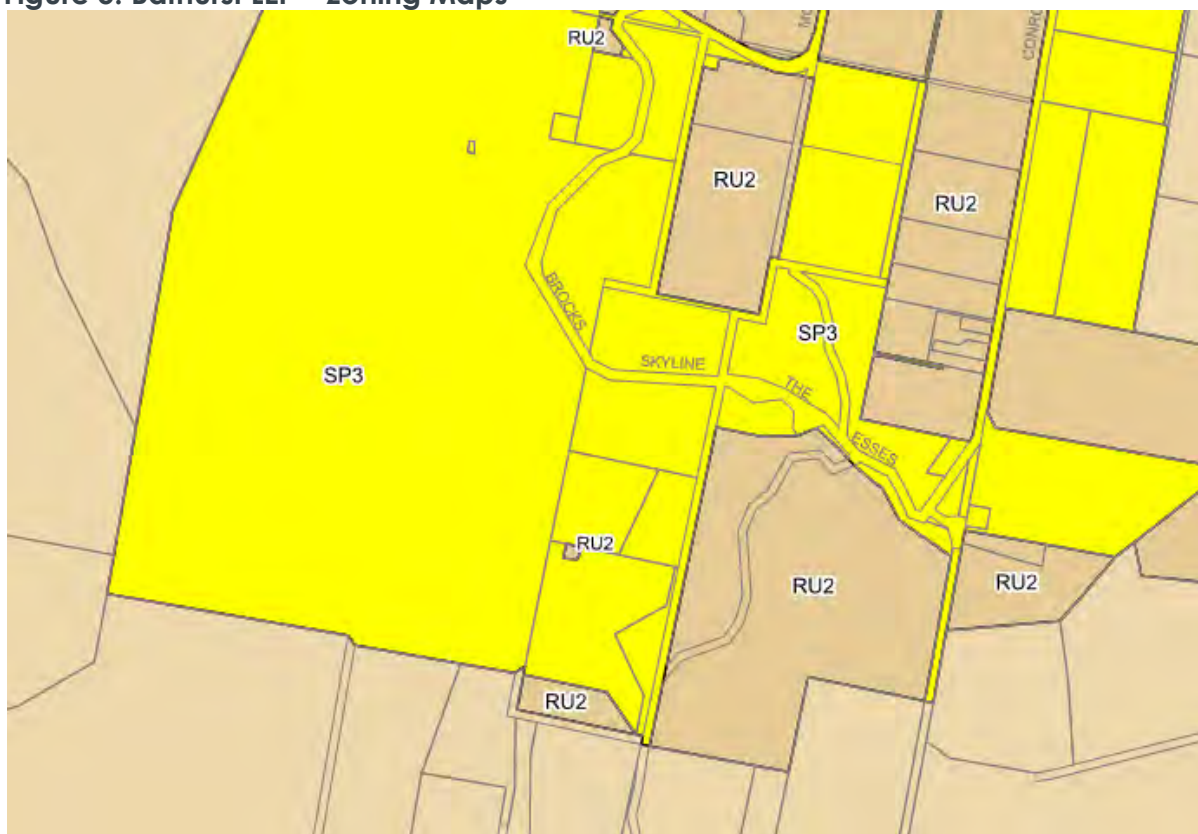
## SECTION 79(C) ASSESSMENT

### (a)(i) The provisions of any environmental planning instrument

#### LOCAL ENVIRONMENTAL PLANS

#### BATHURST REGIONAL LOCAL ENVIRONMENTAL PLAN 2014

Figure 5: Bathurst LEP – Zoning Maps



#### **Zone SP3 Tourist**

##### 1 Objectives of zone

- To provide for a variety of tourist-oriented development and related uses.
- To encourage and promote the development of Mount Panorama as a regional recreation and tourist facility and as an international motor racing circuit.
- To provide regional open space, tourism and recreation opportunities within the city of Bathurst.
- To enable development that is complementary to or for the purpose of motor racing and associated activities, sports or recreation.
- To encourage development that is sympathetic to the environmental characteristics of the land, particularly the scenic value of the locality.

##### 2 Permitted without consent

Environmental protection works; Extensive agriculture; Intensive plant agriculture; Roads

##### 3 Permitted with consent

**Proposal: Recreation Facility (Go kart track)  
Brock's Skyline, Mount Panorama**

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V2.0





Cellar door premises; Food and drink premises; Kiosks; Light industries; Markets; Neighbourhood shops; Plant nurseries; Roadside stalls; Tourist and visitor accommodation; **Any other development not specified in item 2 or 4**

#### 4 Prohibited

Amusement centres; Cemeteries; Child care centres; Commercial premises; Correctional centres; Crematoria; Depots; Electricity generating works; Exhibition homes; Exhibition villages; Forestry; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Home occupations (sex services); Industries; Intensive livestock agriculture; Mortuaries; Passenger transport facilities; Residential accommodation; Resource recovery facilities; Respite day care centres; Restricted premises; Rural industries; Sex services premises; Transport depots; Truck depots; Warehouse or distribution centres; Wholesale supplies

There is a very small lot within the overall area that is zoned RU2 Rural Landscape.

### **Zone RU2 Rural Landscape**

#### 1 Objectives of zone

- 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.

#### 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

Agricultural produce industries; Cellar door premises; Dwelling houses; Farm buildings; Food and drink premises; Home industries; Kiosks; Markets; Plant nurseries; Secondary dwellings; **Any other development not specified in item 2 or 4**

#### 4 Prohibited

Amusement centres; Cemeteries; Child care centres; Commercial premises; Crematoria; Depots; Exhibition homes; Exhibition villages; Forestry; Freight transport facilities; Health services facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industries; Intensive livestock agriculture; Mortuaries; Passenger transport facilities; Places of public worship; Residential accommodation; Respite day care facilities; Restricted premises; Rural industries; Service stations; Sex services premises; Storage premises; Transport depots; Truck depots; Warehouse or distribution centres; Wholesale supplies

### Comment

The subject land is zoned SP3 Tourist and RU2 Rural Landscape under the LEP as depicted in **Figure 5**.



The proposed development is permissible via the lodgement of a Development Application.

Recreational facilities (outdoor) are permissible with consent in both zones.

**recreation facility (outdoor)** means a building or place (other than a recreation area) used predominantly for outdoor recreation, whether or not operated for the purposes of gain, including a golf course, golf driving range, mini-golf centre, tennis court, paint-ball centre, lawn bowling green, outdoor swimming pool, equestrian centre, skate board ramp, go-kart track, rifle range, water-ski centre or any other building or place of a like character used for outdoor recreation (including any ancillary buildings), but does not include an entertainment facility or a recreation facility (major).

There are no anticipated detrimental impacts on the environment anticipated as a result of the proposed development of the site.

The development will be connected to all available services.

**Table 2: Objectives of the zone**

Objective	Comment
To provide for a variety of tourist-oriented development and related uses.	The proposed go kart track will attract competitors from all over Australia to Bathurst which will have a significant positive impact on the local economy.
To encourage and promote the development of Mount Panorama as a regional recreation and tourist facility and as an international motor racing circuit.	The proposed go kart track will complement the existing Mount Panorama Motor Racing Circuit. This will enhance the Mount Panorama precinct as an international motor racing destination.
To provide regional open space, tourism and recreation opportunities within the city of Bathurst.	The proposed go kart track as discussed will provide recreational opportunities not just for the local karting community but for competitors from all over Australia (and the obvious tourism benefits for the Bathurst economy).
To enable development that is complementary to or for the purpose of motor racing and associated activities, sports or recreation.	There is no doubt that the proposed go kart track will complement the motor racing and associated activities on Mount Panorama. The calendar of events for the proposed go kart track will be developed in consultation with the other events held on Mount Panorama to ensure that there is no conflicting events.
To encourage development that is sympathetic to the environmental characteristics of the land, particularly the scenic value of the locality.	The proposed go kart track will be developed in such a manner to be sympathetic to the existing landscape – the track is essentially within a cleared area at the top of the Mount and there will be minor tree removal (Council staff have identified which trees are to be retained. The visual impact would be minimal.



## 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.

### Comments

The proposed go kart track will complement the existing motor racing activities on Mount Panorama. There is no residential development component with the proposed development.

There is no requirement to modify the proposed go kart development as a result of the existing motor racing circuit on Mount Panorama.

### **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. This is based upon an inspection of the site.

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; 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 is no known draft Environmental Planning Instruments applicable to this proposed development.

### **(a)(iii) Any development control plan**

#### **BATHURST DCP 2014**

Following is an assessment of the relevant parts of the Bathurst DCP 2014:

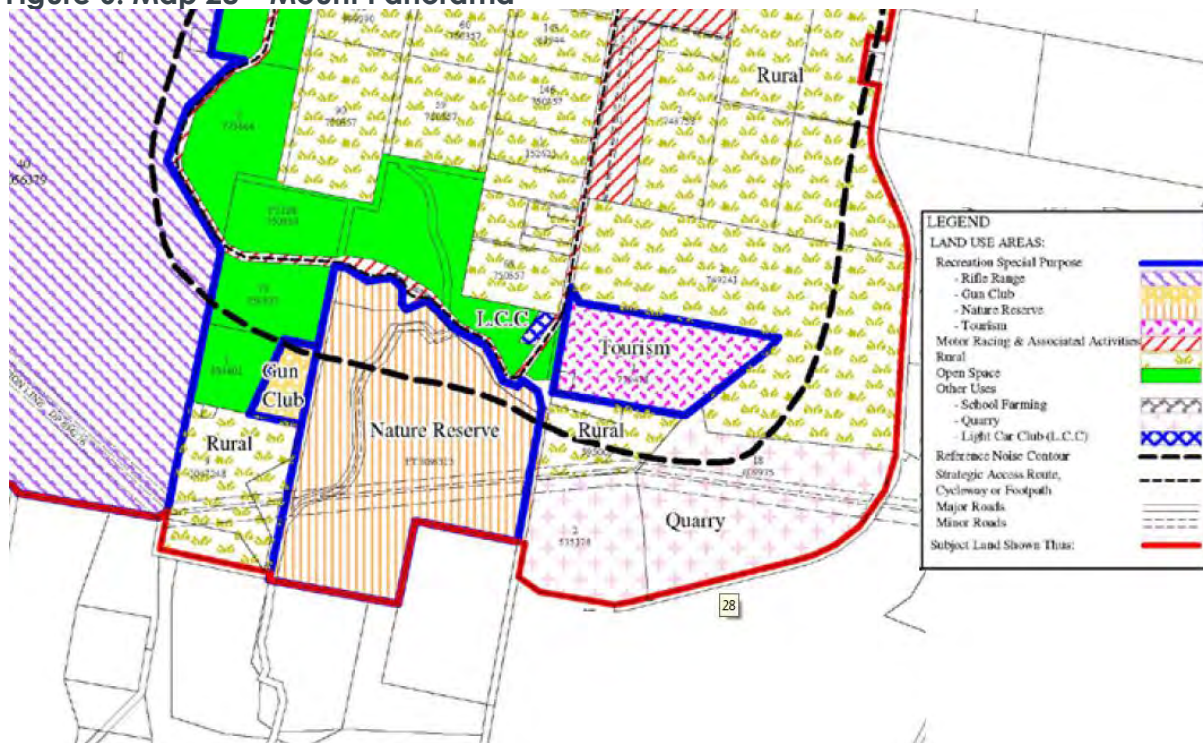
Clause	Heading	Comment
8.1	Preliminary	Map 28 Mount Panorama applies to the subject land. It is considered that the proposed go kart track will provide recreational facility that is complementary to the Mount Panorama racing track and Motorcross facility.
8.2	Use of land	The proposed go-kart track is permissible with consent in the zone.  Map 28 indicates a range of land uses for the site of the proposed go-kart track: <ul style="list-style-type: none"> <li>• Open space</li> <li>• Gun club</li> <li>• Rural</li> </ul>



		The proposed go kart track is clearly different to these uses and accordingly is considered no longer relevant to this part of Mount Panorama.
8.3	Subdivision of land	No subdivision proposed.
8.4	Noise Reference Contour	No dwellings proposed.
8.5	Special provisions	<p>The Go-kart proposal is considered complementary to the Mount Panorama Motor Racing Circuit and will only improve "Mount Panorama" as an international venue for motor sport.</p> <p>The development will not place at risk the safety of any person/s when the circuit is being used for motor speed contests.</p>
9.1	Preliminary	Applies to all land in the LGA.
9.2	Land Resources	No issues with respect to steep slopes, soil salinity, and removal of native vegetation (undertaken in accordance with Council staff), permanent inundation and rock outcrops have been identified on the site.
9.3	Riparian Land and Waterways	No waterways traverse the site.
9.4	Biodiversity	<p>The site of the proposed development is currently used as open space / car parking / dwelling house.</p> <p>The location is likely to be comprised of White Box, Yellow Box, Blakely's Red Gum Woodland (Box-Gum Woodland). There is also reported to be Tablelands Basalt Forest in that area. Both vegetation communities are Endangered Ecological Communities.</p> <p>There will be a small number of trees removed to facilitate the construction of the go kart track, however the trees removed have been identified and considered in consultation with Councils Parks and Gardens Department staff.</p>
9.5	Groundwater	It is considered that the proposed development on the site will not have an adverse impact on groundwater.
9.6	Flooding	Not applicable.
9.7	Bushfire Prone Land	Not applicable. The operators will have appropriate fire protection measures installed as part of the operations if the track.
9.8	Flora and Fauna Surveys	Not considered necessary for this development on extensively disturbed and developed lands. As noted above, any tree removal has been discussed with Council staff.
9.9	Sustainable Building Design and Energy Efficiency	It is proposed to utilise the existing dwelling and then bring in portable buildings when necessary.
14	Car parking	There is significant car parking provided within the existing car parking areas on the site (refer to the site plan that identifies a "Car parking" and "Paddock" area of 1.75ha and 1.1ha respectively). The combined area is more than adequate to cater for any event proposed as part of the development.



Figure 6: Map 28 – Mount Panorama



### (a)(iia) Any Planning Agreements

There are no known planning agreements affecting the property.

### (a)(iv) Any matters prescribed by the regulations:

There are no prescribed matters particularly relevant to this proposal.

### (b) The likely impacts of the development:

## CONTEXT AND SETTING

Surrounding land uses from the proposed development include:

- Mount Panorama Motor Racing track
- Mount Panorama Motocross track
- Councils Landfill
- Dwellings on Mount Panorama
- Grazing and rural land uses

The proposed development would not be visually dominant when viewed from surrounding lands and roads as it would be largely follow existing topography and further shielded from view by the existing and future landscaping surrounding the subject site. In this regard the development would not visually dominate and is consistent with LEP zoning. The proposed go kart track would be constructed in asphalt.



It is considered that the proposal is within the context of the locality and is compatible with the surrounding area and will have minimal impact in regards to:

- Adjacent properties;
- Adjoining land uses;
- Overshadowing; and
- Views and vistas.

## **ACCESS AND TRANSPORT**

Access to the land will be directly off Brocks Skyline via an existing bitumen sealed road.

The Road and Traffic Authority's Guide to Traffic Generating Developments provides traffic generation rates for various developments ranging from residential subdivisions, medium density developments, commercial premises to recreation and tourist facilities.

The RTA's guide states that

*...recreational and tourist facilities are site and type specific in their operation and traffic generation, often with seasonal variations in usage. Ideally, analysis of proposed developments should be based on surveys of similar developments.*

The proposed development is not expected to generate significant volumes of vehicular traffic on a regular basis. During the week (i.e. practice sessions), may only attract up to 5 users at any given time.

There is significant car parking provided within the proposed car parking areas on the site (refer to the site plan). Competitors will park their trailers and vehicles adjacent to the track in both the car parking area and "paddock" area. This has a combined area of 2.85ha which will be more than sufficient to cater for any event likely to be held on the site.

## **PUBLIC DOMAIN**

It is considered that the development will have a negligible impact on the public domain in terms of:

- The go kart track is promoting recreational opportunities in the locality,
- Amount, location, design, use and management of public spaces in and around the development.
- Pedestrian linkages and access between the development and public areas.



It is unlikely that the proposed development would have an adverse impact on the nearby dwellings (refer to Noise Study). The primary impact would be from an increase in traffic and noise generated from the development. Use of the facility would be restricted to 9am to 5pm.

The retention of the vegetation where possible on the site will assist in minimising impact to the surrounding development.

## **UTILITIES & SERVICES**

The subject site has access to limited services. However, no addition to these services is required as a result of the proposed development. It is proposed to utilise the existing dwelling and bring in portable buildings/portaloos on an as needs basis.

## **HERITAGE**

There are no listed heritage items on the subject land. The land is outside of the Bathurst Heritage Conservation Area.

## **WASTE**

The main waste generated from the development would be litter that would be collected and disposed of through the existing Council collection and disposal system. Additional waste bins are proposed to be installed at the site and maintenance of the site including litter collection would be undertaken by Bathurst Kart Club.

## **FLORA AND FAUNA**

The location is likely to be comprised of White Box, Yellow Box, Blakely's Red Gum Woodland (Box-Gum Woodland). There is also reported to be Tablelands Basalt Forest in that area. Both vegetation communities are Endangered Ecological Communities. It is noted that the area is highly modified in this location.

There will be a small number of trees proposed to be removed to facilitate the construction of the go kart track. However the trees removed have been identified and considered in consultation with Councils Parks and Gardens Department staff. The proponent is happy to work with Council staff where practical to make changes to the track to reduce any potential impacts.

There is existing trees planted around the site that provides visual relief from surrounding lands.





## ENERGY

A BASIX certificate is not required in this instance.

## NOISE AND VIBRATION

Refer to the Noise Study prepared by PKA Consulting for the proposed go kart track for greater information. The Report includes the following discussion:

### 7 DISCUSSION

The noise modelling results in Section 6 show that the 3 receptors on Conrod Straight (402, 404 & 428) will experience noise that exceeds the typical background + 5dBA criterion from the proposed go-kart track operations. Noise mitigation options are presented below for consideration.

#### 7.1 NUMBER OF GO-KARTS RACING SIMULTANEOUSLY

In Table 6.2.3 we have calculated a maximum of 32 go-karts operating simultaneously. Limiting the number of go-karts operating at any one time will reduce the noise levels over a 1 hour period as follows:

<b>Vehicles Circulating At Any One Time</b>	<b>Noise Reduction With Respect To 32 Vehicles dBA</b>
32	0
25	-1
20	-2
15	-3
10	-5
5	-8
3	-10
1	-15

Table 7.1: Noise Reduction Due To Number of Go-Karts On Track

#### 7.2 NOISE BARRIERS

Go-karts have their exhausts positioned at near ground level facing out and therefore barriers have the potential to provide noticeable noise shielding when placed in close proximity to the track. PKA have undertaken preliminary calculations and determined that between 3-5dBA of noise could be reduced at the Conrod Straight receptors if noise mounds/barriers with a minimum 2m height were constructed along sections of the track. Further investigation would be required to determine the practical locations and height of the noise mounds/barriers to then calculate the expected noise reduction achieved at the receptors.

#### 7.3 NOISE MONITORING

During the inaugural race event an acoustic firm could be commissioned to perform a live noise monitoring survey to provide the actual noise impacts to the sensitive receptors and help to confirm/refine the noise impact predictions entailed in this report for future race events.



#### 7.4 OPERATING HOURS

The proposed operating hours are 9am to 5pm. PKA have assessed these operations per hour LAeq(1hr) and also over the entire daytime period LAeq(7am-6pm). Any adjustments to the proposed operating hours would not affect the hourly assessment however there is the potential to increase or reduce the daily dose of noise to receptors.

For each hour that the track differs from the assess 9am to 5pm operations we would expect approximately  $\pm 1$  dBA of noise impact when assessed over the entire daytime period LAeq(7am-6pm).

For example if the track closed 1 hour earlier making the operations 9am and 4pm a reduction of 1dBA above the LAeq(7am-6pm) noise levels would be expected at the receptors.

Alternatively if the track opened 1 hour later making the operations 9am to 6pm an increase of 1dBA above the LAeq(7am-6pm) noise levels would be expected at the receptors.

We note that any operations outside the daytime hours would result in more significant noise impacts due to the background noise levels being lower and the unexpected infringement upon morning sleep and evening comfort.

The daytime hours are 7am to 6pm Monday to Friday, and 8am to 6pm weekends and public holidays

### **NATURAL HAZARDS**

No known natural hazards exist on the site (including flooding, bushfire and land slip).

### **AIR AND MICROCLIMATE**

All track surfaces of the proposed go kart track would be asphalt with surrounding areas vegetated to limit any dust generation. It is unlikely that use of the facility would have an adverse impact on air and microclimate.

### **POTENTIAL CONTAMINATION**

There are no signs of potential contamination on the land. It is considered that a preliminary contamination assessment is not warranted in this instance (see comments under SEPP 55).

### **SAFETY, SECURITY & CRIME PREVENTION**

The Go Kart Track is unlikely to create any issues relating to anti-social behaviour (i.e. graffiti, vandalism and general nuisance). It is proposed that the site will not be operated as a commercial enterprise and will be only available to Bathurst Kart Club members for practice during the week and then for competitions by registered competitors during race meets throughout the year.



Complaints about the go kart track would be directed to Council and dealt with as part of Council's existing complaints system.

The guidelines prepared by the NSW Department of Urban Affairs and Planning (DUAP 2001) identify four (4) Crime Prevention Through Environmental Design (CPTED) principles to be considered in Development Applications to ensure developments do not create or exacerbate crime risk. These principles are discussed below in relation to the proposed development and include: surveillance, access control, territorial reinforcement, and space management.

### Surveillance

The proposed development has been designed to maximise clear sight lines between public and private spaces to allow passive surveillance of the facility by neighbouring lands. The facility would be on existing topography principally to maximise clear lines of sight into the development from surrounding areas to permit surveillance.

Considerations of signage, security, opening times and crime prevention at the site have occurred in the overall design and management of the facility.

By designing and building a strong sense of community, place and ownership of the facility, passive surveillance of the site is expected to be strong.

### Access Control

By the design of the facility and appropriate landscaping, controlled access to the site will be provided off Brocks Skyline. The controlled access points provide a clear distinction between public property and the development site and thus provides for suitable access control.

### Territorial Reinforcement

The go kart track is a community project that has support of both Bathurst Kart Club and Bathurst Regional Council. Local karters' and potential users of the facility have been involved throughout the design stages of the project and would continue to be involved in the project in various aspects.

Stake holder interaction, vigilance and control over the construction of the facility and the final environment at the subject site are expected. These factors would help to strengthen the already strong sense of community ownership and territorial reinforcement present for recreational areas within Bathurst.



## Space Management

The proposed development has been designed to integrate with the existing development in the immediate locality. The facility has been located to provide in a position that provides a suitable buffer from surrounding land uses. In this way the development takes into account the surrounding environment and minimises the use of space by conflicting groups.

Operational management of the facility as part of the overall management of Bathurst would ensure the facility is kept clean and tidy and free of litter. Any graffiti or vandalism carried out at the facility would be promptly reported for rapid repair to make certain the facility would remain an attractive well maintained and well used space.

## **SOCIAL & ECONOMIC IMPACTS IN THE LOCALITY**

The social and economic impact is expected to be positive for the Bathurst community. The facility would provide a venue, not presently available within the city, for local people to participate in go karting.

The proposed development would result in a positive economic impact for the locality. It would provide employment generation during construction and additional economic income through the attraction of out of town visitors to the facility (including interstate visitors for championship events). Accordingly, there would be flow on effects for the Bathurst economy through people staying in motels, visiting other attractions and patronising local business.

The go kart track will further enhance Mount Panorama as an international destination for motor sport.

## **CONSTRUCTION**

The proposed construction work for the site will be earthworks, drainage and track works for the go kart facility.

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.

An Erosion and Sedimentation Control Plan would be developed and implemented during construction to minimise any erosion and sedimentation at the site.



All waste generated during construction would be taken and disposed of at Bathurst Council's Waste Disposal Facility.

Construction activities would be tailored to minimise the impact of surrounding vegetation 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.

## CUMULATIVE IMPACTS

There are no cumulative impacts anticipated as a result of the proposed construction of the go kart track.

### (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;
- It is considered that the proposal will not create any unmanageable access and traffic concerns in the locality;
- No upgrading of services is required.
- There are no issues in relation to air quality and microclimate;
- There are no surrounding hazardous land uses or activities; and
- The projected noise levels are within acceptable limits.

Are the site attributes conducive to development?

It is considered that the site is conducive to the development based on the following:

- The site is not affected by any know natural hazard;
- There are no heritage considerations;
- There is no known soil characteristics that would render the project prohibitive; and
- There are no flora and fauna considerations.

### (d) Any submissions

Consultation will occur with the local community, especially nearby neighbours.



### **(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.

The proposal generally complies with the provisions and objectives of Councils planning documents.



## CONCLUSION

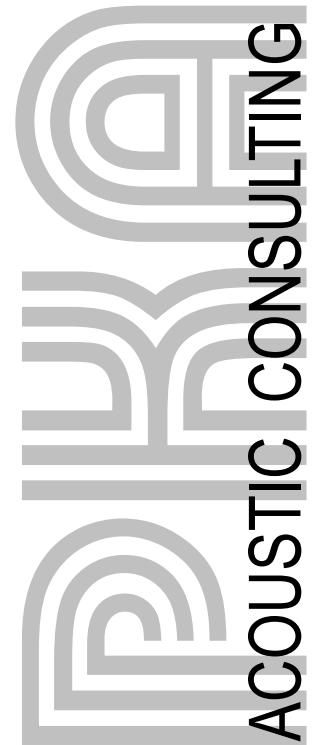
This report includes an analysis of the existing environment, details of the proposed development and consideration of applicable statutory requirements.

Based upon the investigations of the proposal it can be concluded that:

- The impacts upon or surrounding the development will not be altered significantly as a result of the go kart track;
- The topography of the site can accommodate the go kart track;
- Traffic generation can be accommodated through the existing road system. There is sufficient area on site for car parking;
- No upgrading of services is required;
- The proposal will have a positive social and economic benefit for Bathurst; and
- The proposal is generally consistent with the objectives and provisions of Councils planning documents.

The proposal is considered to be acceptable in terms of Section 79C of the *Environmental Planning and Assessment Act 1979*, and potential impacts are expected to be manageable.

**Accordingly it is recommended that the Development Application be approved subject to appropriate standard conditions.**



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**Acoustic Assessment**

**Bathurst Kart Club  
Mount Panorama**

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**Project 215 009**

**May 2015**

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File : 215 009 R01 v2-0 Acoustic Assessment

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## Document Information

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**This firm is a member of the Association of Australian Acoustical Consultants.**

**The work reported herein has been carried out in accordance with the terms of membership. We stress that the advice given herein is for acoustic purposes only, and that the relevant authorities should be consulted with regard to compliance with regulations governing areas other than acoustics.**

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**215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

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**1 INTRODUCTION & SCOPE**

PKA Acoustic Consulting has been engaged by Bathurst Kart Club to undertake an acoustic assessment of a proposed go-kart track located at Mount Panorama, Bathurst. The aim of this report is to determine the noise impact to residential receptors and compare to the relevant noise criteria.

This report is based on measurements and calculations performed by PKA Acoustic Consulting in addition to the following information:

- CAD data, primarily terrain contours, provided by Bathurst Regional Council
- Noise assessment of the go-kart track previously proposed to be located in Kelso dated 21/03/14 prepared by Wilkinson Murray (ref # 13322 Version B) henceforth referred to as "Wilkinson Murray report"
- Noise measurements performed by Mark Dunbar of Bathurst Karting Club in May 2015 of the existing Orange Go-Kart Track and simulated go-kart racing at the proposed Mt Panorama site
- Noise measurements and calculations by PKA
- Australian Karting Association (AKA) noise limits of go-kart vehicles

**215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama****2 SITE DESCRIPTION**

The proposed go-kart track is to be located at Mount Panorama on the land which is currently Mount Panorama lookout.

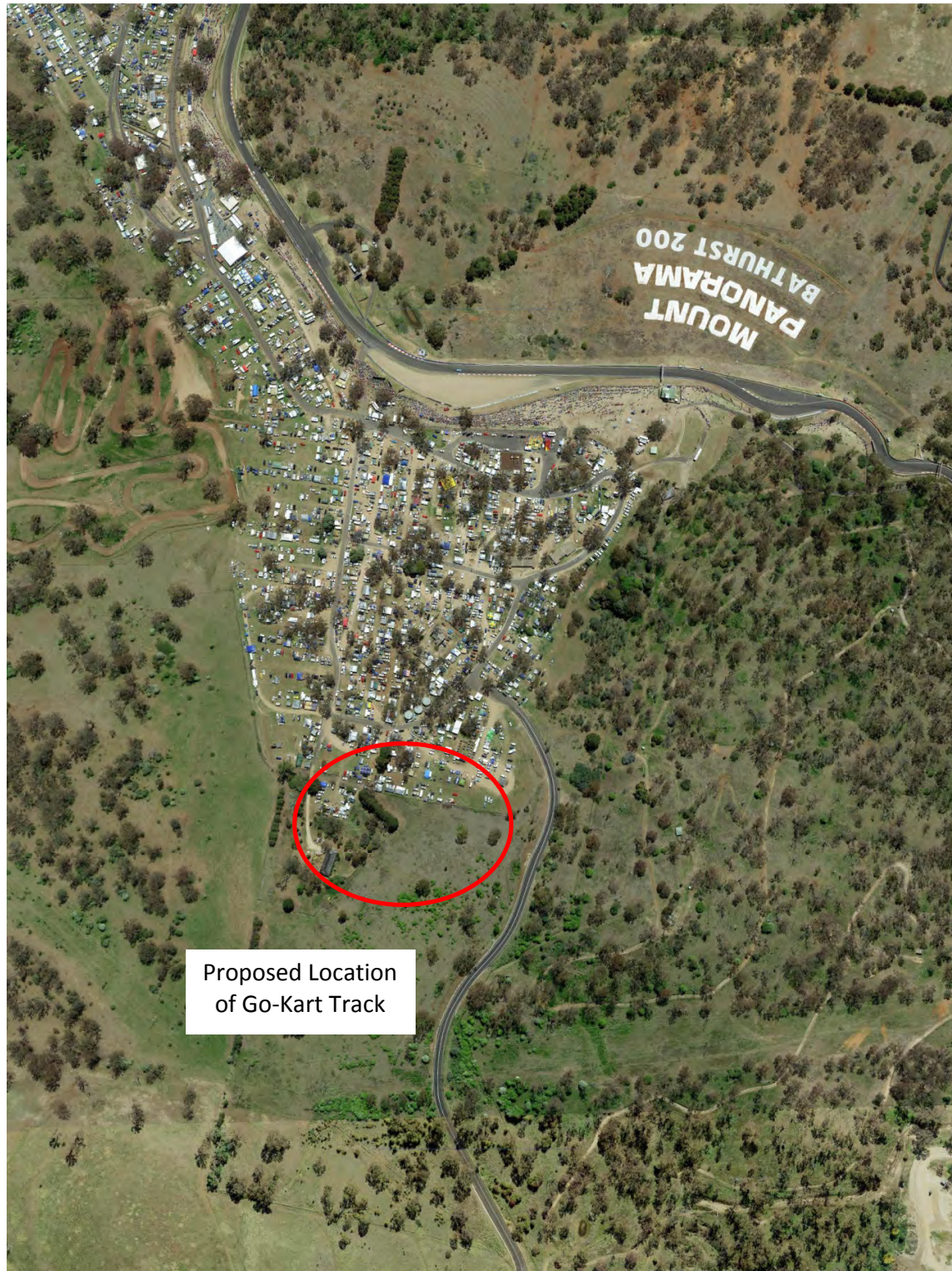


Figure 2.1: Site location



## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

The proposed go-kart track will be approximately 950m in length with a layout similar to the concept markup shown below:

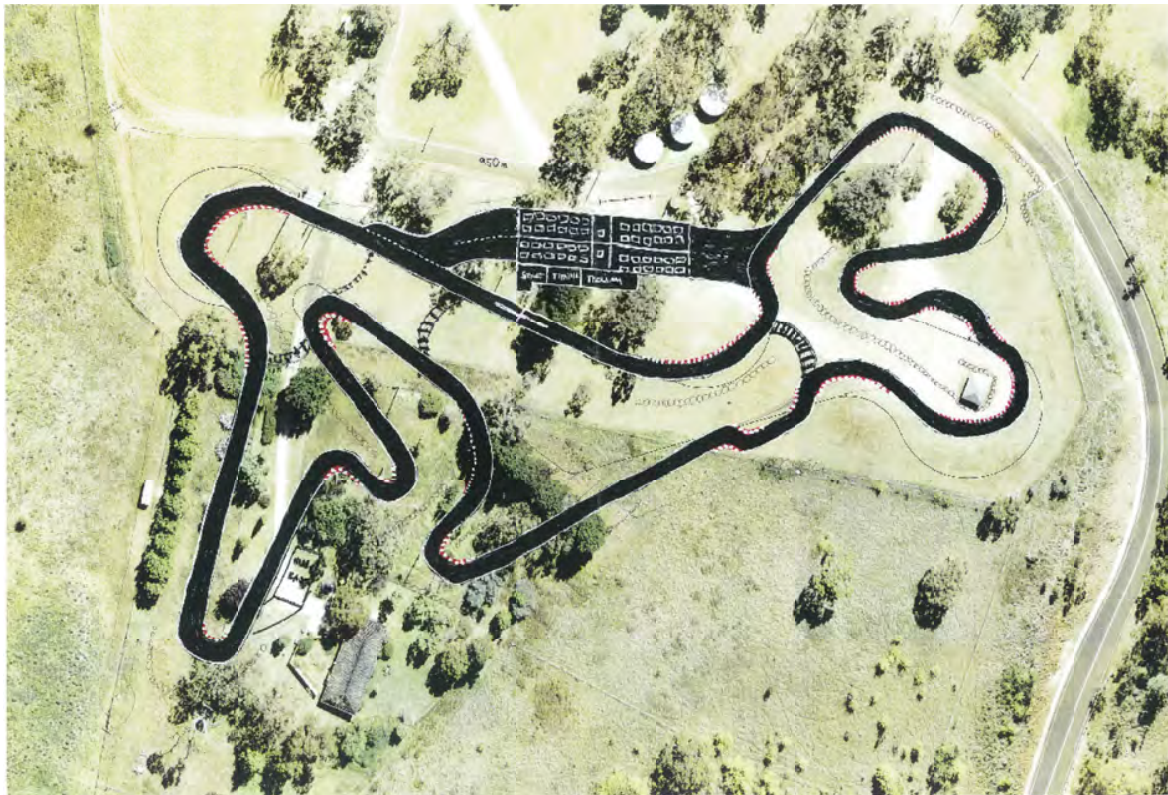


Figure 2.2: Track Layout

The go-track track is proposed to operate 7 days a week between 9am and 5pm. We have been advised by Anthony Daintith of the following assumed operating scenarios and have incorporated the following in our acoustic assessment:

### Scenario 1: Daily Practise

- Track is used daily for practise sessions. It is expected that a maximum of 5 go-karts would be accessing the track on any given day. For the 1hour noise calculations ( $L_{Aeq(1hr)}$ ) we have modelled a maximum of 3 go-karts using the track simultaneously for 40mins within an hour. For the daily average noise calculations ( $L_{Aeq(7am-6pm)}$ ) we have modelled a maximum of 5 go-karts using the track for a total of 40mins each between 9am and 5pm.

### Scenario 2: Race Events

- Up to 9 race event weekends per year (18 individual race days). It is expected that a maximum of 32 go-karts could use the track simultaneously, however as few as 5 go-karts may race together. It is expected that throughout the day an average of 15 go-karts would race together. For the 1hour noise calculations ( $L_{Aeq(1hr)}$ ) we have modelled both the maximum of 32 and average of 15 go-karts using the track simultaneously for 40mins within an hour. For the daily average noise calculations ( $L_{Aeq(7am-6pm)}$ ) we have modelled the average of 15 go-karts simultaneously racing between 9am and 5pm for 40mins each hour.



## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

PKA has nominated eighteen (18) residential receptors that are located within the vicinity of the proposed go-kart track. The majority of the receptors are located to the north and east of the site on Mountain Straight or Conrod Straight with one rural receptor located to the south on Hen & Chicken Road. They are numbered and described as follows:

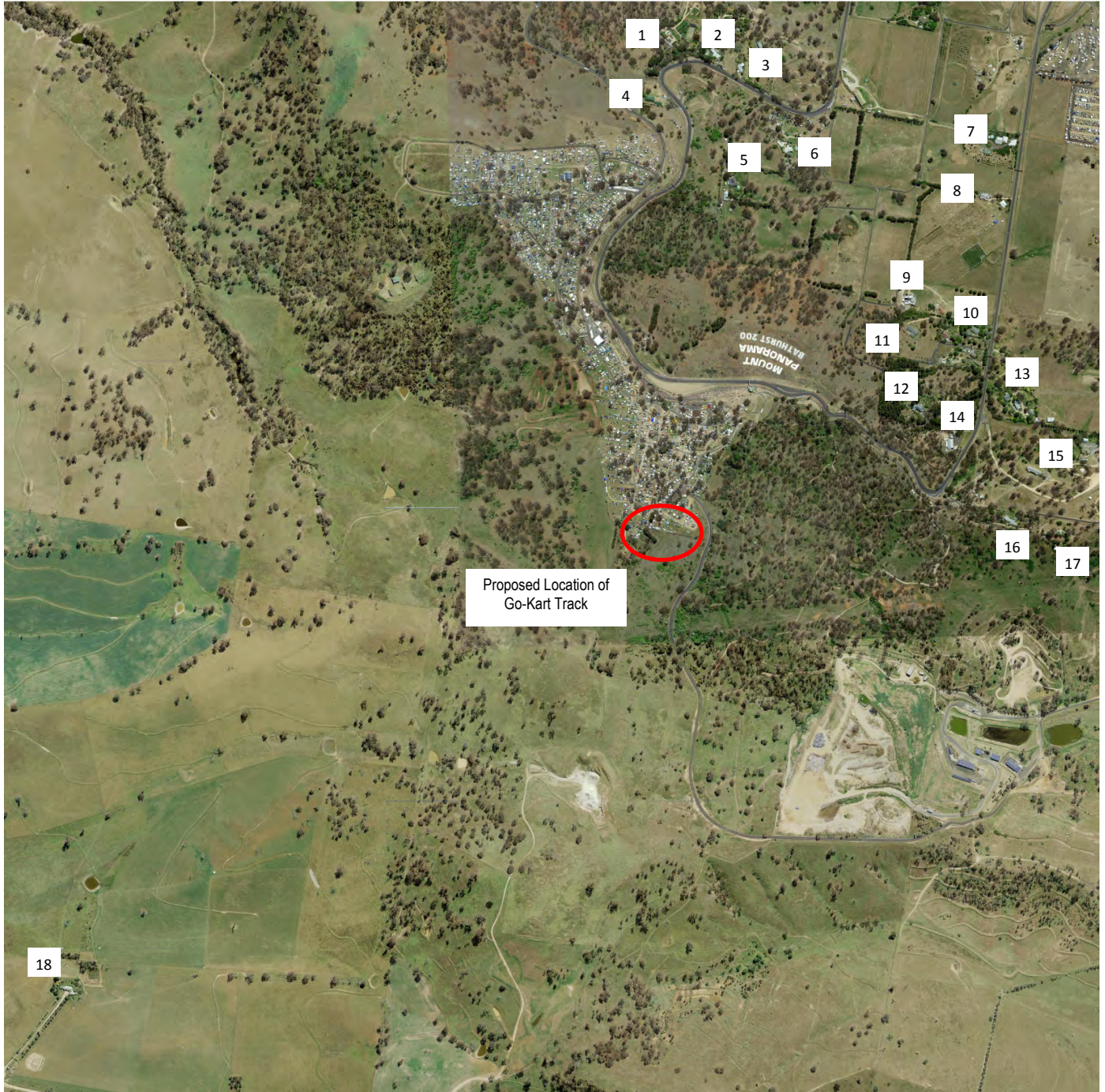


Figure 2.3: Residential Receptors

## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

Receptor Number	Address	Receptor type	Approx. distance from Proposed Track
1	212 Mountain Straight	Single dwelling	1400m
2	196 Mountain Straight	Single dwelling	1200m
3	190 Mountain Straight	Single dwelling	1200m
4	224 Mountain Straight	Single dwelling	1100m
5	179 Mountain Straight	Single dwelling	700m
6	163 Mountain Straight	Single dwelling	1000m
7	447 Conrod Straight	Single dwelling	800m
8	441 Conrod Straight	Single dwelling	800m
9	457 Conrod Straight	Single dwelling	850m
10	451 Conrod Straight	Single dwelling	900m
11	453 Conrod Straight	Single dwelling	750m
12	435 Conrod Straight	Single dwelling	700m
13	448 Conrod Straight	Single dwelling	950m
14	417 Conrod Straight	Single dwelling	700m
15	428 Conrod Straight	Single dwelling	1000m
16	404 Conrod Straight	Single dwelling	850m
17	402 Conrod Straight	Single dwelling	900m
18	280 Hen & Chicken Road	Single dwelling	2850m

Table 2.3: Residential Receptors



## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

### 3 BACKGROUND NOISE SURVEY

In order to establish the existing ambient noise levels at the receptor locations two unattended noise loggers were installed.

Logger 1 was installed at 402 Conrod Straight on the private driveway approximately 200m set back from the road edge.

Logger 2 was installed at 280 Hen & Chicken Road in the open field approximately 200m set back from the road edge.

The loggers recorded between Wednesday 25<sup>th</sup> February 2015 and Thursday 5<sup>th</sup> March 2015. The deployment and retrieval days are not included in the table below due to the data not being available for the full daytime period. The battery on Logger 2 failed and therefore the logger did not record for Wednesday 4<sup>th</sup> March.

The loggers are of ARL manufacture Type EL-316. The loggers were calibrated prior to and following measurements with a Bruel & Kjaer sound level calibrator Type 4230 and exhibited no significant drift. The loggers sampled in 15 minute periods, using an A-weighting curve before converting the information to statistical quantities and commencing a new period.

The results from the noise data loggers are shown below:

<b>ABL - Background Noise Levels <math>L_{A90,period,dB}</math></b> Daytime ABL 07:00 – 18:00		
<b>Date</b>	<b>Logger 1</b> 402 Conrod Straight	<b>Logger 2</b> 280 Hen & Chicken Road
Thursday, 26 <sup>th</sup> February 2015	31.4	30.6
Friday, 27 <sup>th</sup> February 2015	30.8	29.6
Saturday, 28 <sup>th</sup> February 2015	29.8	30.3
Sunday, 1 <sup>st</sup> March 2015	32.4	33.7
Monday, 2 <sup>nd</sup> March 2015	33.6	29.0
Tuesday, 3 <sup>rd</sup> March 2015	31.2	30.3
Wednesday, 4 <sup>th</sup> March 2015	31.9	-
<b>RBL</b>	<b>31</b>	<b>30</b>

Table 3.1: Noise logger results – Industrial Noise Policy descriptors – dBA

RBL refers to the Rating Background Level. See Glossary.

ABL refers to the Assessment Background Level. See Glossary.

For comparison purposes PKA has previously conducted noise logger surveys at Mount Panorama which resulted in a background noise of 32dBA at a Conrod Straight address approximately 200m from the road edge



**215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

We have adopted the background noise level of  $L_{90}$  31 dBA to represent the nominated receptors except for the Hen & Chicken Road resident which we have adopted a  $L_{90}$  30 dBA.

The logger locations are shown as follows:

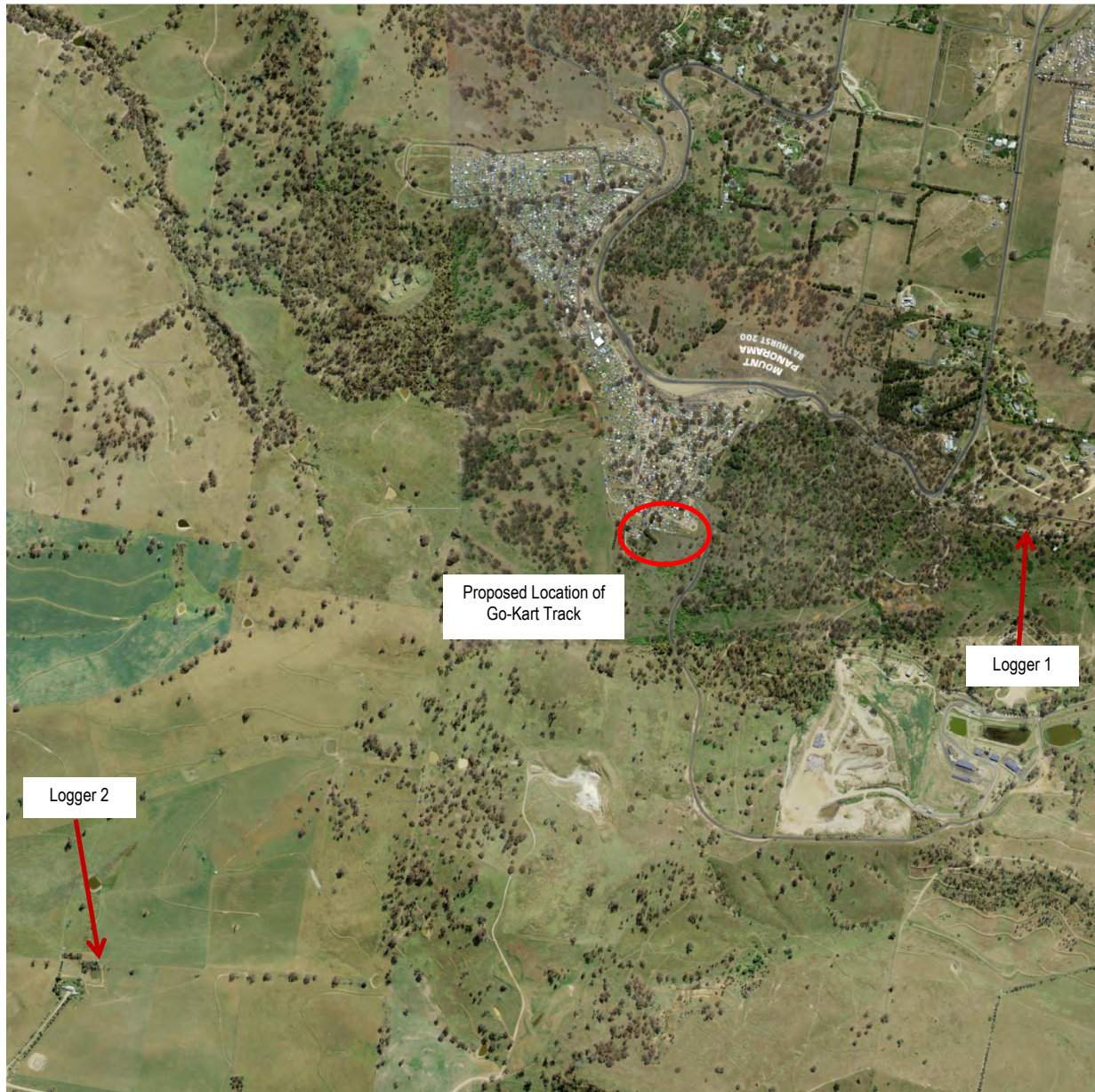


Figure 3.1: Logger Locations

Noise data logger graphs are shown in Section 9.

## 4 GO-KART NOISE LEVELS

Wilkinson Murray conducted noise measurements in their report in 2014 of 6 go-karts at the originally proposed Kelso site. The measurements were taken on all four sides of the go-karts at a distance of 5m while the engines were being revved to simulate racing condition. The results were then converted to a sound power level of  $L_{Aeq}$  112dB.

PKA adopted these figures in an earlier version of this report, however we have been advised by Mark Dunbar of Bathurst Karting Club that the go-karts measured by Wilkinson Murray were superseded go-kart models and would likely have higher noise levels than current models.

To determine whether the noise levels differ for current go-kart models PKA provided acoustic advice to Mark Dunbar to replicate Wilkinson Murray's methodology of measuring a stationary go-kart on all four sides at a distance of 5m while the engines were being revved to simulate racing condition. This was conducted at the proposed Mt Panorama site. The noise levels around the go-kart were consistently averaging 80dBA at the 5m distance. PKA then converted the measurement data to result in a sound power level of  $L_{Aeq}$  102dB. This noise level is 10dBA less than Wilkinson Murray's result.

To confirm this reduced noise level further PKA provided acoustic advice to Mark Dunbar to conduct noise level measurements at the existing Orange Go-Kart Track during race conditions. The measurements were conducted at various distances between 10m and 100m and the results conformed within a reasonable tolerance to PKA's calculated sound power level of  $L_{Aeq}$  102dB. We have therefore adopted this revised noise level in our assessment

The 2015 Australian Karting Manual states any one go-kart must not exceed a maximum of 100dBA when measured at 10m from the track. For comparison purposes the go-karts measured at Mt Panorama under full revs was averaging 80dBA at 5m with a maximum peak of 92dBA which would equate to a maximum 86dBA @10m, well below the 100dBA limit. PKA considers the Australian Karting Manual limit to be over estimating the noise levels emitted from a go-kart.

## 5 NOISE CRITERIA

### 5.1 EPA INDUSTRIAL NOISE POLICY

The Industrial Noise Policy (INP) is the policy which typically governs noise generated from commercial premises in NSW. Section 1.3 of the document identifies that noise from motor sport activities such as go-kart tracks are not covered by the policy. However the INP is helpful in determining whether the site complies with the intrusiveness criteria typical adopted as background +5dBA.

The Intrusiveness criterion states that for a source to generally be considered acceptable the Leq noise level from the activity be no more than 5dBA above the background (RBL) noise level measured in the area. In the case of this site the Intrusiveness criteria would be  $31 + 5 = 36\text{dBA}$  at the nominated receptors and  $30 + 5 = 35\text{dBA}$  at the Hen & Chicken Road receptor.

The Amenity criterion applies a maximum ambient noise level within an area to limit continuing increases in noise levels from each industrial source. The INP defines the areas surrounding the proposed go-kart track as 'Rural'. The applicable Amenity criteria would therefore be an  $\text{Leq}_{(1\text{hr})}$  of 50dBA Daytime (7am-6pm).

We have adopted the procedures outlined in the INP for determining existing ambient noise levels.



## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

### 5.2 EPA NOISE GUIDE FOR LOCAL GOVERNMENT (NGLG)

Table 1.3 of the EPA Noise Guide for Local Government (NGLG) indicates that Council would be the responsible authority for regulating noise from such a proposal.

The NGLG does not present direct criteria for go-kart tracks however a case study (identified as Case Study 2) does present an example of how one Council dealt with facility involved in motorsports. Of particular interest is the method presented for determining multiplication ratios for noisy events. The relevant figure from the NGLG is reproduced below as Figure 5.4.

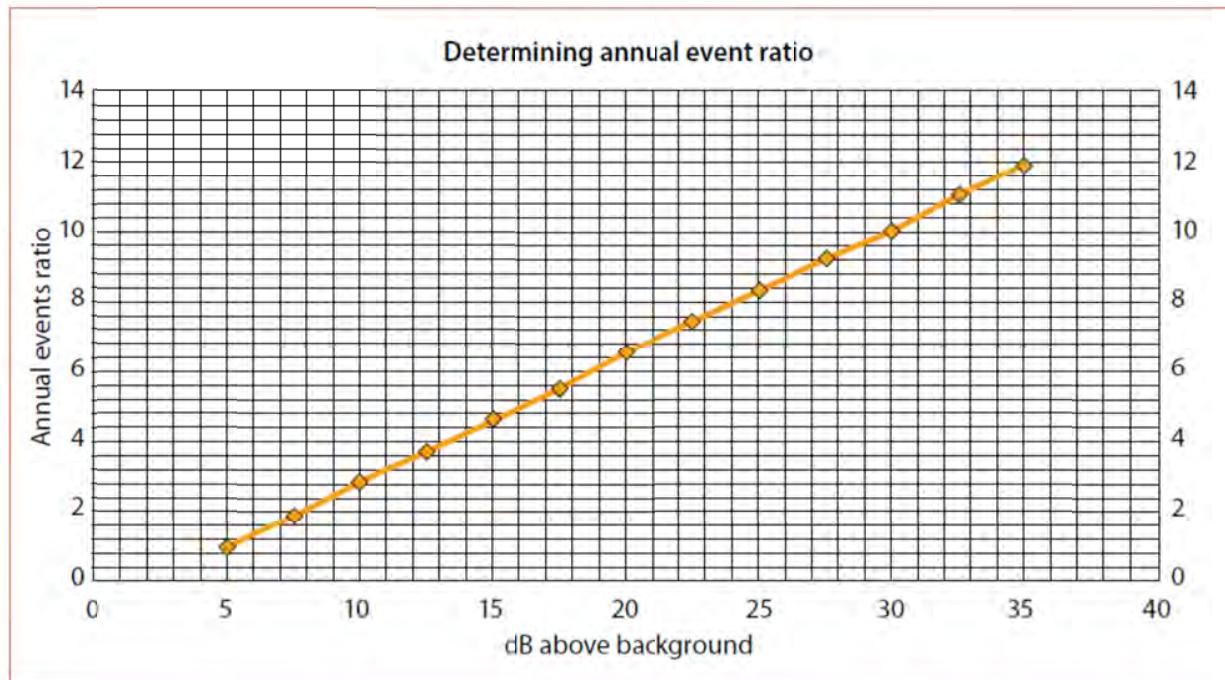


Figure 5.2: Graph for determining event multiplication ratio from noise level

The above system allows for a reduction in the total number of events allowable per year, where the noise level from an individual event exceeds the standard background + 5dB criterion. The annual events ratio applies a reduction factor to the allowable number of events that increases as the exceedance over background increases. In principle, the higher the noise levels, the lower the allowable number of events.

PKA have extrapolated the NGLG graph above and determined the formula to be as follows:

$$\text{Annual Events Ratio} = 3 \times \text{dB above Background Noise}$$

## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

The Council in the NGLG study nominated a maximum of 50 events per year that could exceed the typical background + 5dBA criteria. The allowable event days would then calculated by dividing 50 with the annual events ratio. PKA have adopted this 50 event day maximum in our assessment.

Ultimately Council will be required to determine the criteria to be applied that will represent a balance between residential amenity and the proposed go-kart track operations.

The following table digitises the NGLG annual events ratio :

<b>NGLG Annual Events Ratio</b>	<b>Exceedence Above Background Noise dBA</b>	<b>Allowable Event Days</b>
2	6	25
3	9	18
4	12	12
5	15	10
6	18	9
7	21	7
8	24	6

Table 5.2: Annual Events Ratio

For example a daily event giving rise to a noise level of 40dBA (background of 31dBA +9) would attract a multiplication ratio of 3, effectively using up 3 of the allowable event days for the year, and reducing the remaining event days available for the year to 47 (50-3). If 18 daily events gave rise to a noise level of 40dBA this would use up all allowable event days in the calendar year.

**215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

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**6 NOISE MODELLING**

Leq(1hr) noise levels from the go-karts have been predicted using proprietary acoustic modelling software, SoundPlan v7.3.

The relevant module of SoundPlan uses the ISO 9613-2:1996 *Attenuation Of Sound During Propagation Outdoors*.

This standard assumes a moderate downwind from the source to the receptor (between 1m/s and 5m/s measured at a height of 3m to 11m) or a moderate ground based temperature inversion and therefore presents a conservative result if compared to neutral weather conditions.

The modelling is based on the following data and assumptions as stated in Section 8:

Scenario 1: Daily Practise

- Track is used daily for practise sessions. It is expected that a maximum of 5 go-karts would be accessing the track on any given day. For the 1hour noise calculations ( $L_{Aeq(1hr)}$ ) we have modelled a maximum of 3 go-karts using the track simultaneously for 40mins within an hour. For the daily average noise calculations ( $L_{Aeq(7am-6pm)}$ ) we have modelled a maximum of 5 go-karts using the track for a total of 40mins each between 9am and 5pm.

Scenario 2: Race Events

- Up to 9 race event weekends per year (18 individual race days). It is expected that a maximum of 32 go-karts could use the track simultaneously, however as few as 5 go-karts may race together. It is expected that throughout the day an average of 15 go-karts would race together. For the 1hour noise calculations ( $L_{Aeq(1hr)}$ ) we have modelled both the maximum of 32 and average of 15 go-karts using the track simultaneously for 40mins within an hour. For the daily average noise calculations ( $L_{Aeq(7am-6pm)}$ ) we have modelled the average of 15 go-karts simultaneously racing between 9am and 5pm for 40mins each hour.
- Go-Kart Sound Power level ( $L_w$ ) =  $L_{Aeq}$  102dB as per Mark Dunbar's May 2015 noise testing
- Go-Karts driving around track at an average of 40km/h

Noise contour plots show levels 1.5m above ground (terrain) levels.

**215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

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**6.1 SCENARIO 1 - DAILY PRACTISE**

The Daily Practise noise modelling results are shown in the following tables. PKA make the following comments:

- During daily practise when 3 go-karts are operating simultaneously for 40mins each and assessed over a single hour, all 18 receptors comply with the typical background +5dBA criterion. We also note that the noise impact to all 18 receptors is predicted to be below the existing background noise level.
- During daily practise when a maximum of 5 go-karts are operating for a total of 40mins each and averaged over the entire daytime period, all 18 receptors comply with the typical background +5dBA criterion. We also note that the noise impact to all 18 receptors is predicted to be equal to or below the existing background noise level.

## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

Daily Practise –  $L_{Aeq(1hr)}$  – 3 go-karts operating simultaneously for 40mins of the hour

Receptor Number	Address	Calculated $L_{eq}(1hr)$ dBA	Exceedence above Background Noise dBA	Allowable Event Days
1	212 Mountain Straight	9	-	
2	196 Mountain Straight	11	-	
3	190 Mountain Straight	17	-	
4	224 Mountain Straight	15	-	
5	179 Mountain Straight	26	-	
6	163 Mountain Straight	23	-	
7	447 Conrod Straight	22	-	
8	441 Conrod Straight	23	-	
9	457 Conrod Straight	16	-	
10	451 Conrod Straight	14	-	
11	453 Conrod Straight	19	-	
12	435 Conrod Straight	19	-	
13	448 Conrod Straight	18	-	
14	417 Conrod Straight	22	-	
15	428 Conrod Straight	27	-	
16	404 Conrod Straight	30	-	
17	402 Conrod Straight	29	-	
18	280 Hen & Chicken Road	23	-	

Table 6.1.1: Daily Practise 3 Karts –  $L_{Aeq(1hr)}$  Calculated Noise Levels to Nominated Receptors



## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

Daily Practise –  $L_{Aeq(7am-6pm)}$  – 5 go-karts operating for a total of 40mins each in the day

Receptor Number	Address	Calculated $L_{eq(7am-6pm)}$ dBA	Exceedence above Background Noise dBA	Allowable Event Days
1	212 Mountain Straight	10	-	
2	196 Mountain Straight	12	-	
3	190 Mountain Straight	18	-	
4	224 Mountain Straight	15	-	
5	179 Mountain Straight	26	-	
6	163 Mountain Straight	26	-	
7	447 Conrod Straight	22	-	
8	441 Conrod Straight	24	-	
9	457 Conrod Straight	17	-	
10	451 Conrod Straight	15	-	
11	453 Conrod Straight	19	-	
12	435 Conrod Straight	20	-	
13	448 Conrod Straight	19	-	
14	417 Conrod Straight	23	-	
15	428 Conrod Straight	28	-	
16	404 Conrod Straight	31	-	
17	402 Conrod Straight	30	-	
18	280 Hen & Chicken Road	23	-	

Table 6.1.2: Daily Practise 5 Karts –  $L_{Aeq(7am-6pm)}$  Calculated Noise Levels to Nominated Receptors

**215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

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**6.2 SCENARIO 2 – RACE EVENTS**

The Race Event noise modelling results are shown in the following tables. PKA make the following comments:

- During race events when an average of 15 go-karts are operating simultaneously for 40mins each and assessed over a single hour, 17 receptors comply with the typical background +5dBA criterion and 1 receptor (404 Conrod Straight) is slightly in exceedance of 6dBA over the background noise. This would limit the annual event days to 25 per calendar year.
- During race events when a maximum of 15 go-karts are operating simultaneously between 9am and 5pm for 40mins each hour and averaged over the entire daytime period, all 18 receptors comply with the typical background +5dBA criterion.
- During race events when a maximum of 32 go-karts are operating simultaneously for 40mins each and assessed over a single hour, 15 receptors comply with the typical background +5dBA criterion and 3 receptors are in exceedance with a maximum of 9dBA over the background noise at 404 Conrod Straight. This would limit the annual event days to 18 per calendar year.

## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

Race Events –  $L_{Aeq(1hr)}$  – 15 go-karts operating simultaneously for 40mins of the hour

Receptor Number	Address	Calculated $L_{eq}(1hr)$ dBA	Exceedence above Background Noise dBA	Allowable Event Days
1	212 Mountain Straight	16	-	
2	196 Mountain Straight	18	-	
3	190 Mountain Straight	24	-	
4	224 Mountain Straight	21	-	
5	179 Mountain Straight	32	1	
6	163 Mountain Straight	30	-	
7	447 Conrod Straight	29	-	
8	441 Conrod Straight	30	-	
9	457 Conrod Straight	23	-	
10	451 Conrod Straight	21	-	
11	453 Conrod Straight	26	-	
12	435 Conrod Straight	27	-	
13	448 Conrod Straight	25	-	
14	417 Conrod Straight	29	-	
15	428 Conrod Straight	34	3	
16	404 Conrod Straight	37	6	25
17	402 Conrod Straight	36	5	
18	280 Hen & Chicken Road	30	-	

Table 6.2.1: Race Events 15 Karts –  $L_{Aeq(1hr)}$  Calculated Noise Levels to Nominated Receptors

## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

Race Events –  $L_{Aeq(7am-6pm)}$  – 15 go-karts operating 9am to 5pm and averaged over the day

Receptor Number	Address	Calculated $L_{eq(7am-6pm)}$ dBA	Exceedence above Background Noise dBA	Allowable Event Days
1	212 Mountain Straight	15	-	
2	196 Mountain Straight	17	-	
3	190 Mountain Straight	23	-	
4	224 Mountain Straight	20	-	
5	179 Mountain Straight	31	-	
6	163 Mountain Straight	29	-	
7	447 Conrod Straight	28	-	
8	441 Conrod Straight	29	-	
9	457 Conrod Straight	22	-	
10	451 Conrod Straight	20	-	
11	453 Conrod Straight	25	-	
12	435 Conrod Straight	26	-	
13	448 Conrod Straight	24	-	
14	417 Conrod Straight	28	-	
15	428 Conrod Straight	33	2	
16	404 Conrod Straight	36	5	
17	402 Conrod Straight	35	4	
18	280 Hen & Chicken Road	29	-	

Table 6.2.2: Race Events 15 Karts –  $L_{Aeq(7am-6pm)}$  Calculated Noise Levels to Nominated Receptors

## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

Race Events –  $L_{Aeq(1hr)}$  – 32 go-karts operating simultaneously for 40mins of the hour

Receptor Number	Address	Calculated $L_{eq}(1hr)$ dBA	Exceedence above Background Noise dBA	Allowable Event Days
1	212 Mountain Straight	19	-	
2	196 Mountain Straight	21	-	
3	190 Mountain Straight	27	-	
4	224 Mountain Straight	25	-	
5	179 Mountain Straight	36	5	
6	163 Mountain Straight	33	2	
7	447 Conrod Straight	31	-	
8	441 Conrod Straight	33	2	
9	457 Conrod Straight	26	-	
10	451 Conrod Straight	24	-	
11	453 Conrod Straight	29	-	
12	435 Conrod Straight	29	-	
13	448 Conrod Straight	28	-	
14	417 Conrod Straight	32	1	
15	428 Conrod Straight	38	7	25
16	404 Conrod Straight	40	9	18
17	402 Conrod Straight	39	8	25
18	280 Hen & Chicken Road	33	3	

Table 6.2.3: Race Events 32 Karts –  $L_{Aeq(1hr)}$  Calculated Noise Levels to Nominated Receptors

## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

### 7 DISCUSSION

The noise modelling results in Section 6 show that the 3 receptors on Conrod Straight (402, 404 & 428) will experience noise that exceeds the typical background + 5dBA criterion from the proposed go-kart track operations. Noise mitigation options are presented below for consideration.

#### 7.1 NUMBER OF GO-KARTS RACING SIMULTANEOUSLY

In Table 6.2.3 we have calculated a maximum of 32 go-karts operating simultaneously. Limiting the number of go-karts operating at any one time will reduce the noise levels over a 1 hour period as follows:

Vehicles Circulating At Any One Time	Noise Reduction With Respect To 32 Vehicles dBA
32	0
25	-1
20	-2
15	-3
10	-5
5	-8
3	-10
1	-15

Table 7.1: Noise Reduction Due To Number of Go-Karts On Track

#### 7.2 NOISE BARRIERS

Go-karts have their exhausts positioned at near ground level facing out and therefore barriers have the potential to provide noticeable noise shielding when placed in close proximity to the track. PKA have undertaken preliminary calculations and determined that between 3-5dBA of noise could be reduced at the Conrod Straight receptors if noise mounds/barriers with a minimum 2m height were constructed along sections of the track. Further investigation would be required to determine the practical locations and height of the noise mounds/barriers to then calculate the expected noise reduction achieved at the receptors.

#### 7.3 NOISE MONITORING

During the inaugural race event an acoustic firm could be commissioned to perform a live noise monitoring survey to provide the actual noise impacts to the sensitive receptors and help to confirm/refine the noise impact predictions entailed in this report for future race events.

**215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

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**7.4 OPERATING HOURS**

The proposed operating hours are 9am to 5pm. PKA have assessed these operations per hour  $L_{Aeq(1hr)}$  and also over the entire daytime period  $L_{Aeq(7am-6pm)}$ . Any adjustments to the proposed operating hours would not affect the hourly assessment however there is the potential to increase or reduce the daily dose of noise to receptors.

For each hour that the track differs from the assess 9am to 5pm operations we would expect approximately  $\pm 1$ dBa of noise impact when assessed over the entire daytime period  $L_{Aeq(7am-6pm)}$ .

For example if the track closed 1 hour earlier making the operations 9am and 4pm a reduction of 1dBa above the  $L_{Aeq(7am-6pm)}$  noise levels would be expected at the receptors.

Alternatively if the track opened 1 hour later making the operations 9am to 6pm an increase of 1dBa above the  $L_{Aeq(7am-6pm)}$  noise levels would be expected at the receptors.

We note that any operations outside the daytime hours would result in more significant noise impacts due to the background noise levels being lower and the unexpected infringement upon morning sleep and evening comfort.

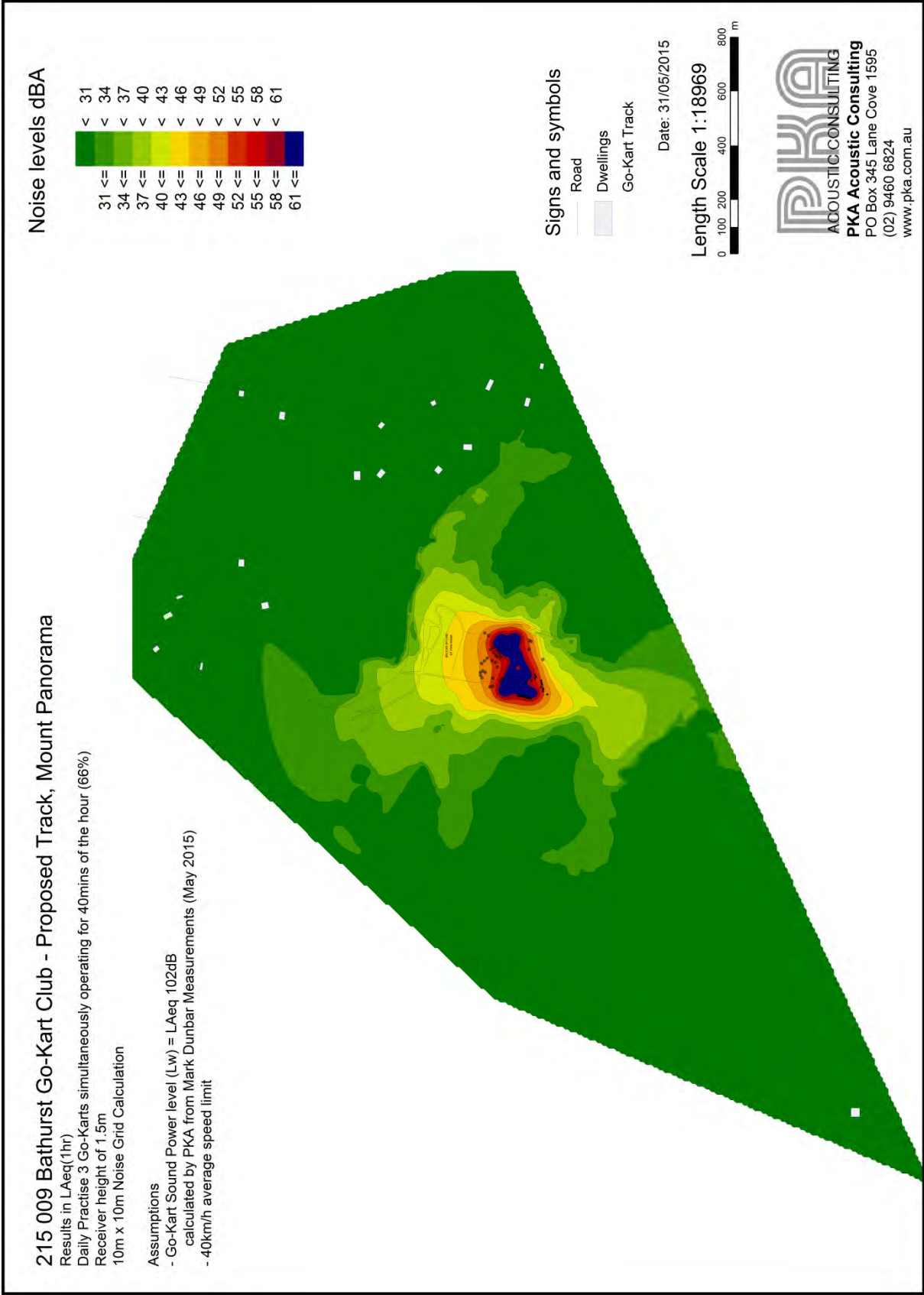
The daytime hours are 7am to 6pm Monday to Friday, and 8am to 6pm weekends and public holidays



## 8 NOISE MODELLING CONTOUR RESULTS

The following pages show the individual noise contour results for the various operating scenarios.

DAILY PRACTISE –  $L_{Aeq}(1hr)$  – 3 go-karts operating simultaneously for 40mins of the hour



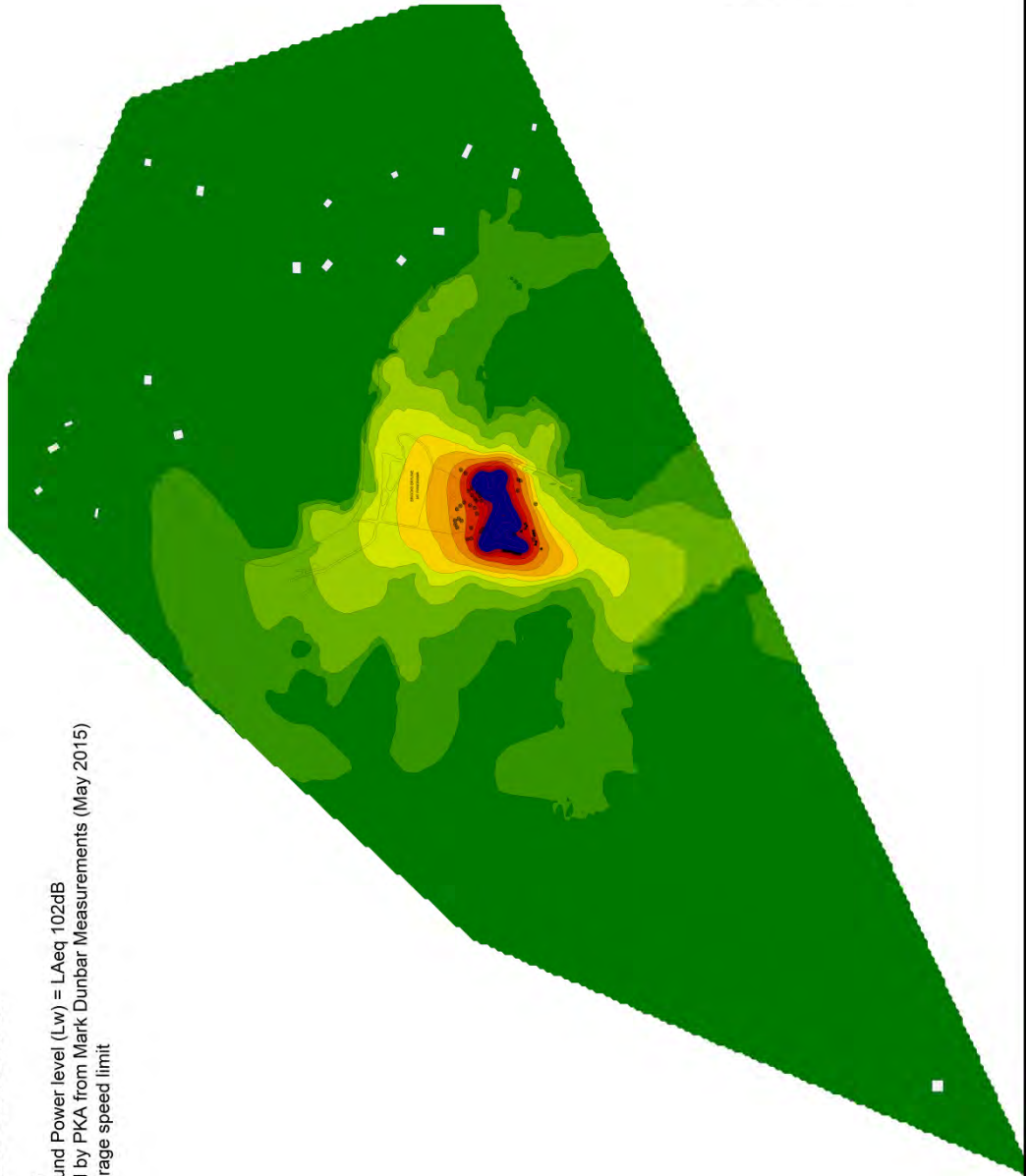
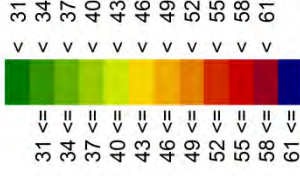
DAILY PRACTISE – L<sub>Aeq</sub>(7am-6pm) – 5 go-karts operating for a total of 40mins each in the day

215 009 Bathurst Go-Kart Club - Proposed Track, Mount Panorama

Results in L<sub>Aeq</sub>(7am-6pm)  
 Daily Practise 5 Go-Karts operating for a total of 40mins each over the entire day  
 Receiver height of 1.5m  
 10m x 10m Noise Grid Calculation

Assumptions  
 - Go-Kart Sound Power level (L<sub>w</sub>) = L<sub>Aeq</sub> 102dB  
 calculated by PKA from Mark Dunbar Measurements (May 2015)  
 - 40km/h average speed limit

Noise levels dBA

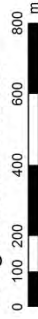


Signs and symbols

- Road
- Dwellings
- Go-Kart Track

Date: 31/05/2015

Length Scale 1:18969



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RACE EVENTS –  $L_{Aeq}(1hr)$  – 15 go-karts operating simultaneously for 40mins of the hour

215 009 Bathurst Go-Kart Club - Proposed Track, Mount Panorama

Results in  $L_{Aeq}(1hr)$   
 Race Event 15 Go-Karts simultaneously operating for 40mins of the hour (66%)  
 Receiver height of 1.5m  
 10m x 10m Noise Grid Calculation

Assumptions  
 - Go-Kart Sound Power level (Lw) =  $L_{Aeq}$  102dB  
 calculated by PKA from Mark Dunbar Measurements (May 2015)  
 - 40km/h average speed limit

Noise levels dBA

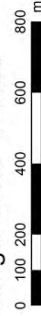


Signs and symbols

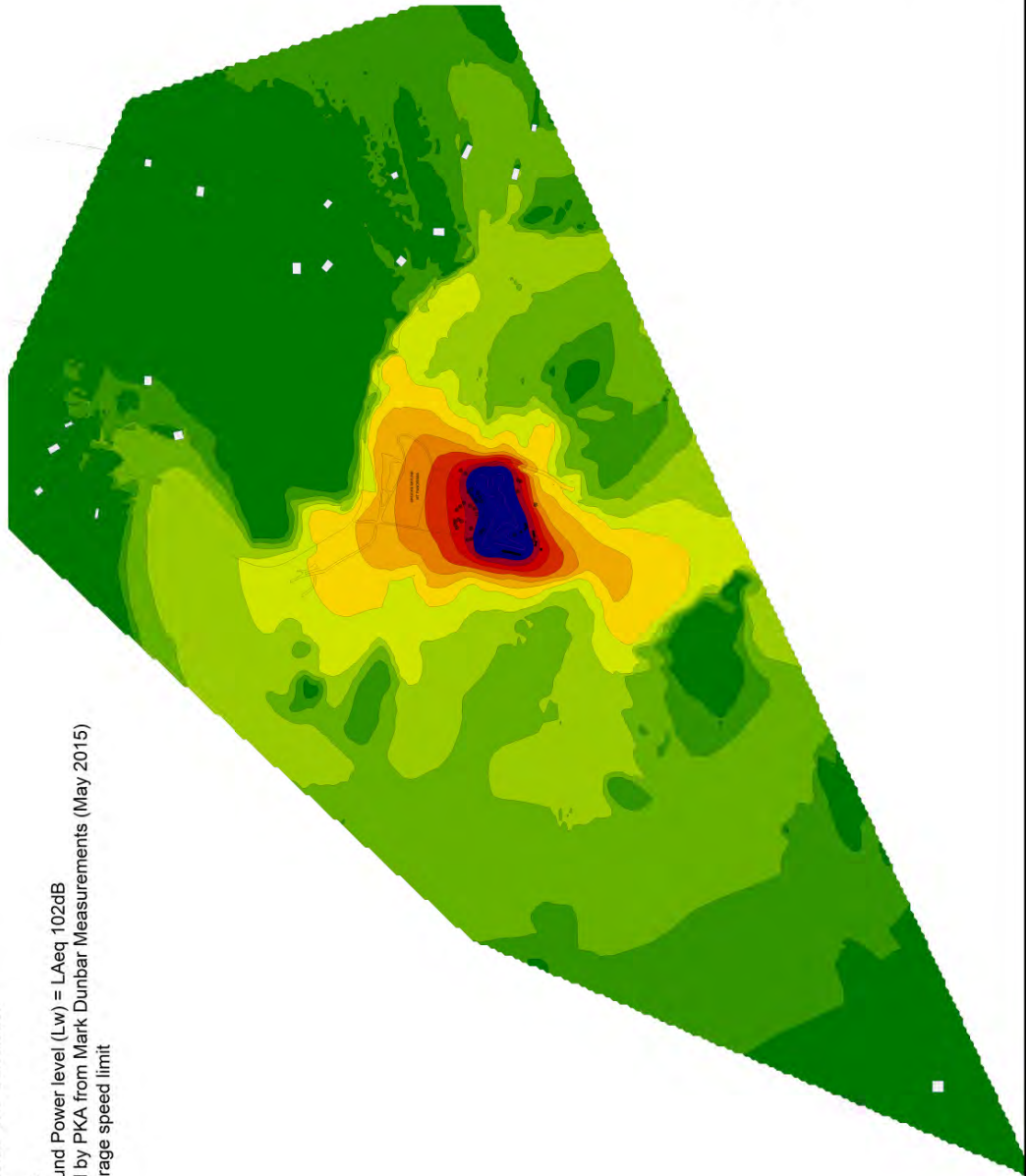
- Road
- Dwellings
- Go-Kart Track

Date: 31/05/2015

Length Scale 1:18969



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RACE EVENTS –  $L_{Aeq}(7am-6pm)$  – 15 go-karts operating 9am to 5pm and averaged over the day

215 009 Bathurst Go-Kart Club - Proposed Track, Mount Panorama

Results in  $L_{Aeq}(7am-6pm)$

Race Event 15 Go-Karts operating simultaneously for 40mins per hour (66%) between 9am and 5pm

Receiver height of 1.5m

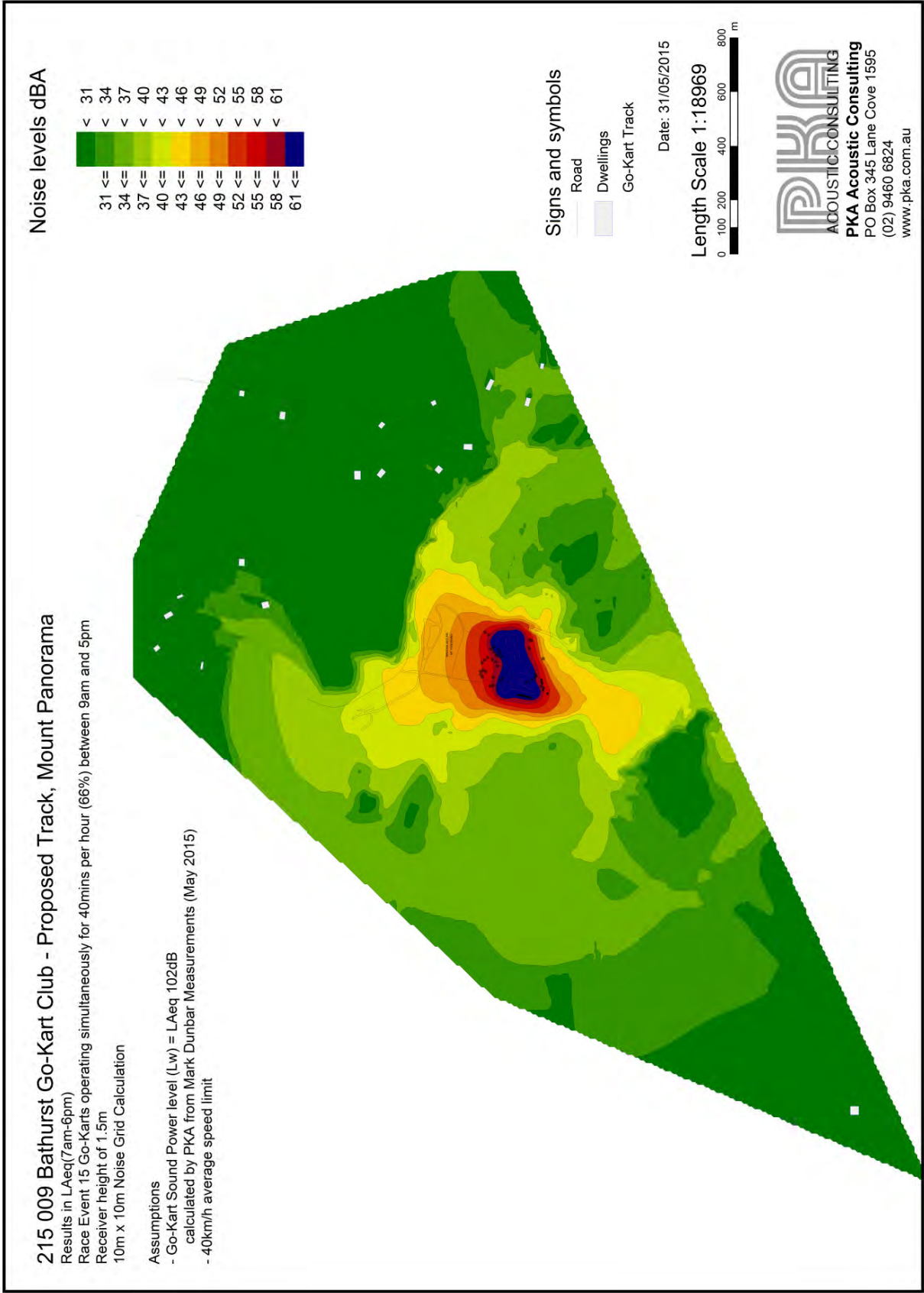
10m x 10m Noise Grid Calculation

Assumptions

- Go-Kart Sound Power level (L<sub>w</sub>) =  $L_{Aeq}$  102dB

calculated by PKA from Mark Dunbar Measurements (May 2015)

- 40km/h average speed limit



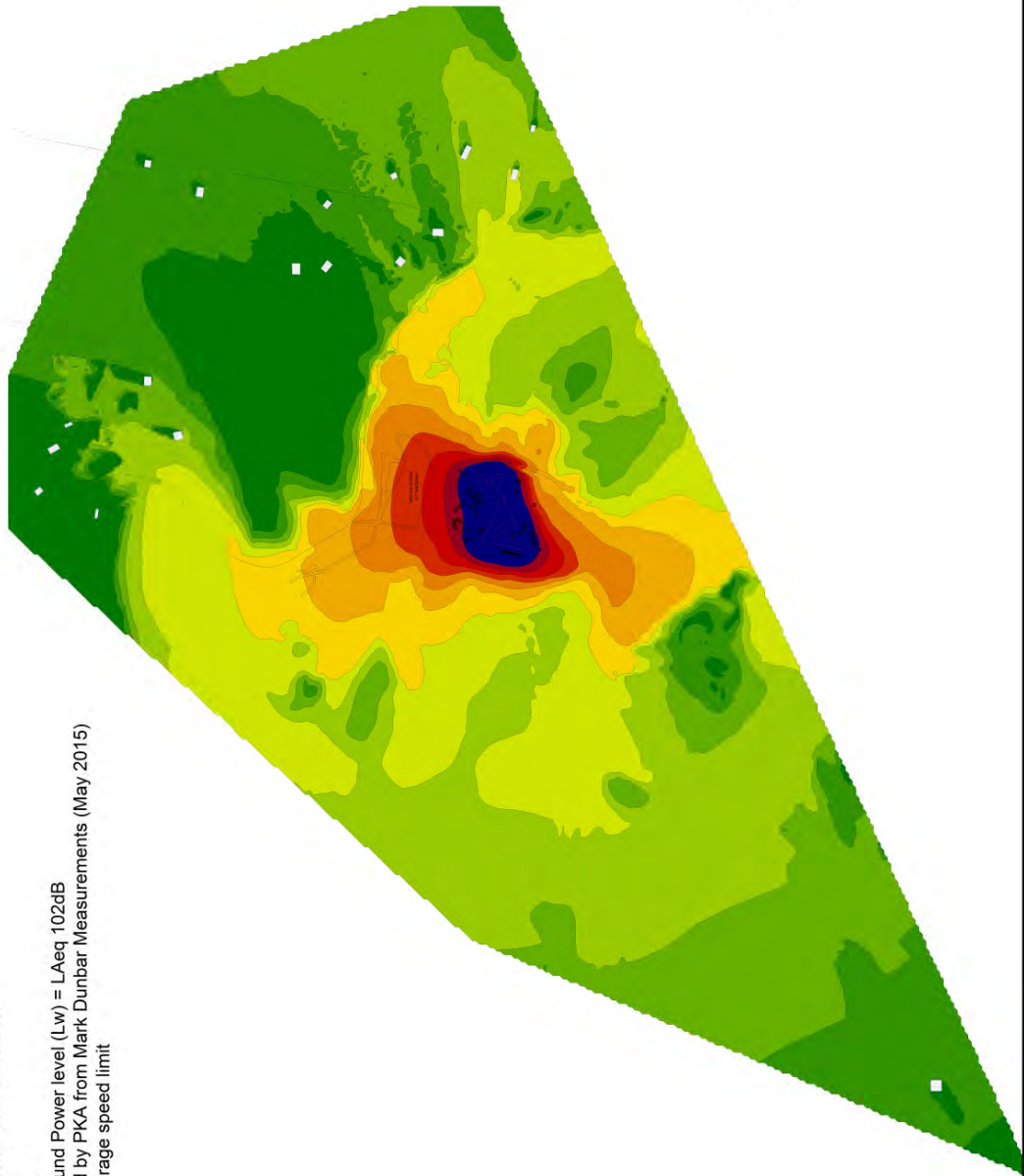
RACE EVENTS –  $L_{Aeq}(1hr)$  – 32 go-karts operating simultaneously for 40mins of the hour

215 009 Bathurst Go-Kart Club - Proposed Track, Mount Panorama

Results in  $L_{Aeq}(1hr)$   
 Race Event 32 Go-Karts simultaneously operating for 40mins of the hour (66%)  
 Receiver height of 1.5m  
 10m x 10m Noise Grid Calculation

Assumptions  
 - Go-Kart Sound Power level (L<sub>w</sub>) =  $L_{Aeq}$  102dB  
 calculated by PKA from Mark Dunbar Measurements (May 2015)  
 - 40km/h average speed limit

Noise levels dBA



Signs and symbols

- Road
- Dwellings
- Go-Kart Track

Date: 31/05/2015

Length Scale 1:18969



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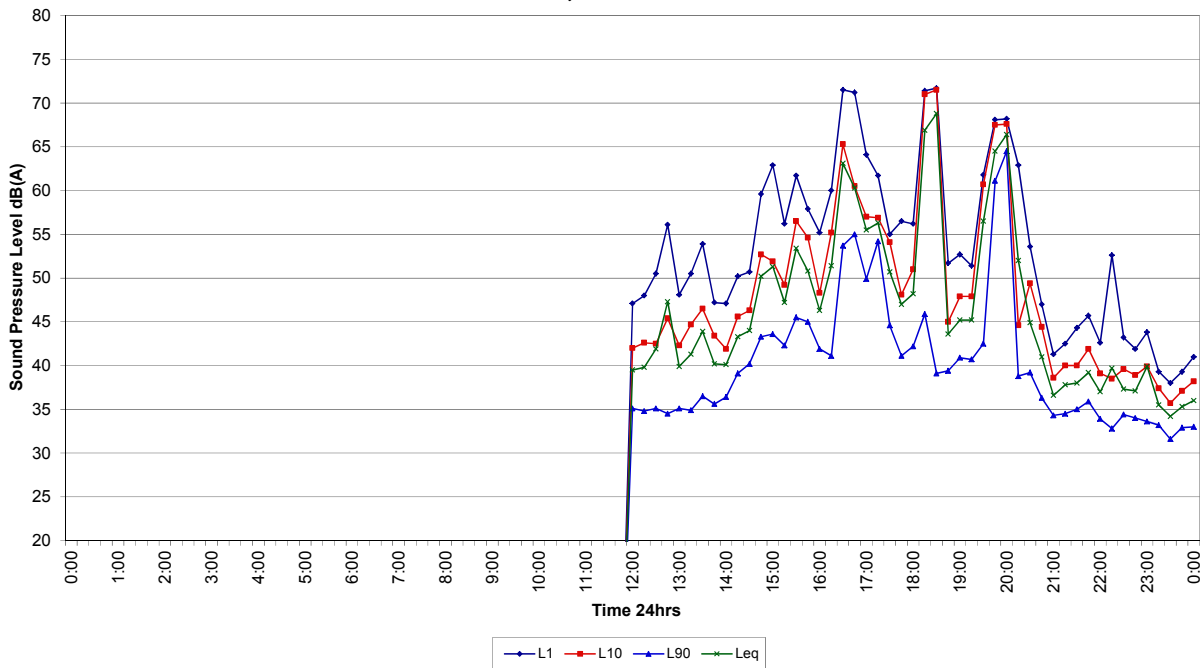
9 AMBIENT NOISE MONITORING

NOISE DATA LOGGER 1 – 402 CONROD STRAIGHT

215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

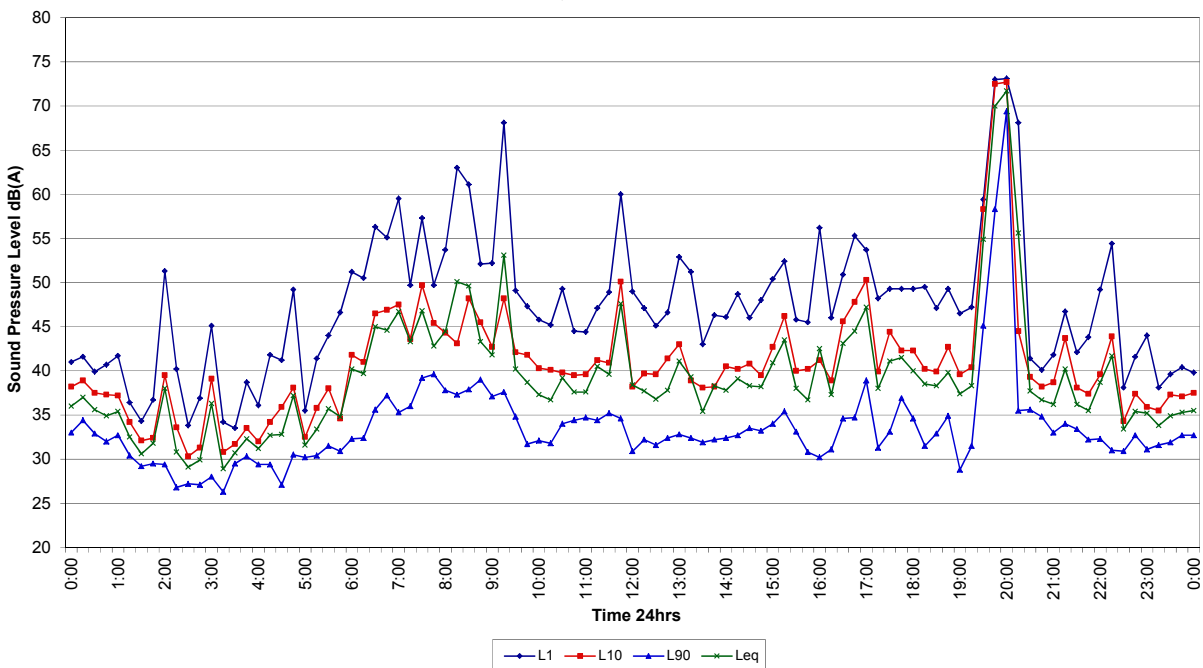
Wednesday 25/02/2015



215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

Thursday 26/02/2015



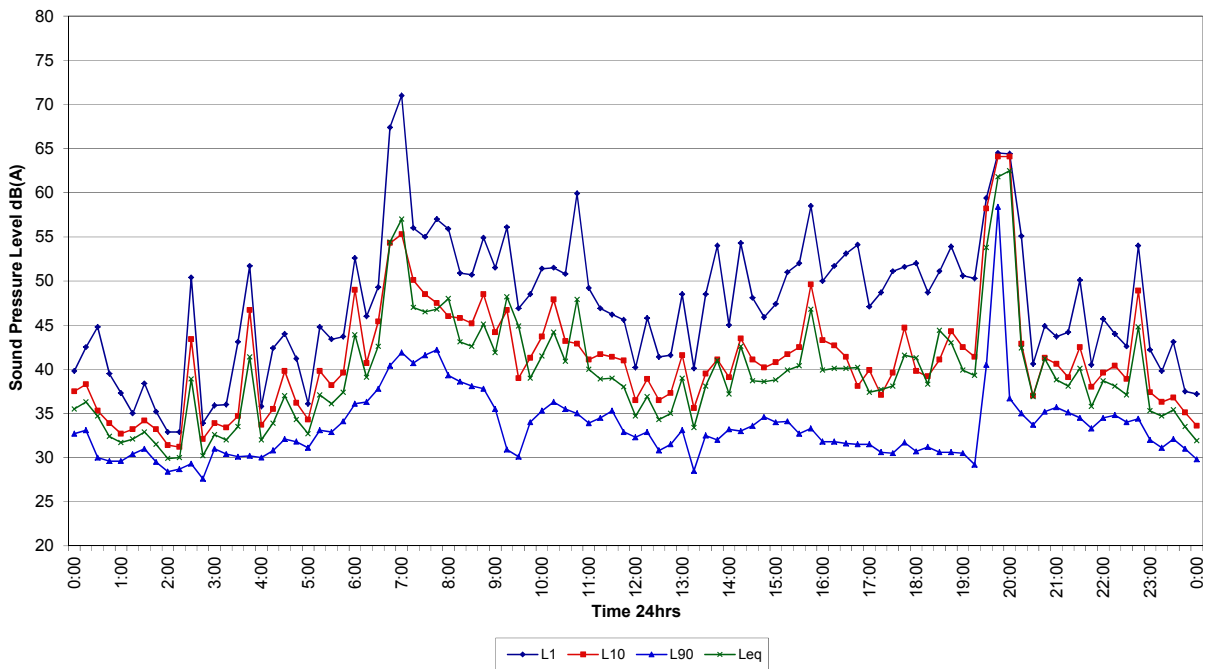


215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

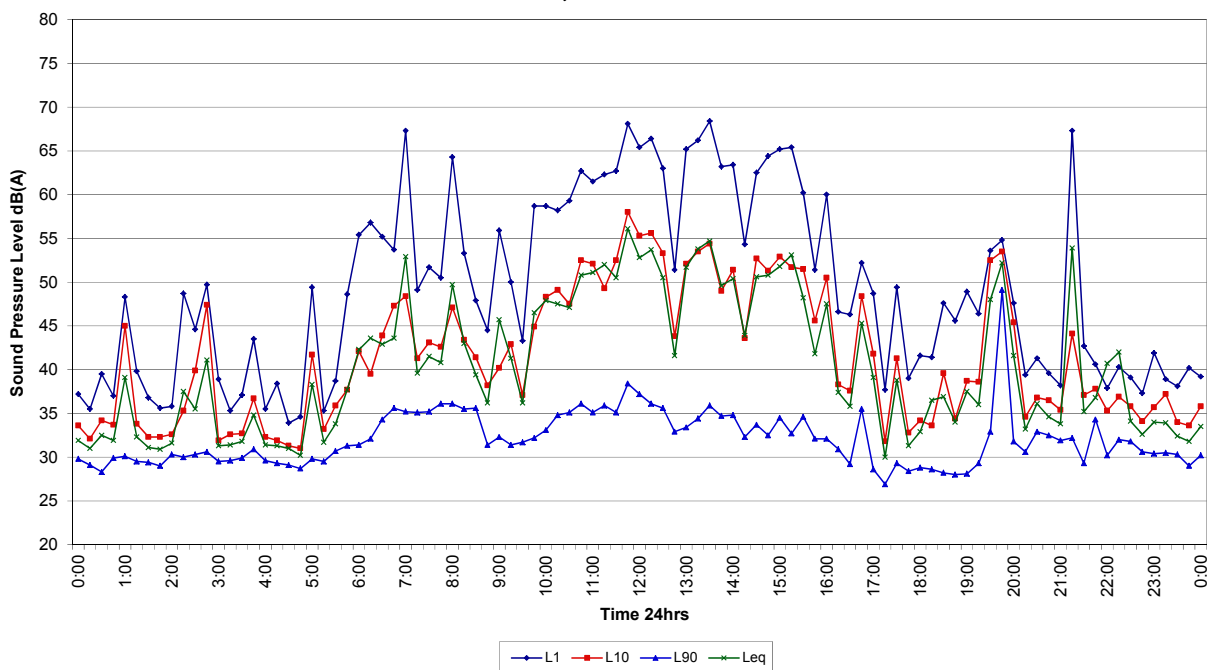
Friday 27/02/2015



215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

Saturday 28/02/2015

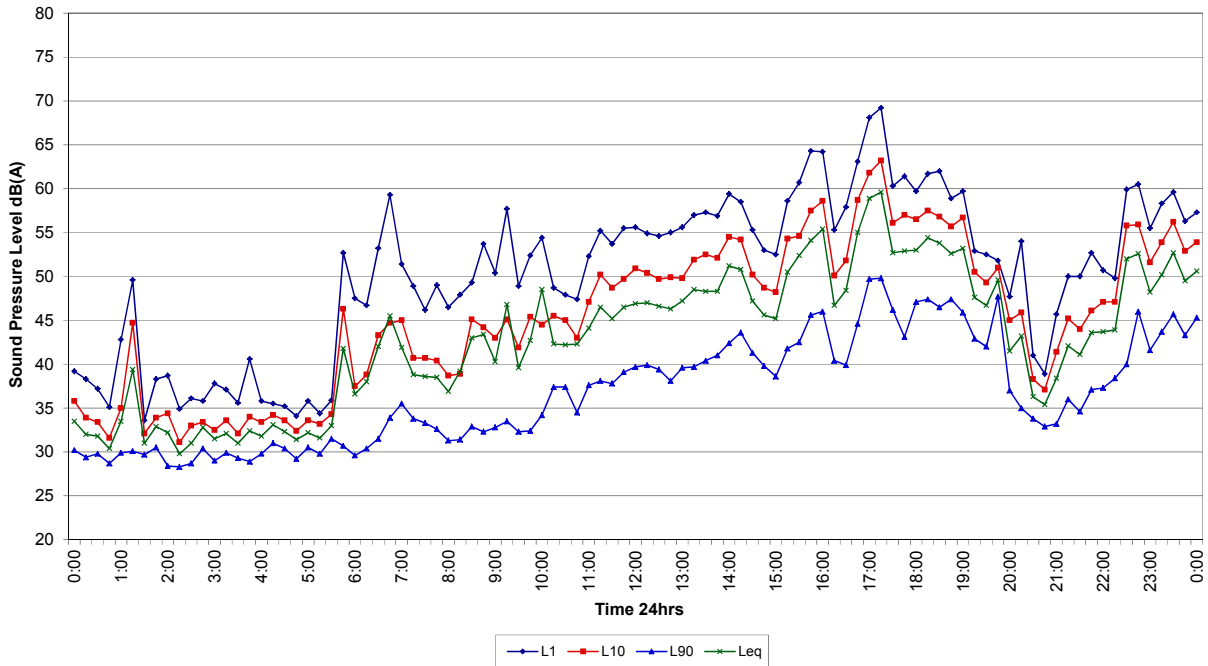


215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

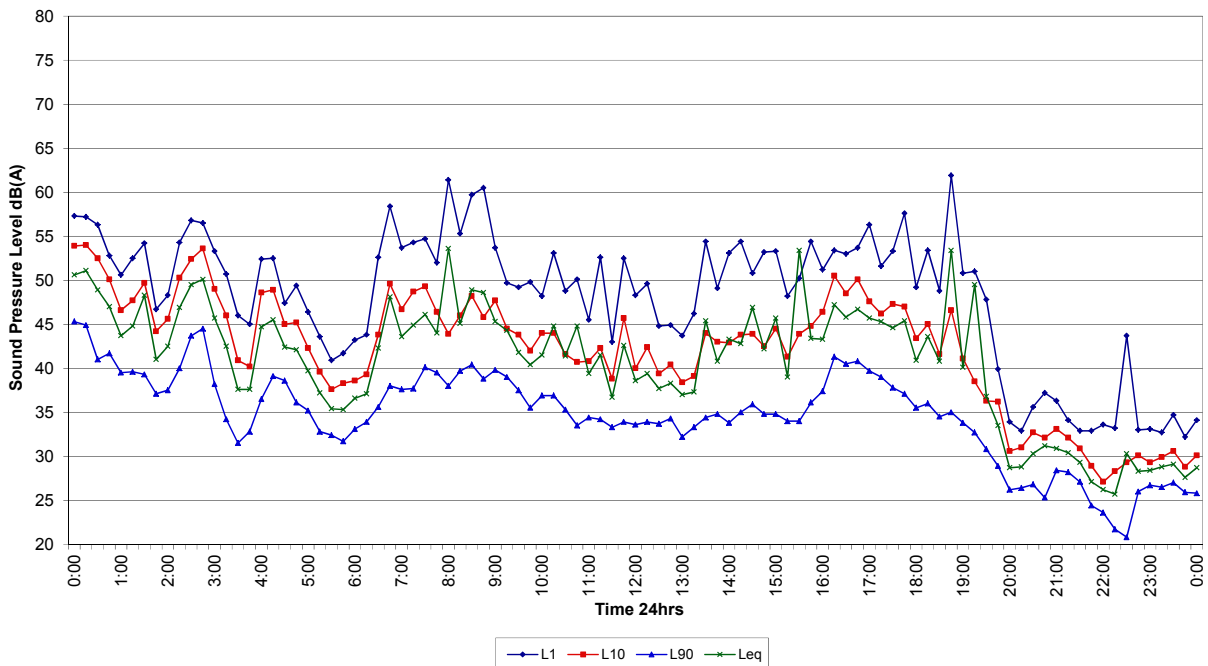
Sunday 1/03/2015



215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

Monday 2/03/2015

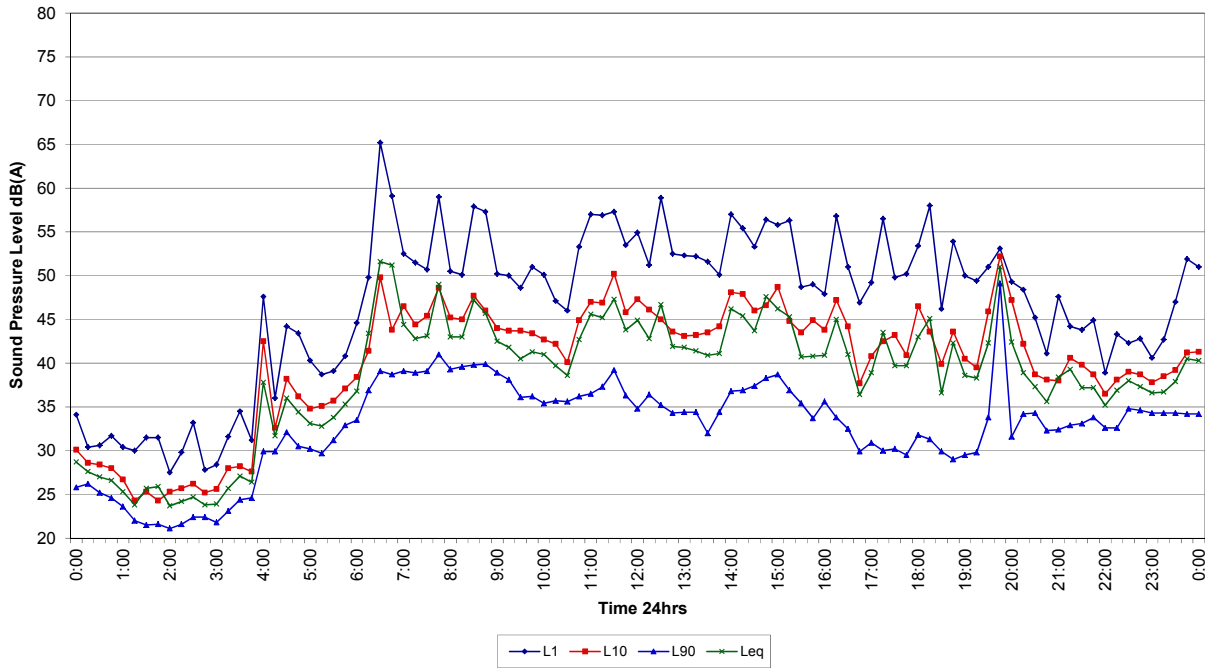


215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

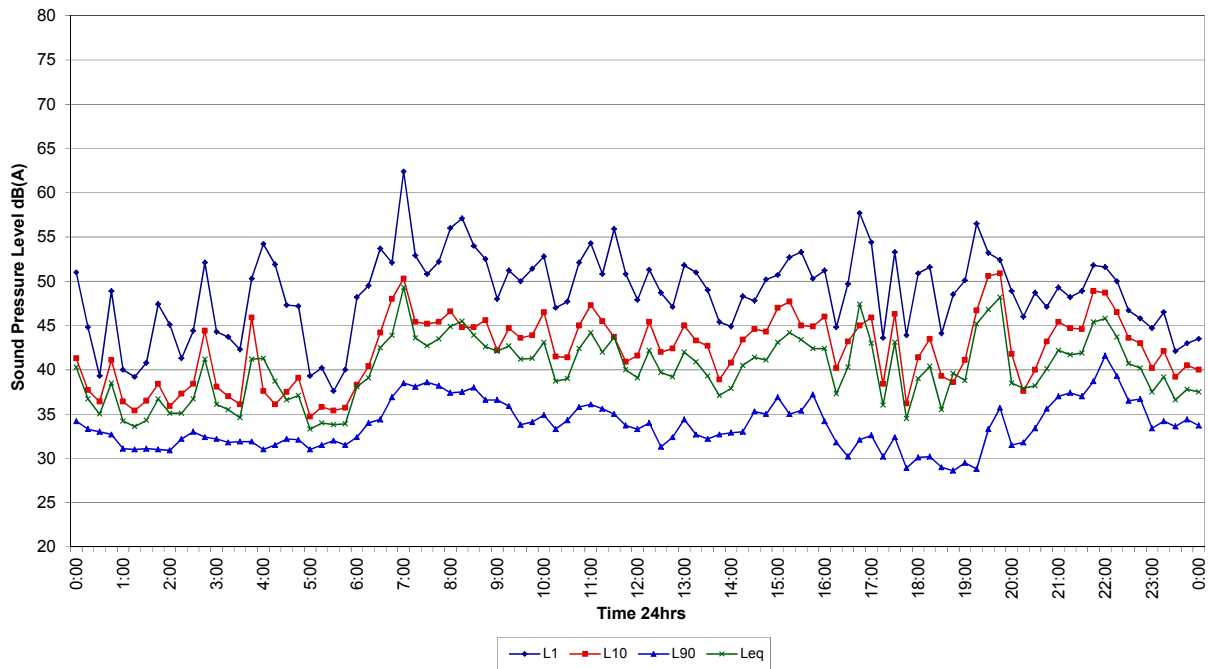
Tuesday 3/03/2015



215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

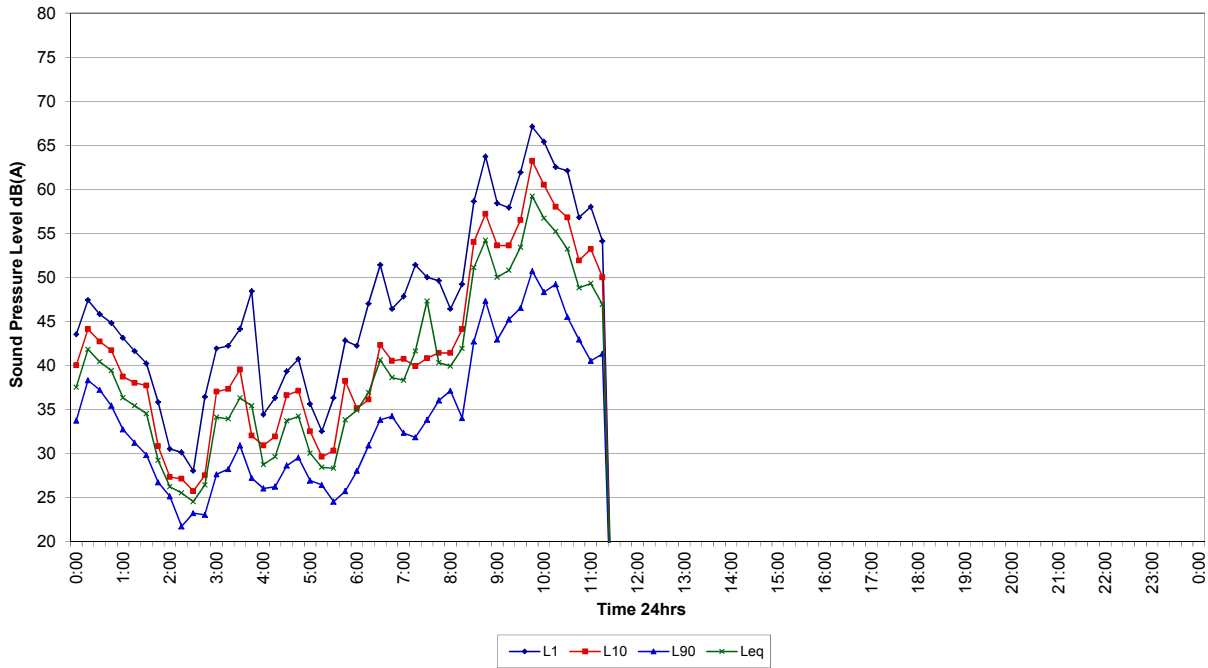
Wednesday 4/03/2015



215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

215 009 Bathurst Kart Club - Mount Panorama  
402 Conrod Straight - Approx 200m from road edge

Thursday 5/03/2015



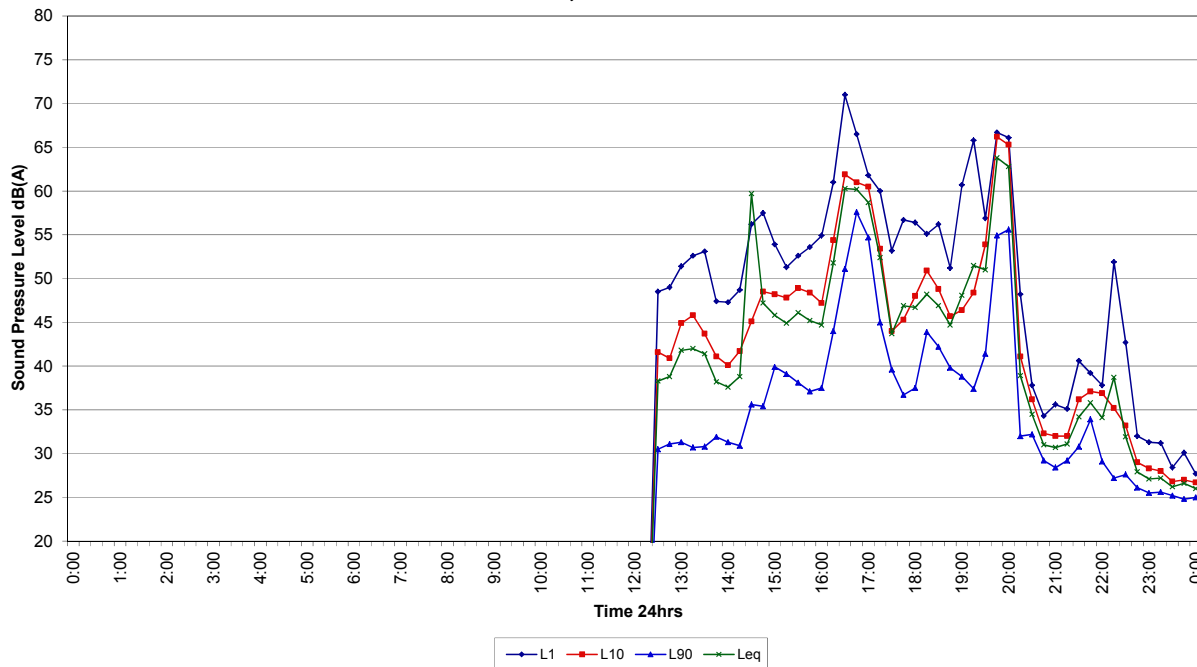
215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

NOISE DATA LOGGER 2 – 280 HEN & CHICKEN ROAD

215 009 Bathurst Kart Club - Mount Panorama

280 Hen & Chicken Road - Approx 200m from road edge

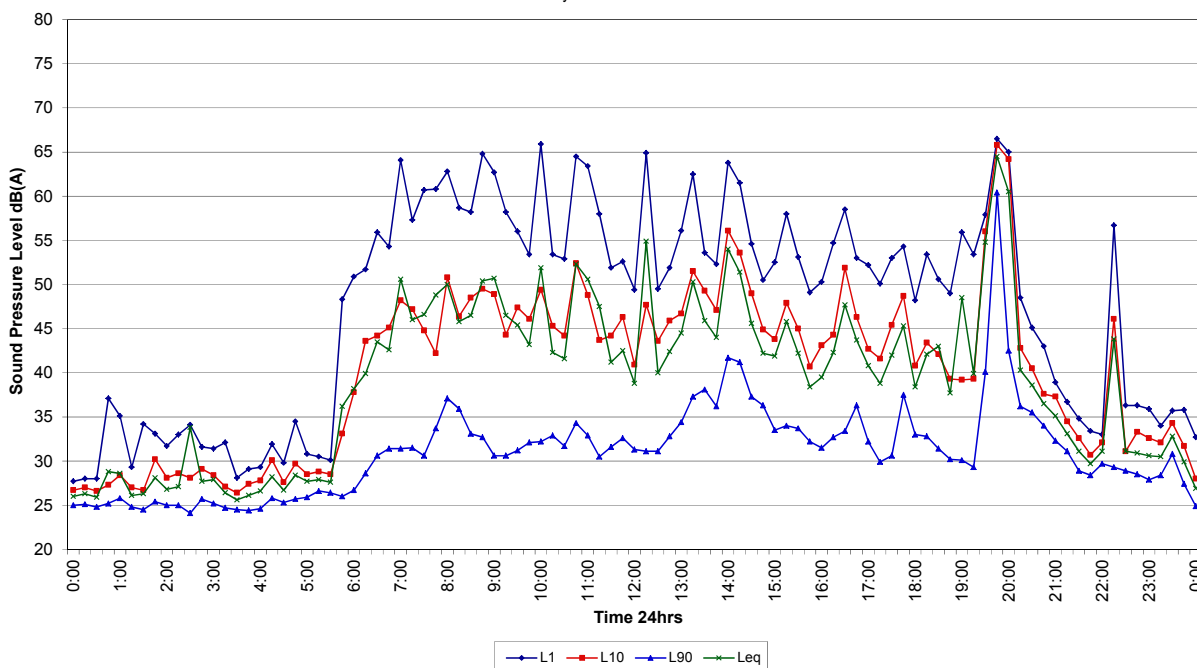
Wednesday 25/02/2015



215 009 Bathurst Kart Club - Mount Panorama

280 Hen & Chicken Road - Approx 200m from road edge

Thursday 26/02/2015

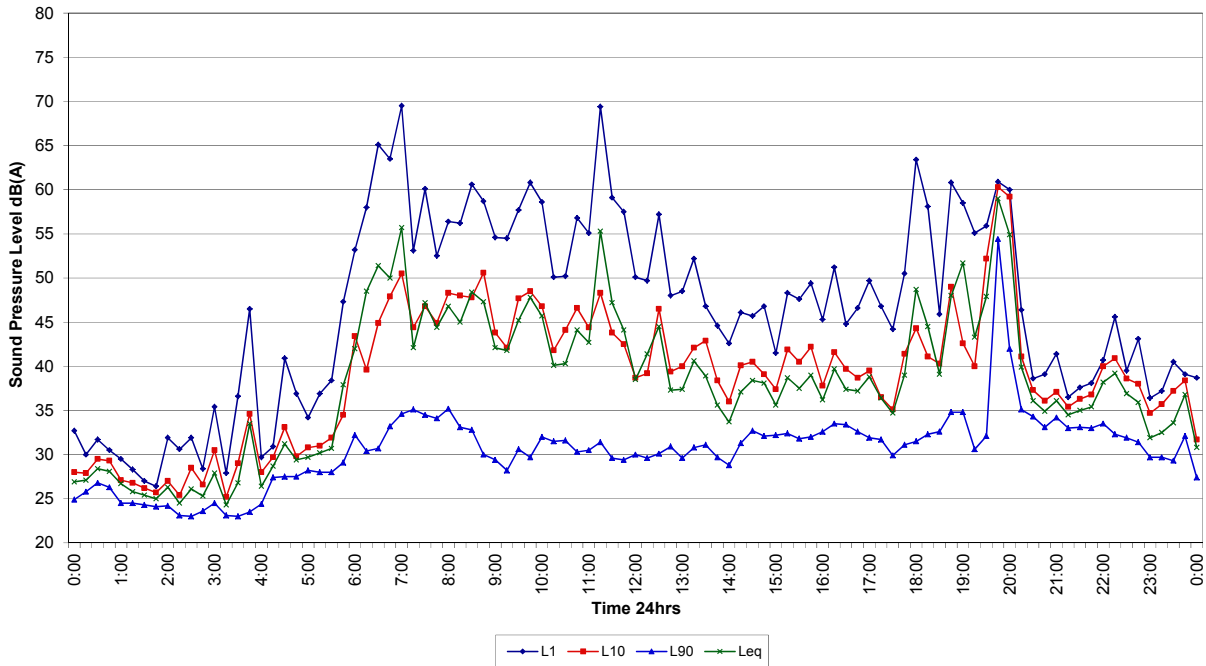


215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

215 009 Bathurst Kart Club - Mount Panorama

280 Hen & Chicken Road - Approx 200m from road edge

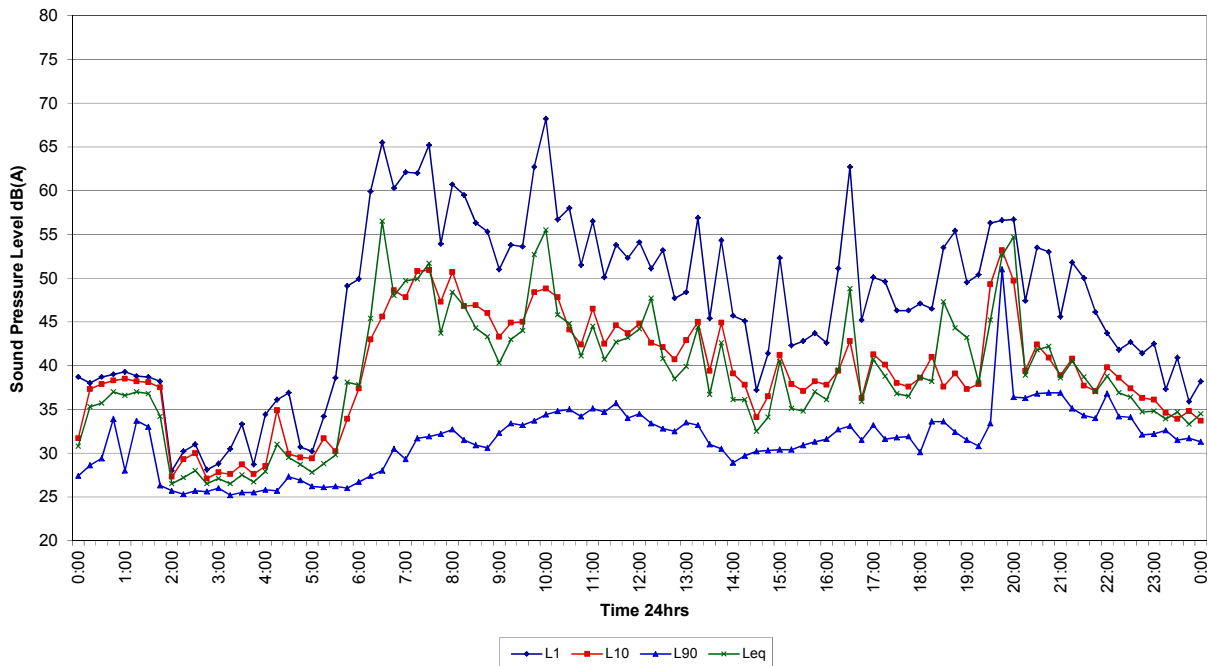
Friday 27/02/2015



215 009 Bathurst Kart Club - Mount Panorama

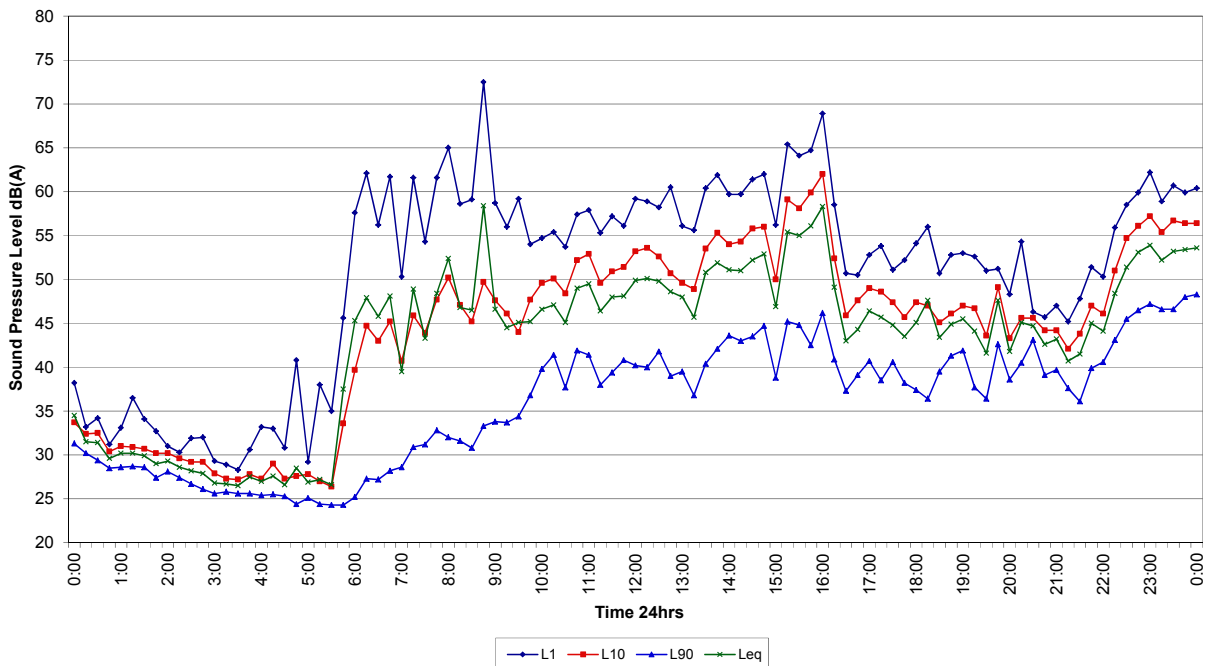
280 Hen & Chicken Road - Approx 200m from road edge

Saturday 28/02/2015

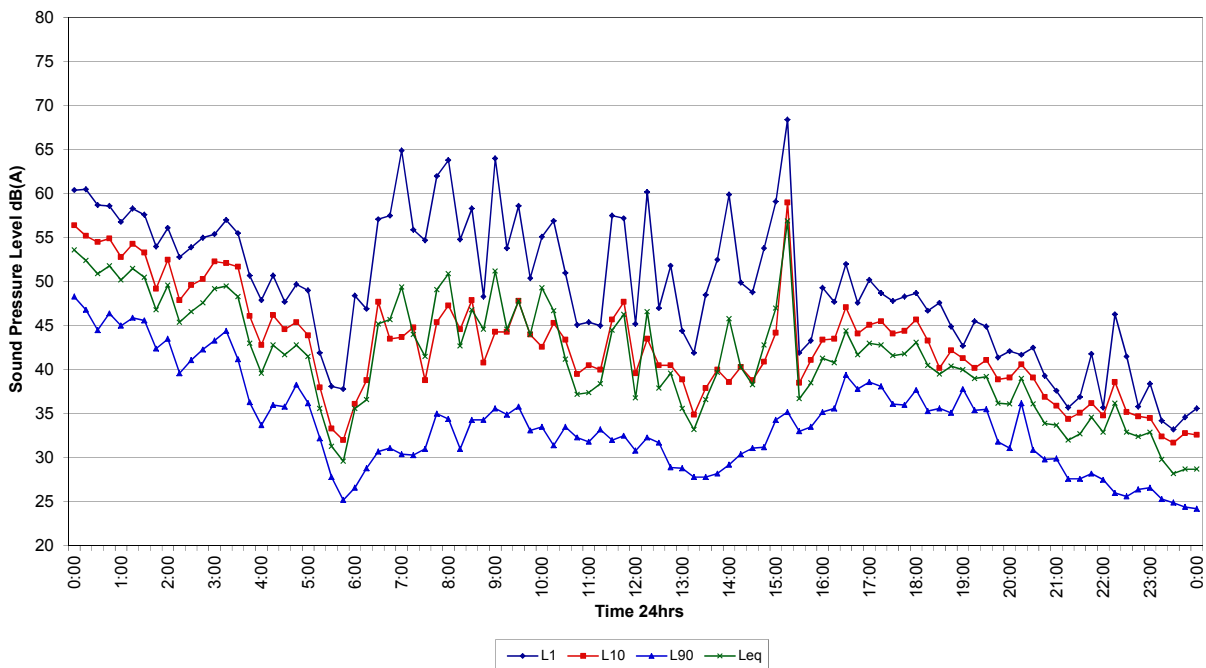


215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

215 009 Bathurst Kart Club - Mount Panorama  
280 Hen & Chicken Road - Approx 200m from road edge  
Sunday 1/03/2015



215 009 Bathurst Kart Club - Mount Panorama  
280 Hen & Chicken Road - Approx 200m from road edge  
Monday 2/03/2015

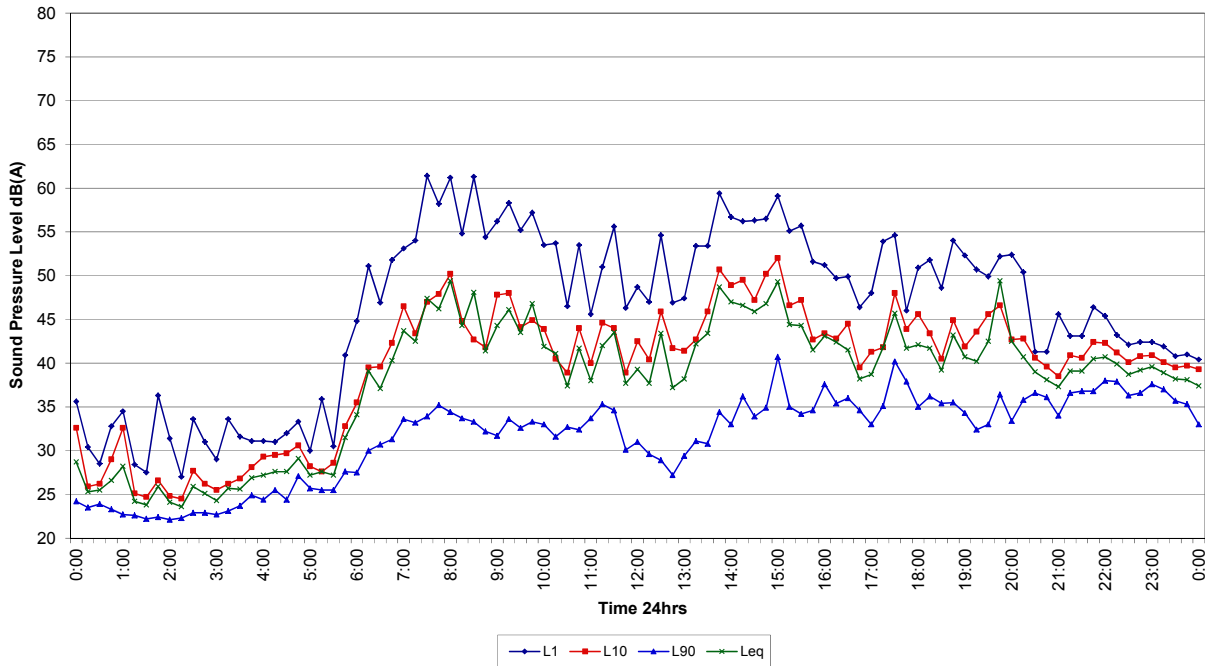




215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

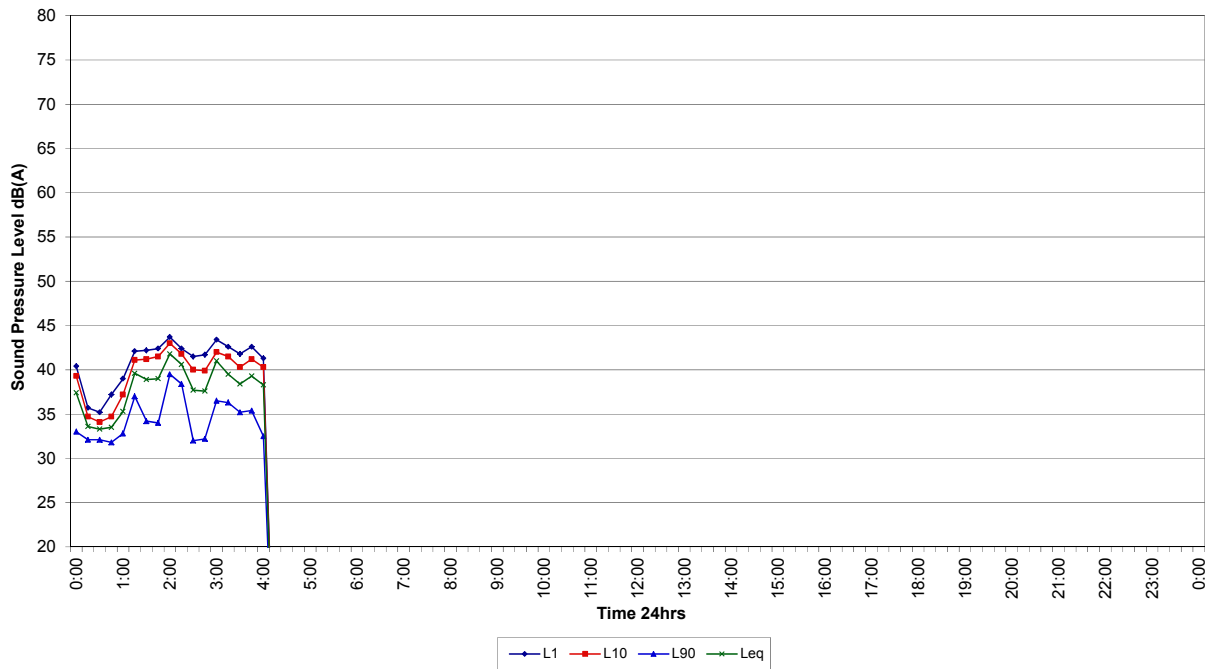
215 009 Bathurst Kart Club - Mount Panorama  
280 Hen & Chicken Road - Approx 200m from road edge

Tuesday 3/03/2015



215 009 Bathurst Kart Club - Mount Panorama  
280 Hen & Chicken Road - Approx 200m from road edge

Wednesday 4/03/2015



## 215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama

### GLOSSARY OF ACOUSTIC TERMS

**dB** – A decibel (dB) is a unit of measurement that represents sound levels. Sound levels are measured by pressure variations in the air. The human ear can perceive a large range of sound levels however it responds to the change in sound levels in a logarithmic fashion, therefore for convenience the decibel is a logarithmic unit of measurement.

The table below sets out the subjective effect of changes in sound level:

Change in Sound Level (dB)	Change in Power	Change in Loudness
3	2x	Just Perceivable
5	3x	Clearly Noticeable
10	10x	Twice As Loud
20	100x	Much Louder

For example a 1-2dB change is unlikely to be perceivable, however a change of 5-10dB will be clearly noticeable.

**dBA or dB(A)** – As well as the human ear perceiving sound levels in a logarithmic fashion (see *dB*) the ear also is more sensitive to high (treble) frequencies than it is to low (bass) frequencies. The “A” in dBA stands for “A-weighting” which applies a correction to certain frequencies to approximate the ear’s sensitivity and subjective reaction to how loud a sound is perceived.

The table below sets out the typical sound levels for various environments:

Sound Level dBA	Subjective Reaction	Typical Experience
140	Intolerable	Threshold of Pain
130		
120	Deafening	Pneumatic Drill at 1m
110		
100	Loud	Go-kart track at 10m
90		
80	Loud	Adjacent Busy Road
70		
60	Moderate	Outside Busy Cafe
50		
40	Quiet	Outside Suburban / Rural Property
30		
20	Very Quiet	Inside recording studio
10		

The disadvantage of using dBA is that, as a single number e.g. 50dBA, it gives no indication of the spread of sound energy across the frequency spectrum. See *Octave Band Centre Band Frequency*.

**215 009 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

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Sound Pressure Level – The amount of noise from a source measured at a particular distance. For example a go-kart's sound pressure level at 5m distance was measured to be 80dBA.

Sound Power Level – The total amount of noise from a particular source. This is typically calculated at a distance of 1m. For example a go-kart's sound power level was calculated to be 102dBA.

Leq – The level for the overall noise exposure over a specific time. As noise levels fluctuate the Leq represents the energy average if a continuous steady sound was measured. The time intervals stated in this report are typically  $L_{eq\ 15min}$  (15 minutes) and  $L_{eq\ 1hr}$  (60 minutes)

L90 – The noise level exceeded for 90% of the measurement time, or simply the lowest 10% of noise measured. This can be representative of the Background Noise.

Ambient Noise – The combined noise level from all noise producing sources within a given environment

Background Noise – The underlying noise level within the Ambient Noise. This is typically noted as  $L_{90}$  and defined as “the noise level that is exceeded for 90% of the time measured”, or simply the lowest 10% of noise measured.

Assessment Background Level (ABL) – The individual background noise level for each period. It is calculated for each period by taking the  $L_{90}$  for each daytime / evening / nighttime periods measured.

Rating Background Level (RBL) – The overall background noise level for each period. It is calculated for each period by taking the median (middle) value from all the daytime / evening / nighttime ABL figures measured.

Receptor (Sensitive Receiver) – Nominated residential locations surrounding the proposed track. Noise impacts are calculated at the boundary of the nominated receptor except for rural properties where the boundaries are greater than 30m from the dwelling, in which case the noise impacts are calculated at the most-affected point within 30m of the dwelling.

 **ACOUSTIC CONSULTING**

[BUILDING ACOUSTICS](#)

[INDUSTRIAL ACOUSTICS](#)

[MECHANICAL ACOUSTICS](#)

[OCCUPATIONAL NOISE SURVEYS](#)

[VIBRATION](#)

[AUDIO VISUAL](#)

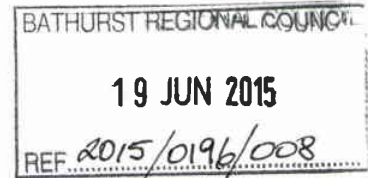
[LEGAL ACOUSTICS](#)

PO BOX 345, LANE COVE, NSW, 1595 SUITE 12, 401 PACIFIC HIGHWAY ARTARMON 2064  
Tel 612 9460 6824 Fax 612 9460 6823 admin@pka.com.au


**To:** epb secretary/BathurstCC,  
**Cc:**  
**Bcc:**  
**Subject:** Fw: Attn Daniel Dwyer: Development Application 2015/0196 (MAIL)  
 FILE NUMBER: 2015/0196

----- Forwarded by Shona Hoad/BathurstCC on 18/06/2015 04:36 PM -----

**From:** Ryan Cooney <ryan@steeleandco.com.au>  
**To:** "council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>,  
**Date:** 18/06/2015 04:24 PM  
**Subject:** Attn Daniel Dwyer: Development Application 2015/0196



Dear Mr Dwyer

As discussed this morning, I have been instructed by Kevin and Clarisse Burgess to confirm their ongoing interest in the above development application.

Mr and Mrs Burgess live very close to the subject site and are concerned about the noise that will come from the resultant go cart track. They would like to be consulted and have the opportunity to make a further submission, once Council have begun to determine the noise reduction measures that are to be applied to the development.

You are free to contact our clients directly. They have engaged us initially to assist in drafting this correspondence only.

Ryan Cooney

Solicitor Director

**STEELE+CO**  
 LAW AND CONVEYANCING

253 Howick Street, Bathurst NSW 2795 | PO Box 1504, Bathurst NSW 2795 | DX 3110  
 Bathurst

T: 02 6331 7666 | F: 02 6332 2221 | [www.steeleandco.com.au](http://www.steeleandco.com.au)

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DEPB ✓

*document in error, please telephone (02) 6331 7666.*

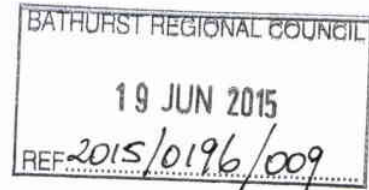
*Liability limited by a scheme approved under Professional Standards Legislation.*

*Legal practitioners employed by Steele & Co Pty Ltd are members of the scheme.*

Bathurst Regional Council  
 158 Russell St.  
 Private Mail Bag 17  
 Bathurst NSW 2795

17/06/2015

Attn: Mr. R Denyer  
 Acting Director  
 Environmental, Planning and Building Services



Reference To:

Development Application No. 2015/0196  
 Applicant: Bathurst Kart Club

Dear Sir,

My submission regarding this development application is as follows.

My view is that the application is slightly overstated as to its benefit as a recreational facility, enhancement to the motor racing circuit and its benefit to tourism, as it is a private circuit, available only to kart club members.

The application relies on "any other development not specified in item 2 or 4" of the zone objectives.

I would be interested to know, when considering that "amusement centres" and 'restricted premises" are prohibited in the zones SP3 and RU2, does this development fall into both or one of these categories?

This obviously depends on the definition of those two items.

The site will be restricted to be used only by members and, is it an amusement centre?

The noise generated by the use of the development appears to be covered in the noise report.

The noise output is developed from computer modelling using unqualified input.

What if it proves to be wrong?

It claims no noise effect during practise to any receptors and some impact to 8 properties when 32 karts are used in racing.

I don't fully understand that when this occurs, it seems from the report, that the solution seems to be to reduce the number of meetings. Is that correct?

D2B



So my main queries are:-

1. Is 365 days of use necessary?
2. If noise output proves to be in excess of allowable (35dBA in my case) what then? What steps can I take with regard to this excessive noise?
3. Is the solution suggested by the noise report, simply to reduce the number of events?
4. If the noise report is accurate showing in excess of the 35dBA on 7 or 8 receptors using 32 karts at once, why can't 2 metre noise barriers be placed to reduce noise toward all receptors?

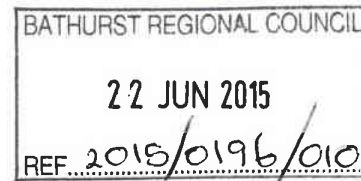
Yours faithfully,



David Dickenson  
163 Mountain Straight  
Mount Panorama

0417686243

Mark Cordato and Coral Goldsworthy  
 PO Box 1298  
 Bathurst  
 2795 NSW



22 June, 2015

Received 15 June, 2015, deadline date for submission 22 June, 2015. Our submission is made but a better submission could be made with more time.

### Development Application no 2015/0196 (DA)

Thank you for asking for my input regarding the proposed Go Kart Track.

I will refer to documents that must be in Bathurst Regional Council's (BRC) possession:

- 1/ Mount Panorama Noise Assessment, the document that was an appendix to the HMRA Second track feasibility study. (AECOM)
- 2/ Acoustic Assessment 2015-1096

### Cumulative Noise Burden

Noise burden is considered in the documents by acoustic engineers AECOM and AA. These documents describe how the noise of motor racing is measured over the period of a year. Both acoustic engineering reports describe a means to determine the maximum safe numbers of events per year. All motor sport events within the one year must be considered, the AECOM report made this clear.

### Errors, omissions and shortcomings of the Acoustic Assessment

1. The proposed hours of operation in the DA are 3 hours longer per day than in the Acoustic Assessment. (+3dBA).
2. There has been no account for tonality and impulsiveness (+5dBA).
3. There is no accounting for other motor sport noise on the properties:
  - a. The main track at Mount Panorama;
  - b. Mount Panorama Bike Track;
  - c. Bathurst Light Car Club activities; and
  - d. Other motor sport in the vicinity.
4. The noise levels for the Go Kart need to be tested by an impartial observer.

### Health and Safety

The Acoustic Assessment is deficient. In its current form BRC cannot evaluate the impact of the proposed track on health and safety of residents and others.

### Our submission

We and BRC must to err on the side of our safety by saying we object, at this stage, on the grounds that **BRC does not yet have sufficient information to guide their decision**. The Acoustic Assessment needs additional work.

We would appreciate a longer notice period to better evaluate such complex matters in future.

Yours Sincerely

Mark Cordato

Coral Goldsworthy



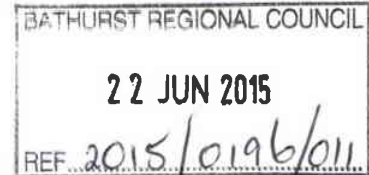
DEPBS ✓

Mount Panorama Residents Committee

160 Mountain Straight

Mt Panorama

Bathurst NSW 2795



RE Proposed Go Kart Track

The DA as it stands should be REJECTED on the following basis ;

- 1 Incomplete noise assessment by PKA Acoustic Consulting .Failing to be independent and by deliberate omission , failing to properly analyse health issues .
- 2 Lack of consultation with affected land holders re the proposed frequency of use and duration of use

IN DETAIL ,

- 1 The PKA Acoustic Report cannot be correct because of questionable **noise testing** . **Why** would they get the president of the Kart Club to conduct noise tests for them ? A clear conflict of interest ! Particularly when the presidents noise test is **10 times (10X) lower** than an independent test done by Wilkinson Murray Acoustic Consulting **only a few months** before . The president had a noise reading of 102db and Wilkinson Murray had a reading of 112db which doesn't seem much but because sound is measured on a **logarithmic scale** it is actually a **10 fold reduction** . **It is not possible that there has suddenly been such a massive drop in noise** . PKA don't adequately investigate this and proceed with their very impressive presentation based on probably falsified information .
- 2 The PKA report is incomplete because when they analyse the noise **pollution for compliance** with the EPA NGLG regulations ,for total annual noise burden on properties , they fail to mention the already existing noise burden from the car racing . If they did this ,they would have come to the conclusion that the Mount Panorama already exceeds the guidelines for noise safety and would probably advise BRC of that fact and possibly recommend measures to look after the health of the residents . They would also likely recommend that because of health measures it may be negligent for this proposal to proceed .
- 3 The lack of consultation with the affected land holders ; clearly with the **impressive amount** of effort Bathurst Kart Club has put into the DA , they knew a long time ago **what they were** planning and should have involved residents a long time ago because **we would have been** able to work in unison on this .To receive a disc , that required hours of reading to understand , just 10 days before submissions close is unreasonable .

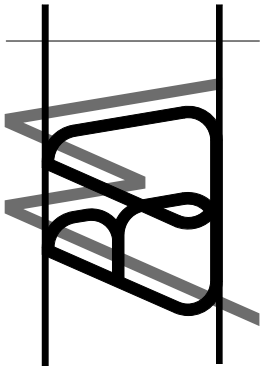
This DA needs a proper INDEPENDENT acoustic analysis done and suitable noise barriers erected to prevent ANY increase in noise pollution that might affect the health of families living near the proposed development .

Thank You

J. Nigel Swan , Mount Panorama Residents Committee

MDA ✓

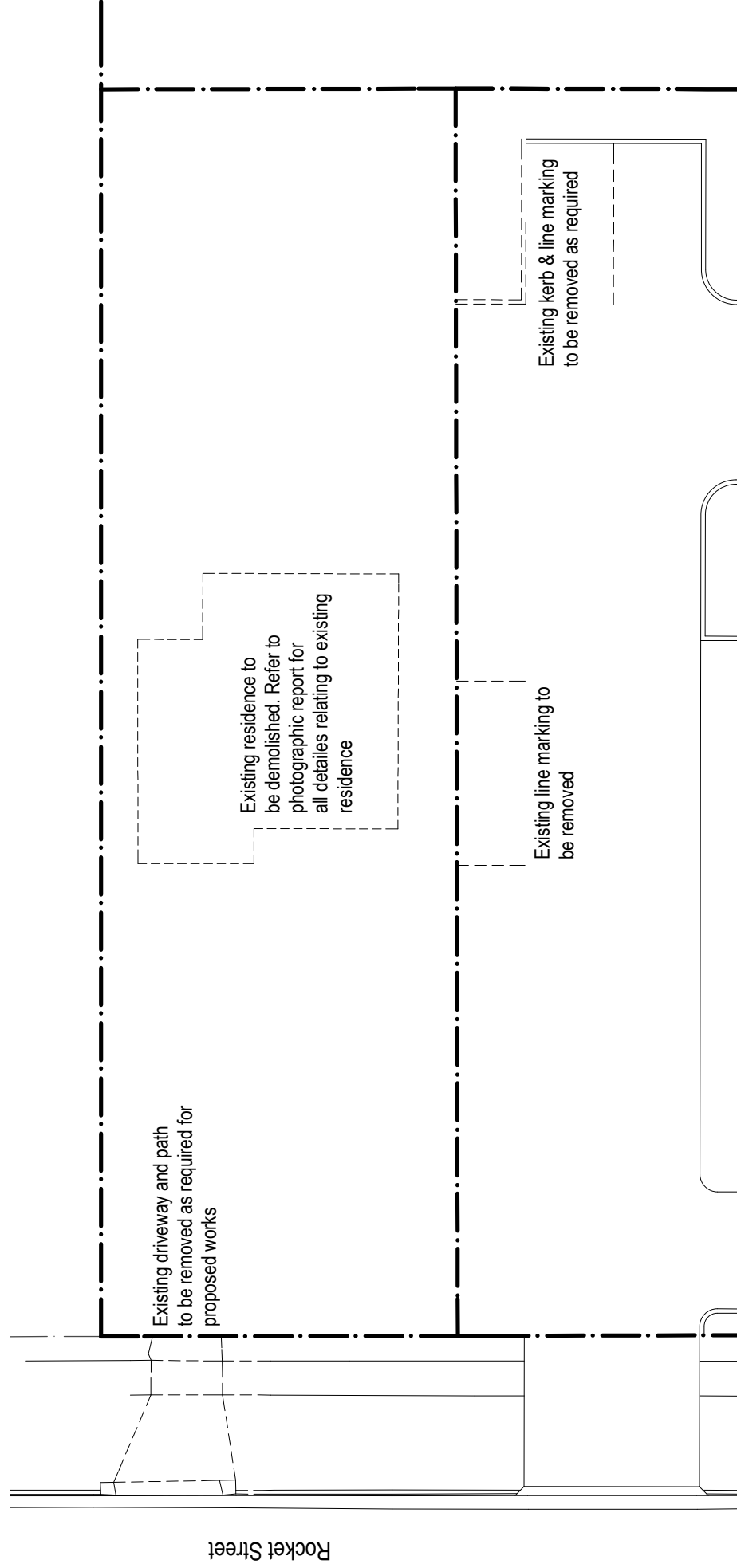
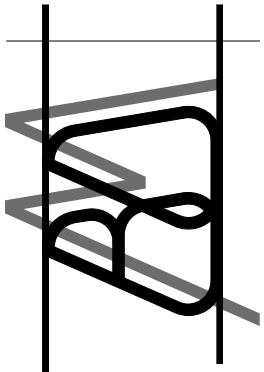




**Contents**

DACC01 Cover Page  
 DACC02 Demolition Plan  
 DACC03 Site Plan  
 DACC04 Roof Plan  
 DACC05 Ground Floor Plan  
 DACC06 Mezzanine Floor Plan - **DELETED**  
 DACC07 Elevations 1 & 2  
 DACC08 Elevations 3 & 4  
 DACC09 Sections AA & BB  
 DACC10 Ground Floor - Lighting Plan  
 DACC11 First Floor - Lighting Plan - **DELETED**  
 DACC12 Rocket Street Elevation  
 DACC13 Sun Shadow Diagrams 1  
 DACC14 Sun Shadow Diagrams 2  
 DACC15 Sun Shadow Diagrams 3  
 DACC16 Sun Shadow Diagrams 4  
 DACC17 Specification

	<p>Brett Moulds Design &amp; Drafting</p> <p>02 6332 5885                  0424156450                  bmdesigndrafting@bigpond.com                  3 Russell Street Bathurst NSW 2795</p>	<p><b>Clients signature required below to confirm design acceptance</b></p>	<p><b>Date</b>    <b>Amendment</b></p> <p>21/02/14    A    Issued for comment                  11/04/15    B    Issued for final comment                  04/06/15    C    Issued for comment                  11/06/15    D    Issued for DACC submission</p>	<p><b>Proposed Commercial Premises</b>                  Complete Business Partners Pty Ltd                  291 Stewart Street, Bathurst</p>		<p><b>Cover Page</b>  <b>DACC 01</b>                  Date of Issue                  Project</p>	<p>Issue <b>D</b>                  11/06/2015                  BMD131425</p>
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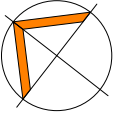


Brett Moulds Design & Drafting  
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 0424156450  
 bmdesigndrafting@bigpond.com  
 3 Russell Street Bathurst NSW 2795

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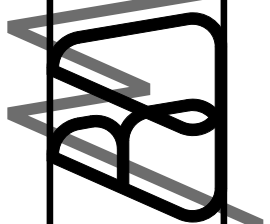
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**Proposed Commercial Premises**  
 Complete Business Partners Pty Ltd  
 291 Stewart Street, Bathurst

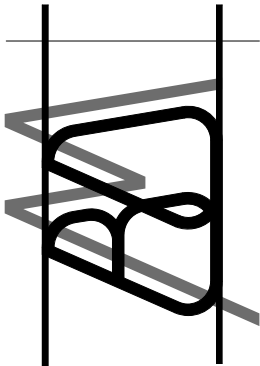


**Demolition Plan**  
**DACC 02**  
 Issue **D**  
 Scale **1:200** at A3

Date: 11/06/2015  
 Project: BMD131425







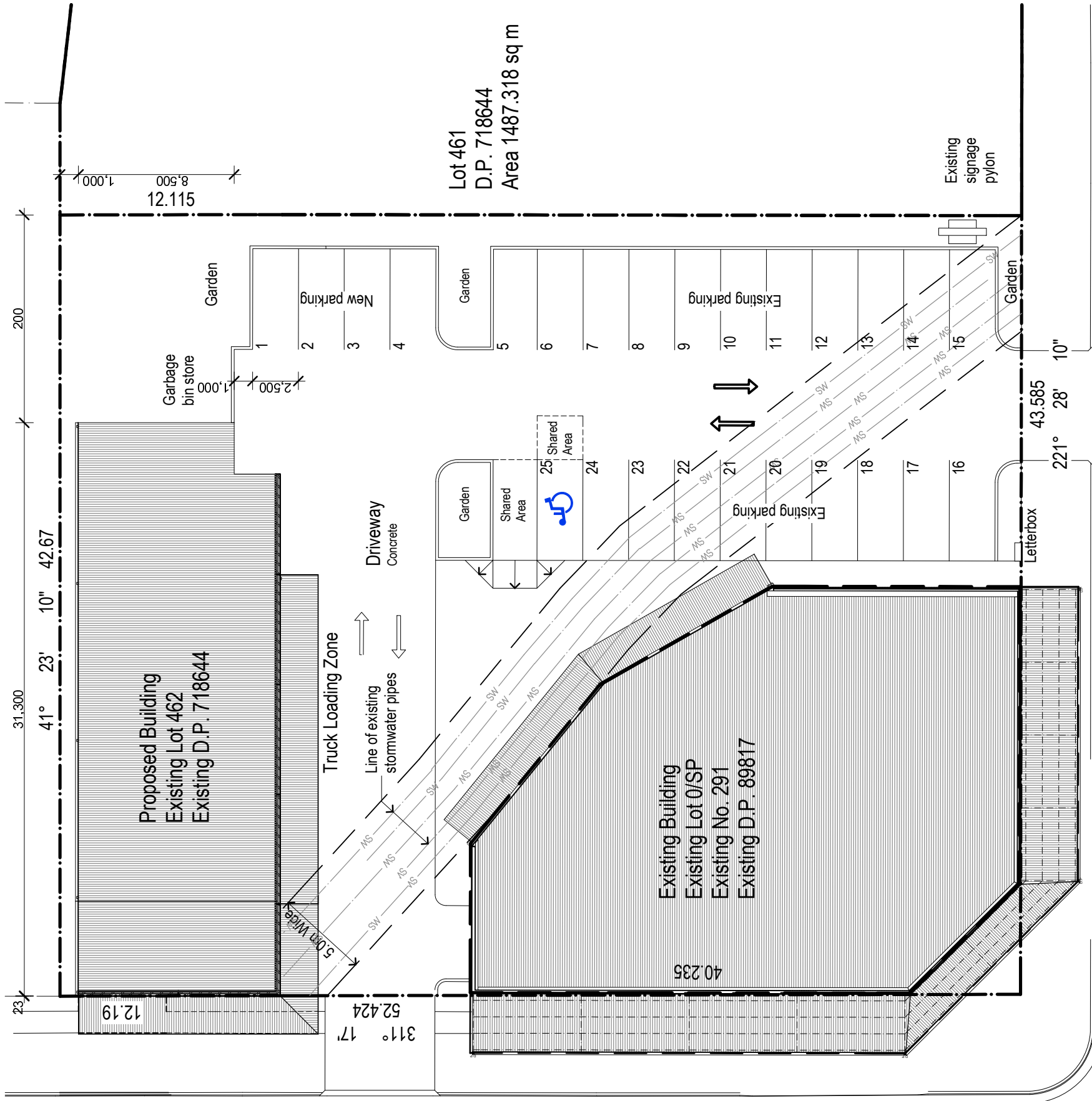
**Legend**

- A Aluminium
- B Basin
- BDRY Boundary
- BFB Baggged & Painted Brickwork
- BV Brick Veneer
- CL Ceiling Level
- CONC Concrete
- CP Concrete Paver
- CPT Carpet
- CRS Corrugated Roof Sheeting
- CS Cavity 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
- PB Plasterboard
- PFC Painted Fibre Cement
- O Fixed Panel
- OG Obscure Glass
- REF Refrigerator
- RH Rangehood
- 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
- TYP Typical
- UBO Under Bench Oven
- WC Water Closet
- W Washing Machine
- WM Water Meter
- X Sliding panel

**Note**  
New lot and DP numbers to be confirmed

**Notes**

- Builders to confirm co ordination of architectural and structural documentation prior to construction
- Provide all required flashings, cappings etc necessary for roofing and associated vents etc. To be installed in strict accordance with the appropriate Australian standard.
- Provide permanent fall arrest equipment including anchor points, static lines, harness gear, eaves platforms, fences and safety lines to the new roofing
- A back flow protection device is to be installed in accordance with AS/NZS 3500 & NSW codes of practice plumbing and drainage
- All redundant drainage is to be capped off in accordance with AS/NZS 3500 & NSW codes of practice plumbing and drainage
- Provide sediment & erosion control measures to Council requirements. They are to be in place prior to commencement of any site work. Provide sediment fence on downhill side of any excavations & stockpiles. Provide wash down bay to Councils requirements



Street

Street

Rocket Street

Stewart

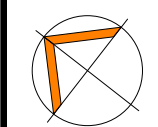


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0424156450  
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3 Russell Street Bathurst NSW 2795

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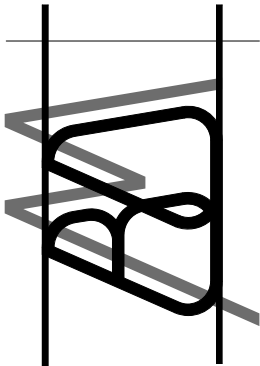
Proposed Commercial Premises  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst



Site Plan  
DACC 03  
Issue D  
Scale 1:250 at A3

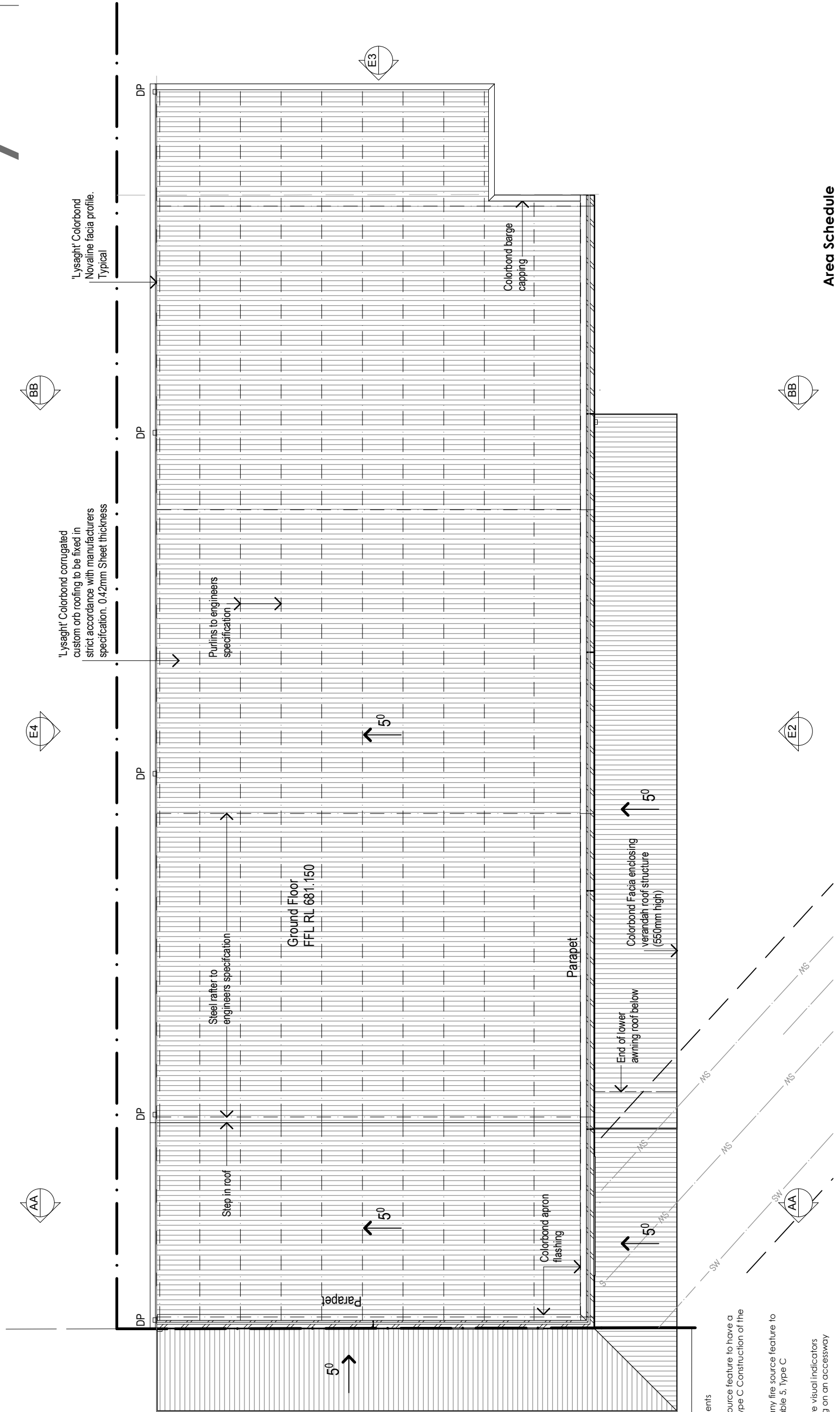
Date: 11/06/2015  
Project: BMD131425





**Legend**

- A Aluminium
- B Basin
- BDRY Boundary
- BFB Baggged & Painted Brickwork
- BV Brick Veneer
- CL Ceiling Level
- CONC Concrete
- CP Concrete Paver
- CPT Carpet
- CRS Corrugated Roof Sheeting
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- T Tub
- TC Texture Coated Hebel
- TYP Typical
- UBO Under Bench Oven
- WC Water Closet
- W Washing Machine
- WM Water Meter
- X Sliding panel



**Notes**

Refer to specification for BCA Part J Requirements

All external walls less than 1.5m from any fire source feature to have a FRL of 90/90/90 in accordance with Table 5. Type C Construction of the BCA

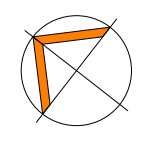
All external walls less than 3.0m to 1.5m from any fire source feature to have a FRL of 60/60/60 in accordance with Table 5. Type C Construction of the BCA

All full height glazing on front elevation to have visual indicators in accordance with BCA Clause D3.12 Glazing on an accessway

The ventilation of each room is to comply with Clause F4.5 of the BCA. The proposed mechanical ventilation system is to comply with AS 1688.2 and AS/NZS 3666.1. A compliance report is to be provided to Council upon completion.

**Area Schedule**

Ground Floor	337.3 m <sup>2</sup>
<b>Total Building Area</b>	<b>337.3 m<sup>2</sup></b>



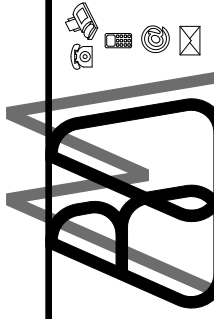
**Proposed Commercial Premises**  
 Complete Business Partners Pty Ltd  
 291 Stewart Street, Bathurst

**Date Amendment**

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11/06/15	D	Issued for DACC submission

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**Brett Moulds Design & Drafting**  
 02 6332 5885  
 0424156450  
 bmdesigndrafting@bigpond.com  
 3 Russell Street Bathurst NSW 2795

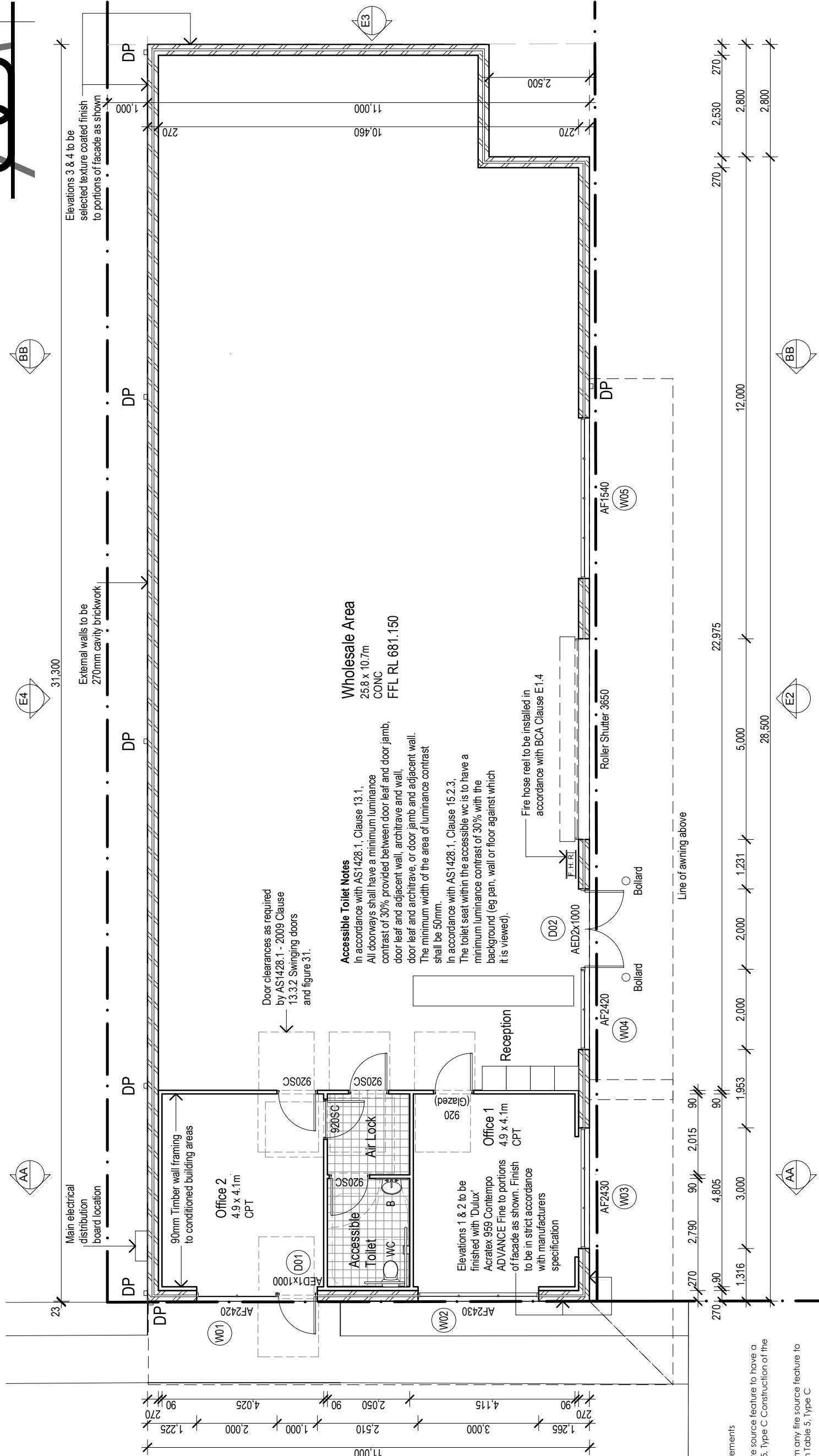


**Roof Plan**  
**DACC 04**  
 Issue D  
 Scale 1:100 at A3

Date: 11/06/2015  
 Project: BMD131425

**Legend**

- A Aluminium
- B Basin
- BDRY Boundary
- BPB Bagged & Painted Brickwork
- BV Brick Veneer
- CL Ceiling Level
- CLC Concrete
- CONC Concrete Paver
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- 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



**Wholesale Area**

25.8 x 10.7m  
CONC  
FFL RL 681.150

**Accessible Toilet Notes**

In accordance with AS1428.1, Clause 13.1, All doorways shall have a minimum luminance contrast of 30% provided between door leaf and door jamb, door leaf and adjacent wall, architrave and wall, door leaf and architrave, or door jamb and adjacent wall. The minimum width of the area of luminance contrast shall be 50mm.  
In accordance with AS1428.1, Clause 15.2.3, The toilet seat within the accessible wc is to have a minimum luminance contrast of 30% with the background (eg pan, wall or floor against which it is viewed).

Door clearances as required by AS1428.1 - 2009 Clause 13.3.2 Swinging doors and figure 31.

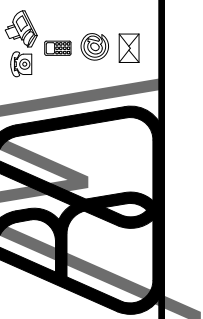
Fire hose reel to be installed in accordance with BCA Clause E1.4

**Notes**

- Refer to specification for BCA Part J Requirements
- All external walls less than 1.5m from any fire source feature to have a FRL of 90/90/90 in accordance with table 5, Type C Construction of the BCA
- All external walls less than 3.0m to 1.5m from any fire source feature to have a FRL of 60/60/60 in accordance with table 5, Type C Construction of the BCA
- All full height glazing on front elevation to have visual indicators in accordance with BCA Clause D3.12 Glazing on an accessway
- The ventilation of each room is to comply with Clause F4.5 of the BCA. The proposed mechanical ventilation system is to comply with AS 1688.2 and AS/NZS 3666.1. A compliance report is to be provided to Council upon completion.

**Area Schedule**

Ground Floor 337.3 m<sup>2</sup>  
Total Building Area 337.3 m<sup>2</sup>



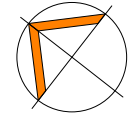
Brett Moulds Design & Drafting

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- 0424 156450
- bmdesigndrafting@bigpond.com
- 3 Russell Street Bathurst NSW 2795

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04/06/15	C Issued for comment
11/06/15	D Issued for DACC submission

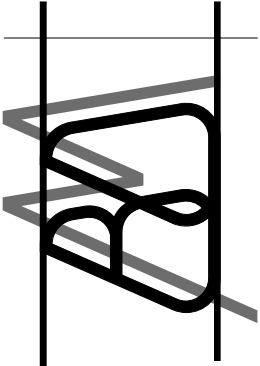
Proposed Commercial Premises  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst



Ground Floor Plan  
DACC 05

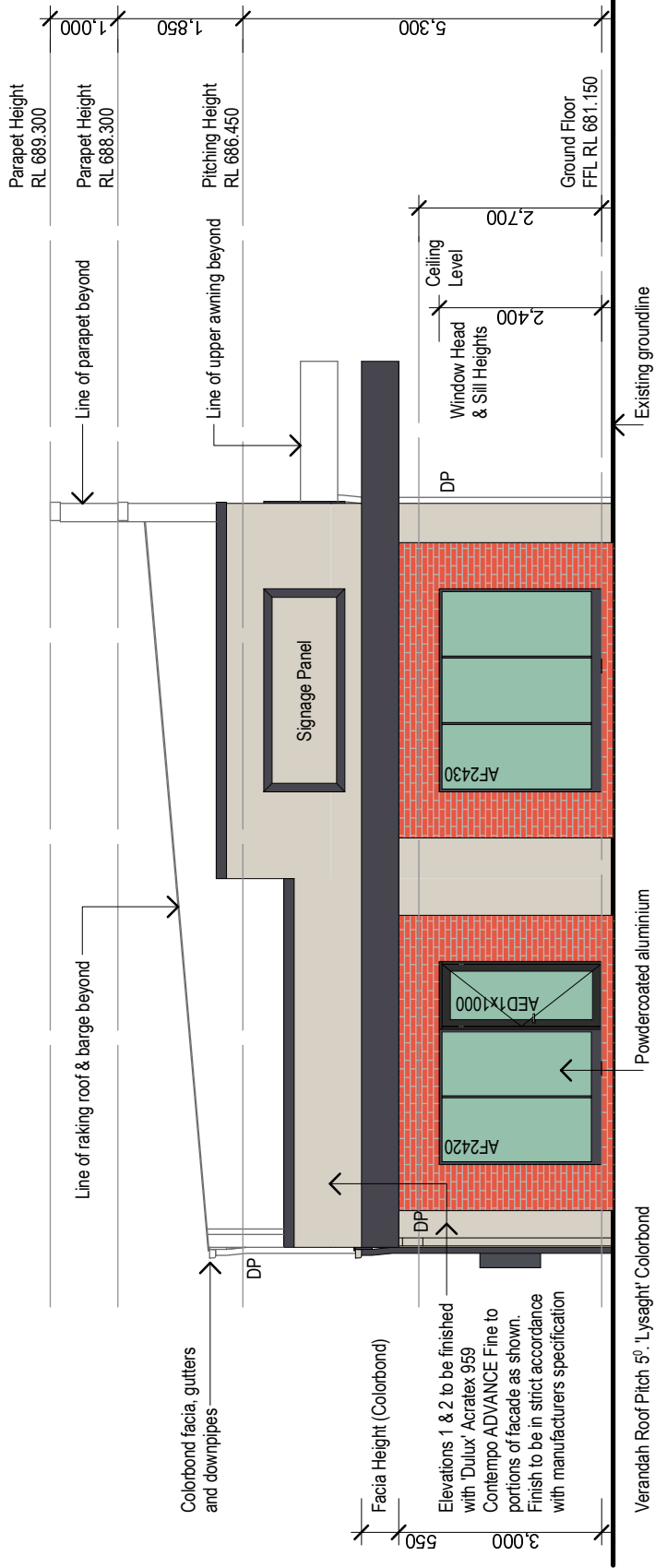
Issue D  
Scale 1:100 at A3  
Date: 11/06/2015  
Project: BMD131425

- A Aluminium
- B Basin
- BDRY Boundary
- BFB Baggged & Painted Brickwork
- BV Brick Veneer
- CL Ceiling Level
- CO/NC Concrete
- CP Concrete Paver
- CPT Carpet
- CRS Corrugated Roof Sheeting
- CS Cavity Sliding Door
- CT Ceramic Tile
- DH Double Hung
- DP Downpipe
- EMB Electrical Meterboard
- ENS Ensuite
- FB Face Brick
- FC Fibre Cement
- FLL Finished Floor Level
- F Fixed Glass
- FW Floor Waste
- GM Gas Meter
- HCS Hollow Core
- HWS Hot Water Service
- LDRY Laundry
- MH Manhole
- PB Plasterboard
- PFC Painted Fibre Cement
- O Fixed Panel
- OG Obscure Glass
- REF Refrigerator
- RH Rangehood
- 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
- TYP Typical
- UBO Under Bench Oven
- WC Water Closet
- W Washing Machine
- WM Water Meter
- X Sliding panel

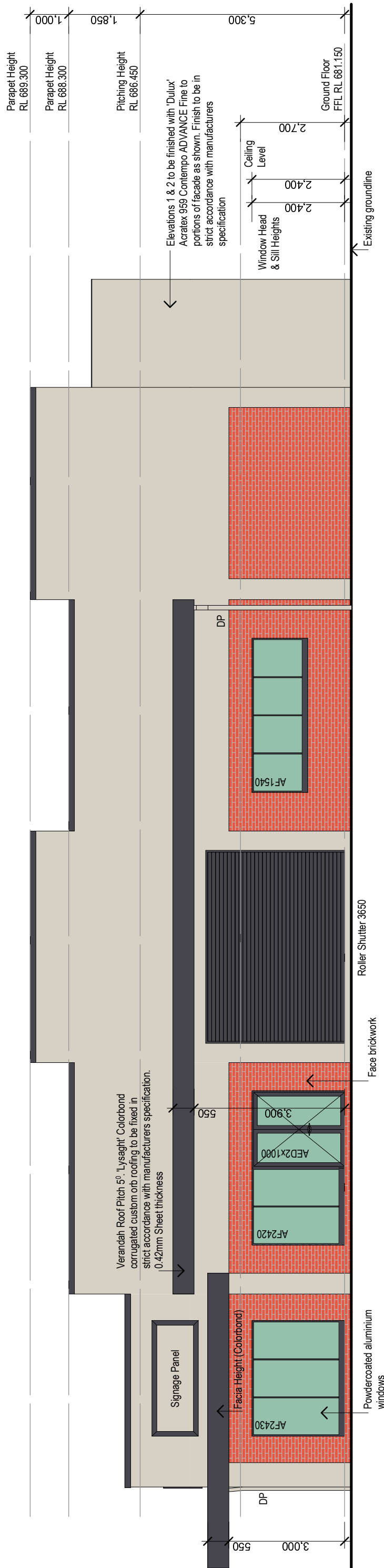


**Colours**

- Colour 1 - Dulux G50 'Warm Grey Roll on finish
- Colour 2 - Colorbond 'Monument'
- Face Brick - Boral Esquire Red - Pressed
- External Windows & Doors - Dulux PowerCoat 'Monument'
- Roof Colour (including flashings & cappings) - Colorbond 'Monument'



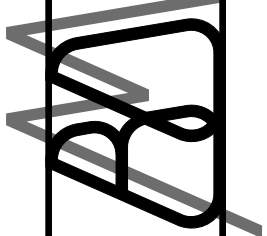
**Elevation 1**  
Scale 1:100



**Elevation 2**  
Scale 1:100

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02 6332 5885  
0424156450  
bmdesigndrafting@bigpond.com  
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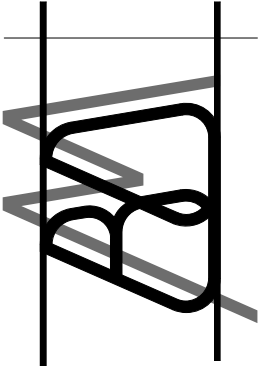
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**Proposed Commercial Premises**  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst

**Elevations 1 & 2**  
**DACC 07**  
Issue **D**  
Scale **1:100** at A3  
Date: 11/06/2015  
Project: BMD131425

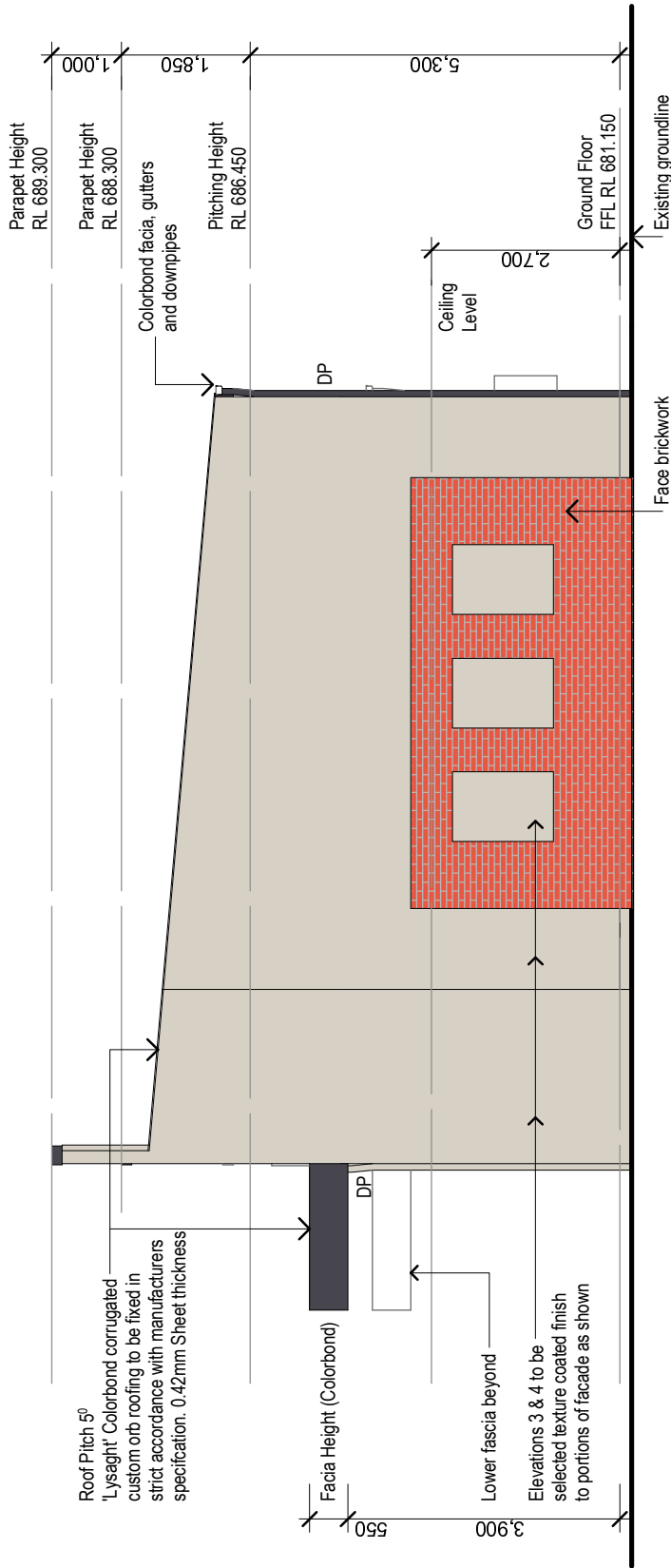
**Legend**

- A Aluminium
- B Basin
- BDRY Boundary
- BPB Baggged & Painted Brickwork
- BV Brick Veneer
- CL Ceiling Level
- CONC Concrete
- CP Concrete Paver
- CPT Carpet
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- W Washing Machine
- WM Water Meter
- X Sliding panel



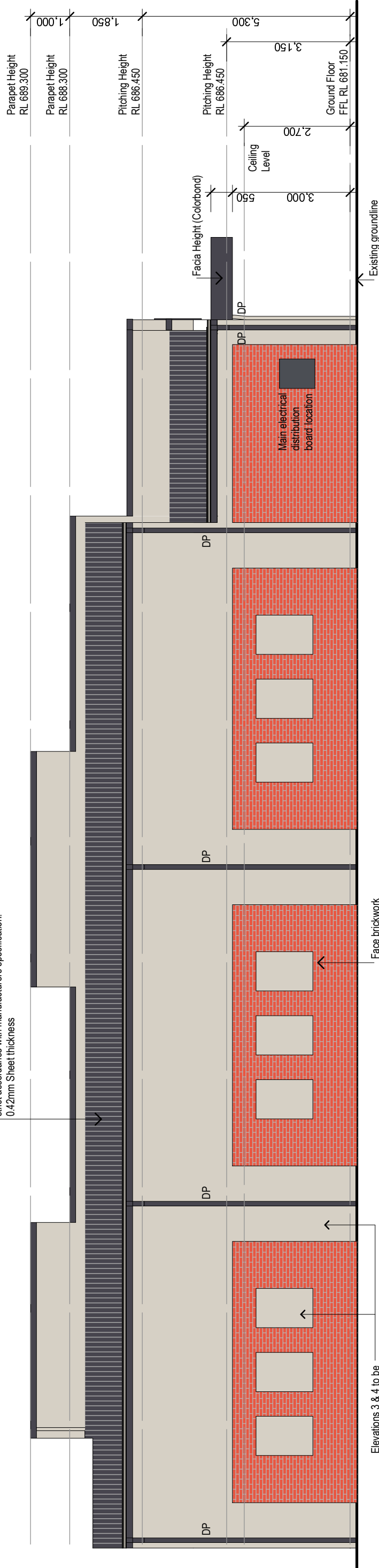
**Colours**

- Colour 1 - Dulux G50 'Warm Grey Roll on finish'
- Colour 2 - Colorbond 'Monument'
- Face Brick - Boral Esquire Red - Pressed
- External Windows & Doors - Dulux PowerCoat 'Monument'
- Roof Colour (Including flashings & cappings) - Colorbond 'Monument'



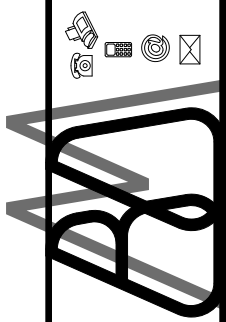
**Elevation 3**  
Scale 1:100

Main & verandah Roof Pitch 5°. 'Lysaght' Colorbond corrugated custom orb roofing to be fixed in strict accordance with manufacturers specification. 0.42mm Sheet thickness



**Elevation 4**  
Scale 1:100

Elevations 3 & 4 to be selected texture coated finish to portions of facade as shown



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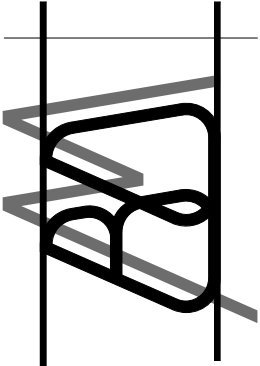
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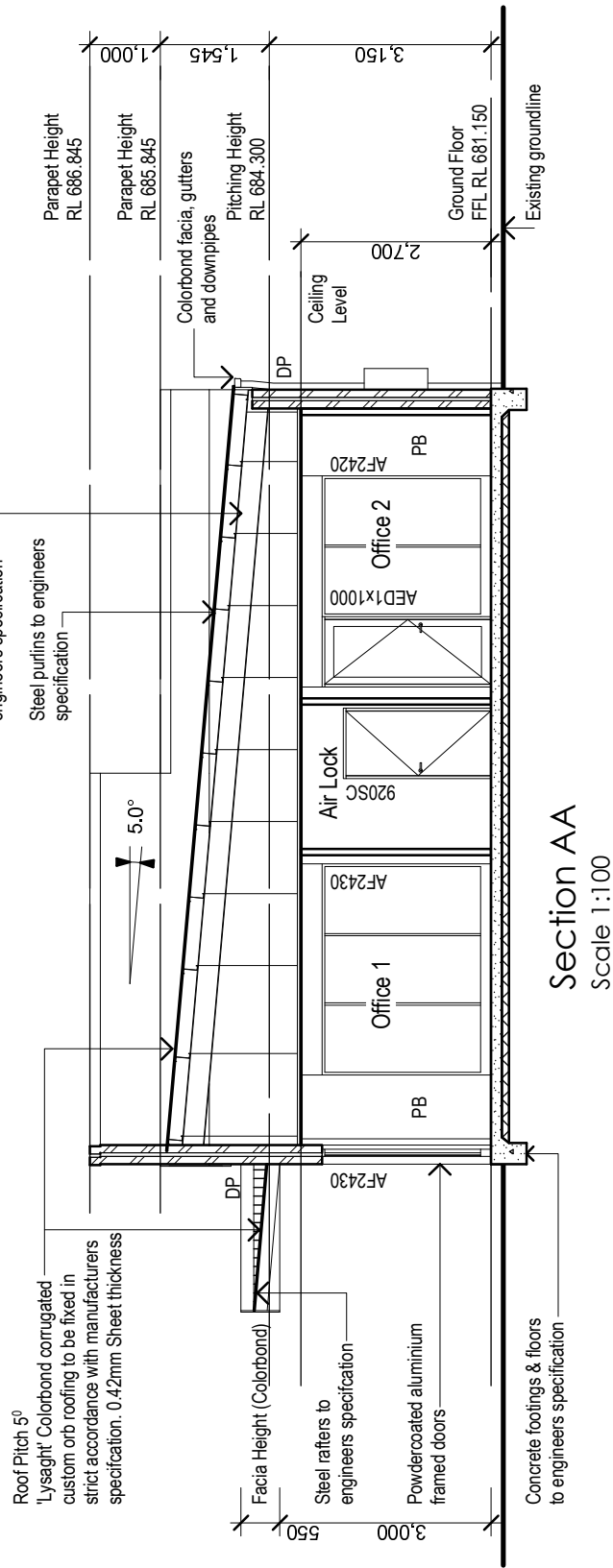
**Proposed Commercial Premises**  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst

**Elevations 3 & 4**  
**DACC 08**  
Issue **D**  
Scale 1:100 at A3  
Date: 11/06/2015  
Project: BMD131425

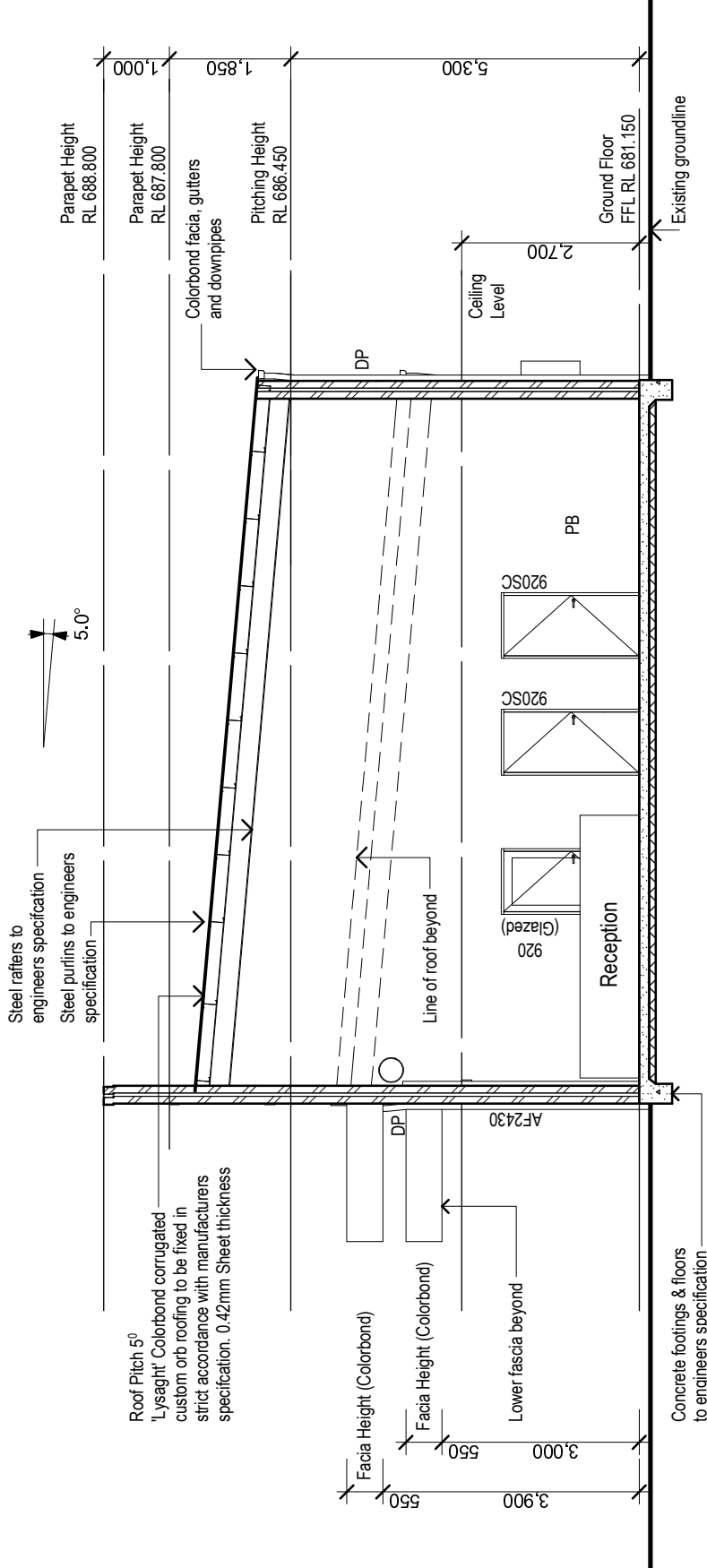


**Legend**

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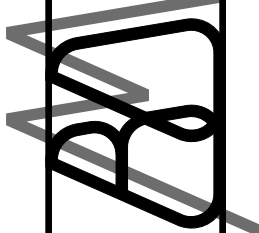
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Scale 1:100



**Section BB**  
Scale 1:100

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


**Sections AA & BB**  
**DACC 09**  
Issue **D**  
Scale 1:100 at A3

Date: 11/06/2015  
Project: BMD131425



Part J Lighting Calculations


Lighting Type - Internal

-  2 x 36W T8 Surface mount batten luminaire.
-  1 x 150W High performance IP65 rated HID lowbay luminaire of smaller design suited for use at low mounting heights.
-  1 x 18W CFL Recessed downlight complete with electronic ballast and lamp.

Lighting Type - Emergency

-  Plerlite LEDXM2E LED Exit Sign Arrow. Or Similar
-  Plerlite LEDXM2E LED Exit Sign. Or Similar

Lighting Type - External

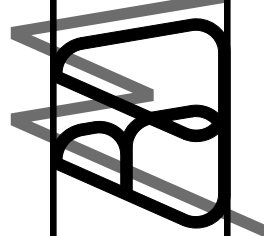
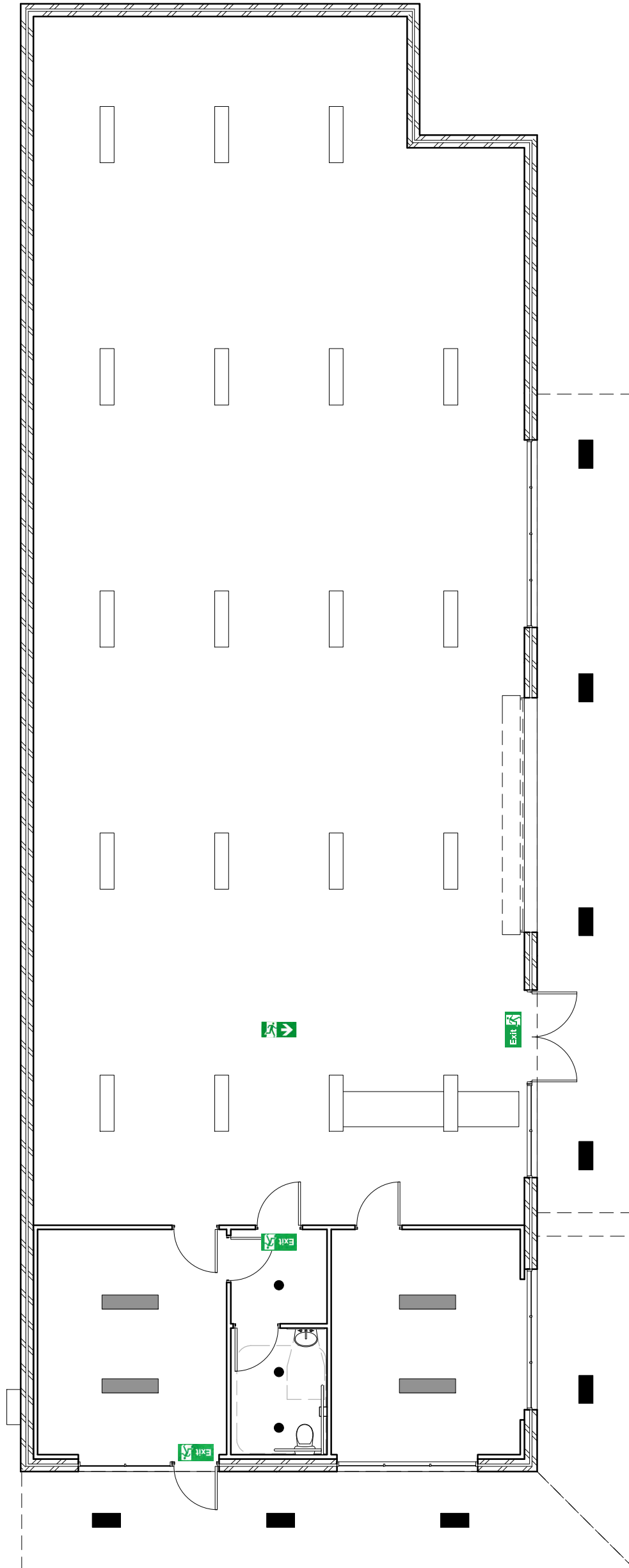
-  2 x 36W Surface mounted T8 Diffused

Ground Floor

QTY	Total (W)
4	288
19	2850
3	54
<b>Total</b>	<b>3192</b>

The maximum allowable illumination power density for the proposed development is 4935 W/m<sup>2</sup>. Refer to BCA Part J lighting calculator.  
A total of 3192 W is being proposed for this development.

**Development Total (W)**  
= **3192**

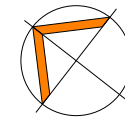


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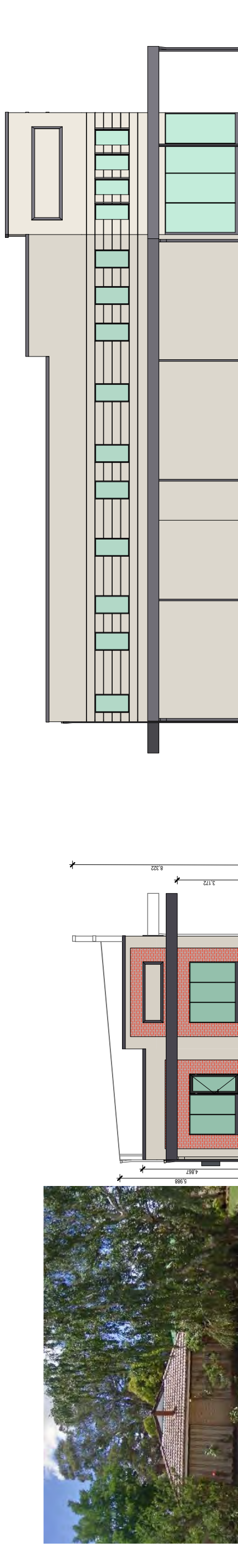
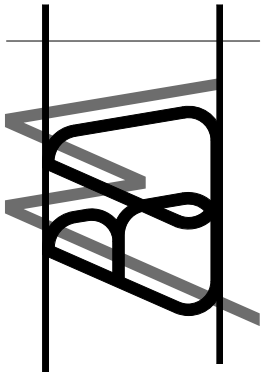
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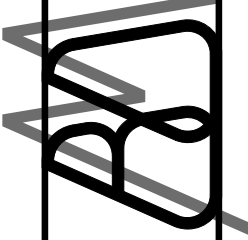
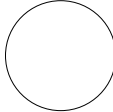
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Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst

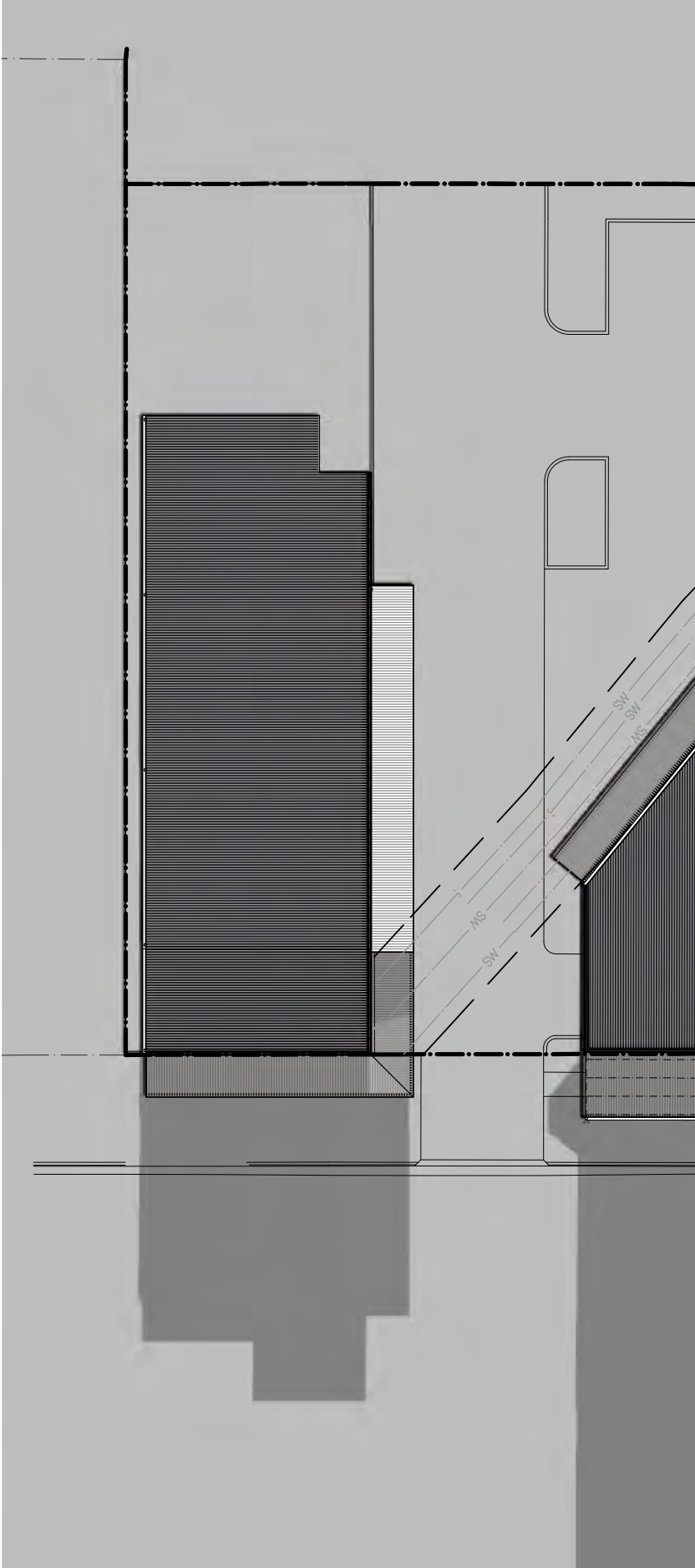
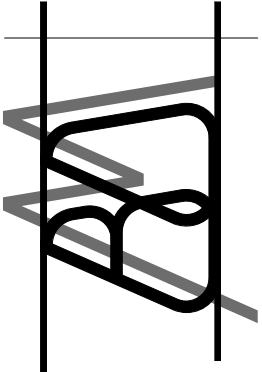


Ground Floor - Lighting Plan  
DACC 10  
Issue D  
Scale 1:100 at A3  
Date: 11/06/2015  
Project: BMD131425

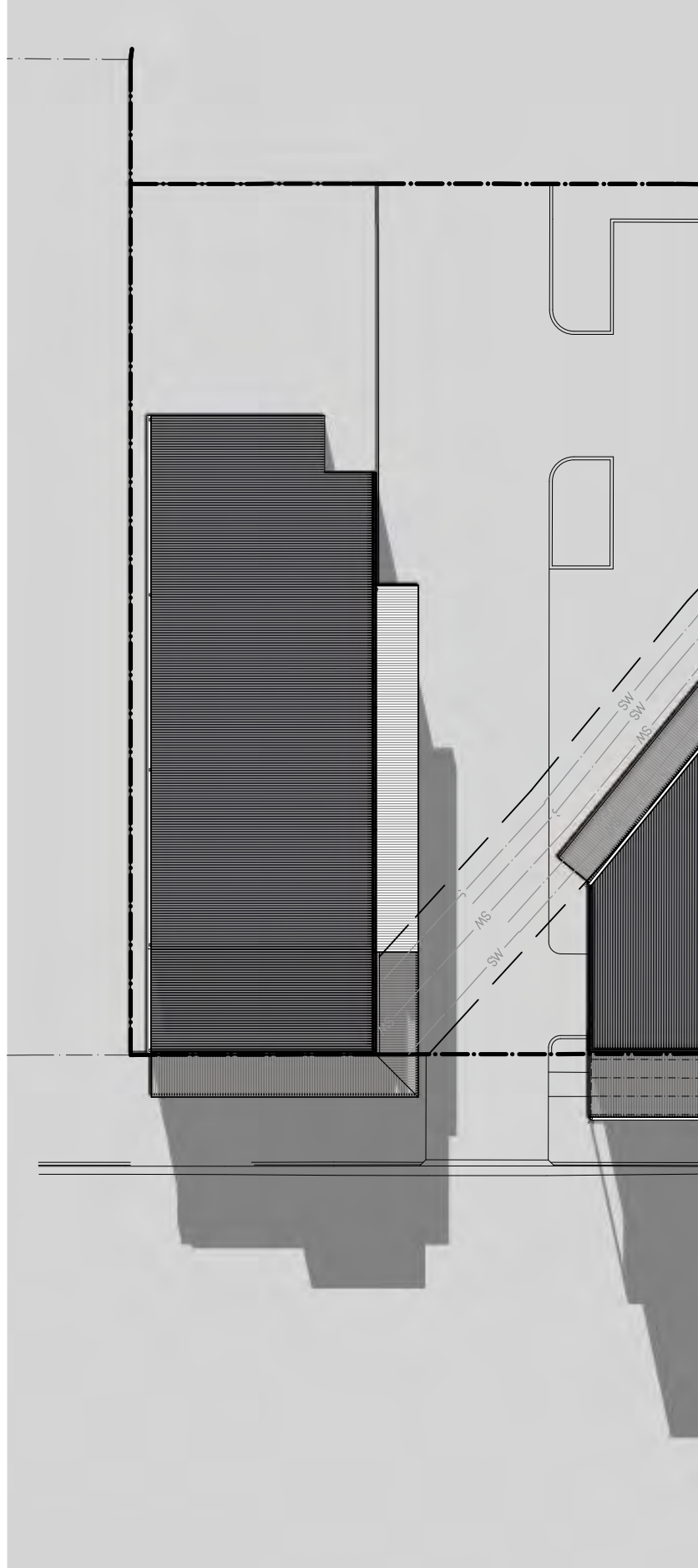


 <p>Brett Moulds Design &amp; Drafting  02 6332 5885  0424156450  bmdesigndrafting@bigpond.com  3 Russell Street Bathurst NSW 2795</p>	<p>Clients signature required below to confirm design acceptance</p>	<p><b>Date</b>    <b>Amendment</b></p> <p>21/02/14    A    Issued for comment  11/04/15    B    Issued for final comment  04/06/15    C    Issued for comment  11/06/15    D    Issued for DACC submission</p>	<p><b>Proposed Commercial Premises</b>  Complete Business Partners Pty Ltd  291 Stewart Street, Bathurst</p>		<p><b>Rocket Street Elevation</b>  <b>DACC 12</b>  Issue <b>D</b>  Scale <b>1:200</b> at A3</p> <p>Date: 11/06/2015  Project: BMD131425</p>
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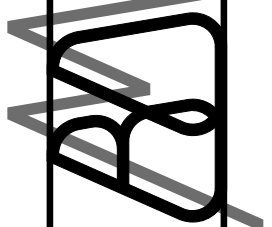
22nd June, 9.00am



22nd June, 10.00am



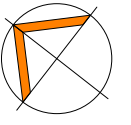
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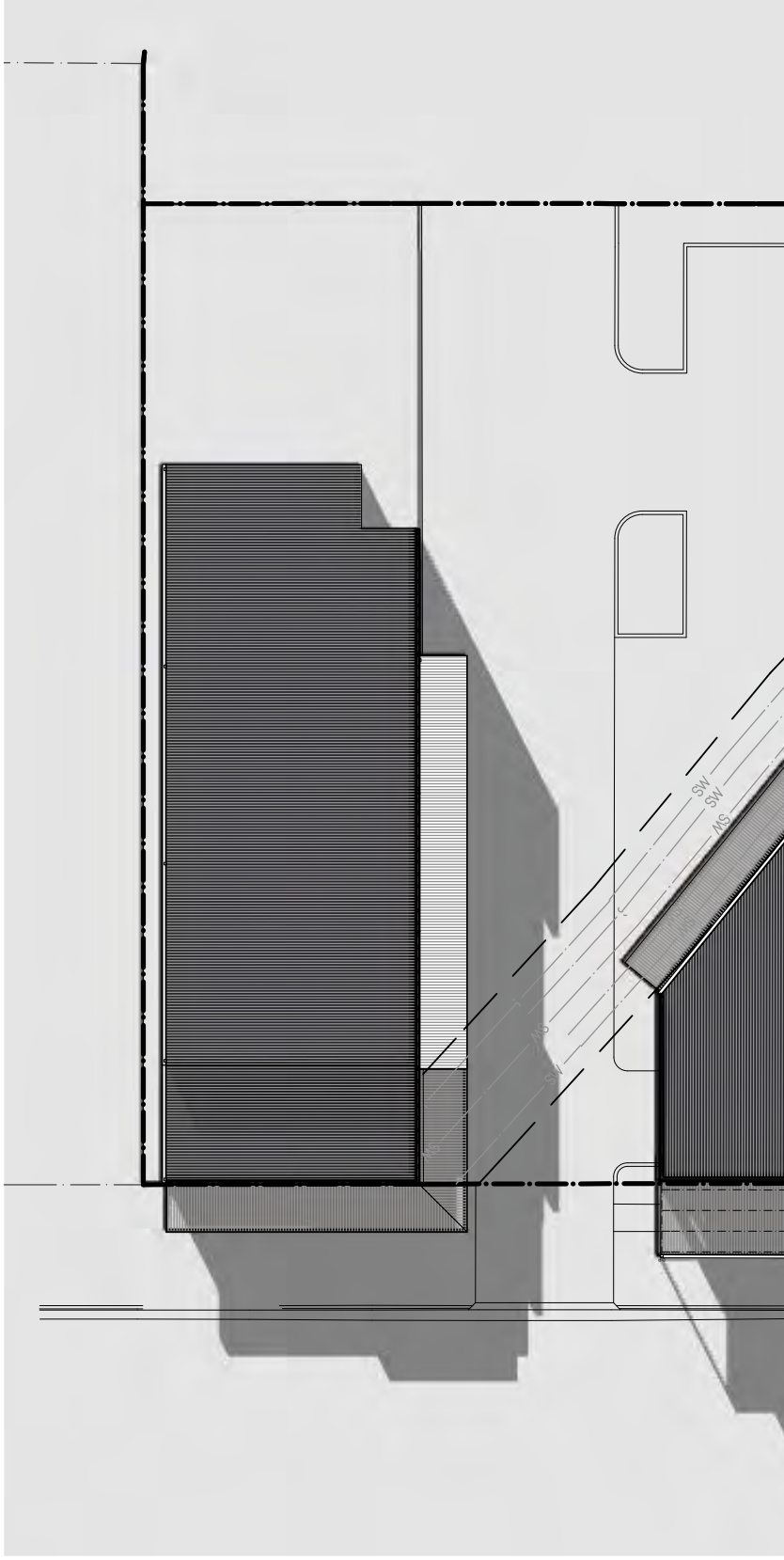
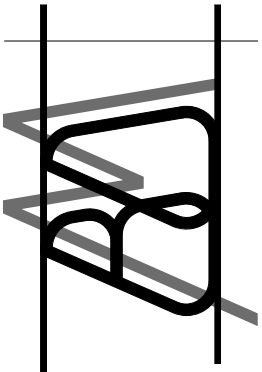
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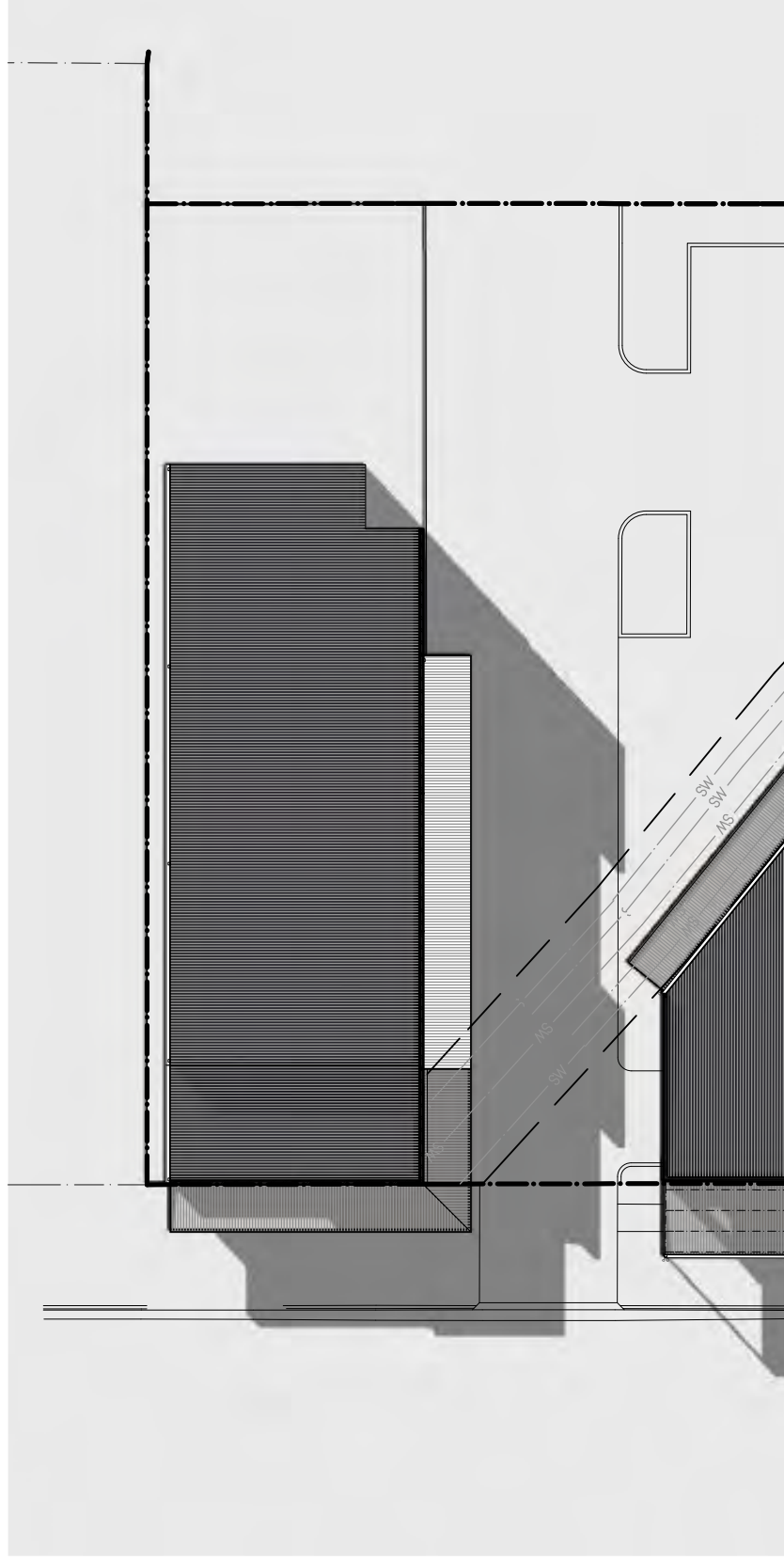
**Proposed Commercial Premises**  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst



**Sun Shadow Diagrams 1**  
**DACC 13**  
Issue **D**  
Scale **NTS**  
Date: 11/06/2015  
Project: BMD131425



22nd June, 11.00am



22nd June, 12.00pm

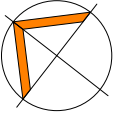


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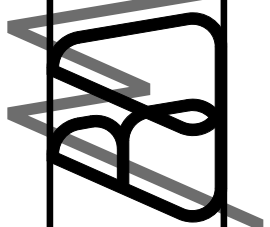
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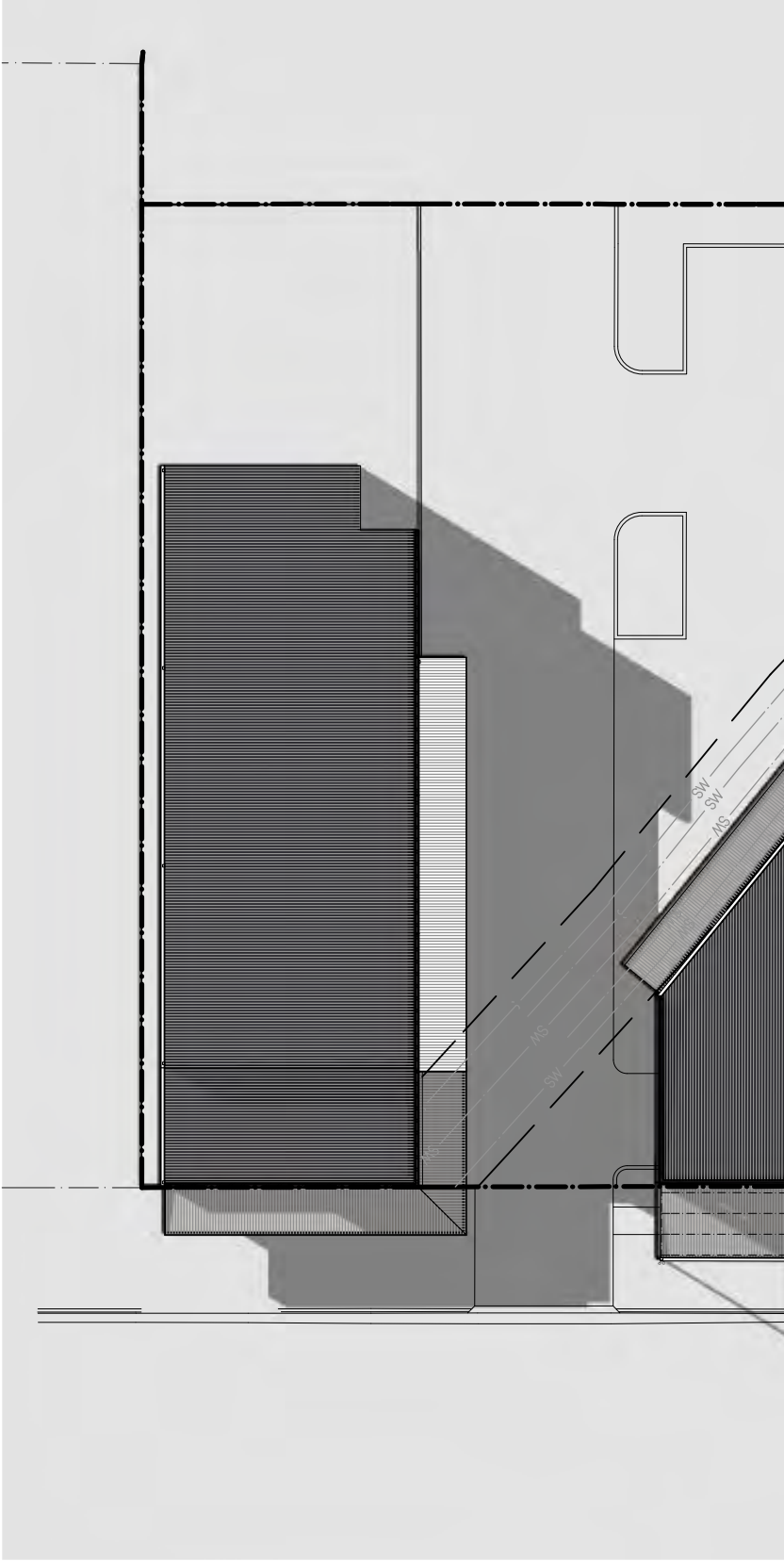
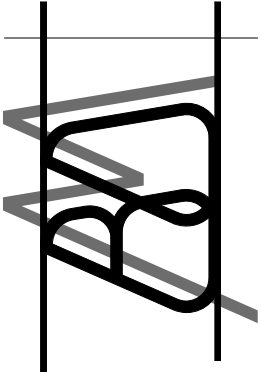
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Proposed Commercial Premises  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst

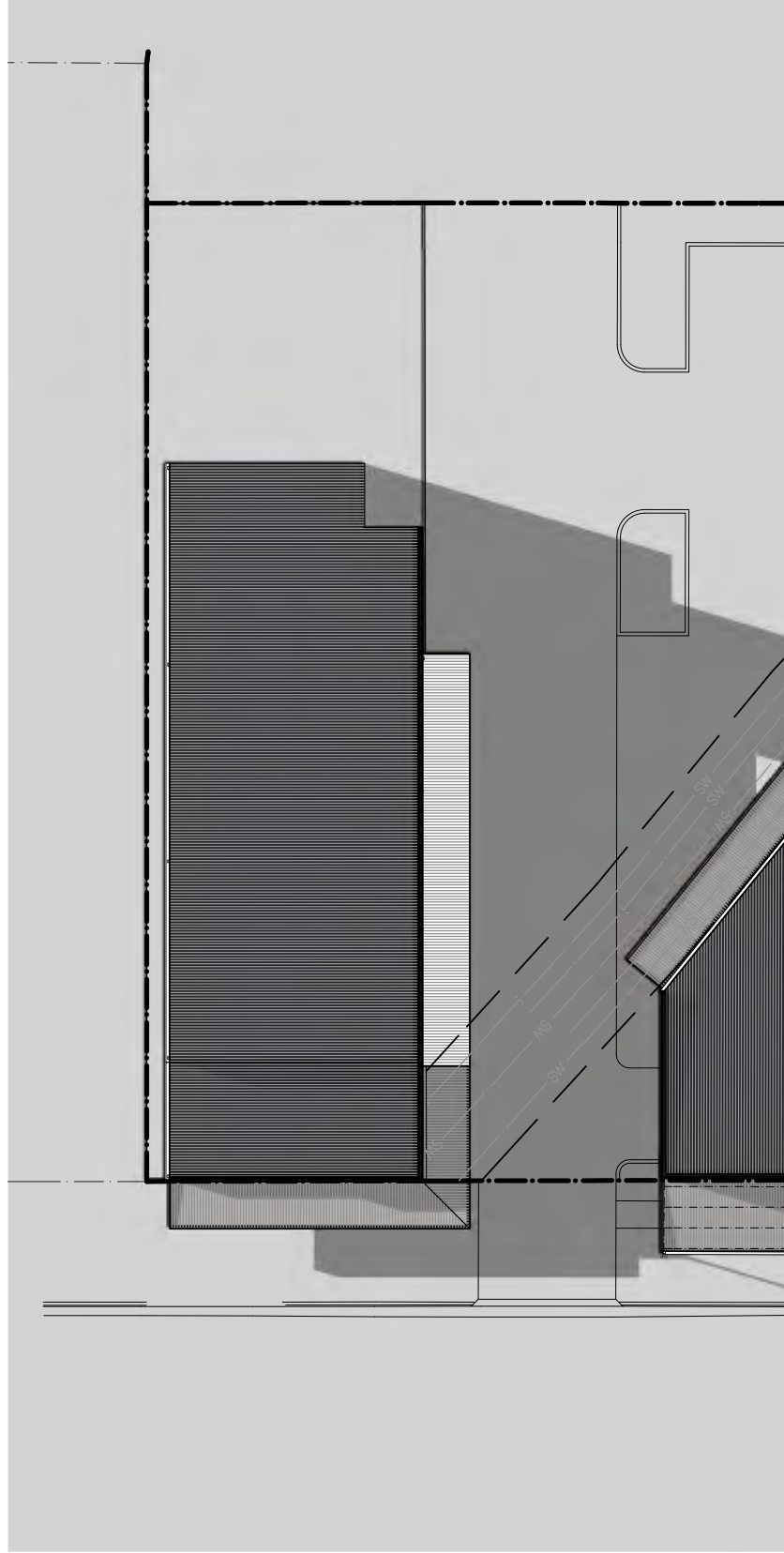


Sun Shadow Diagrams 2  
DACC 14  
Issue D  
Scale NTS  
Date: 11/06/2015  
Project: BMD131425





22nd June, 1.00pm



22nd June, 2.00pm

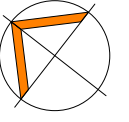


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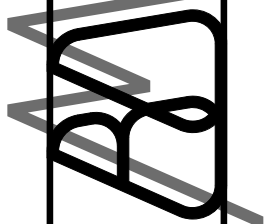
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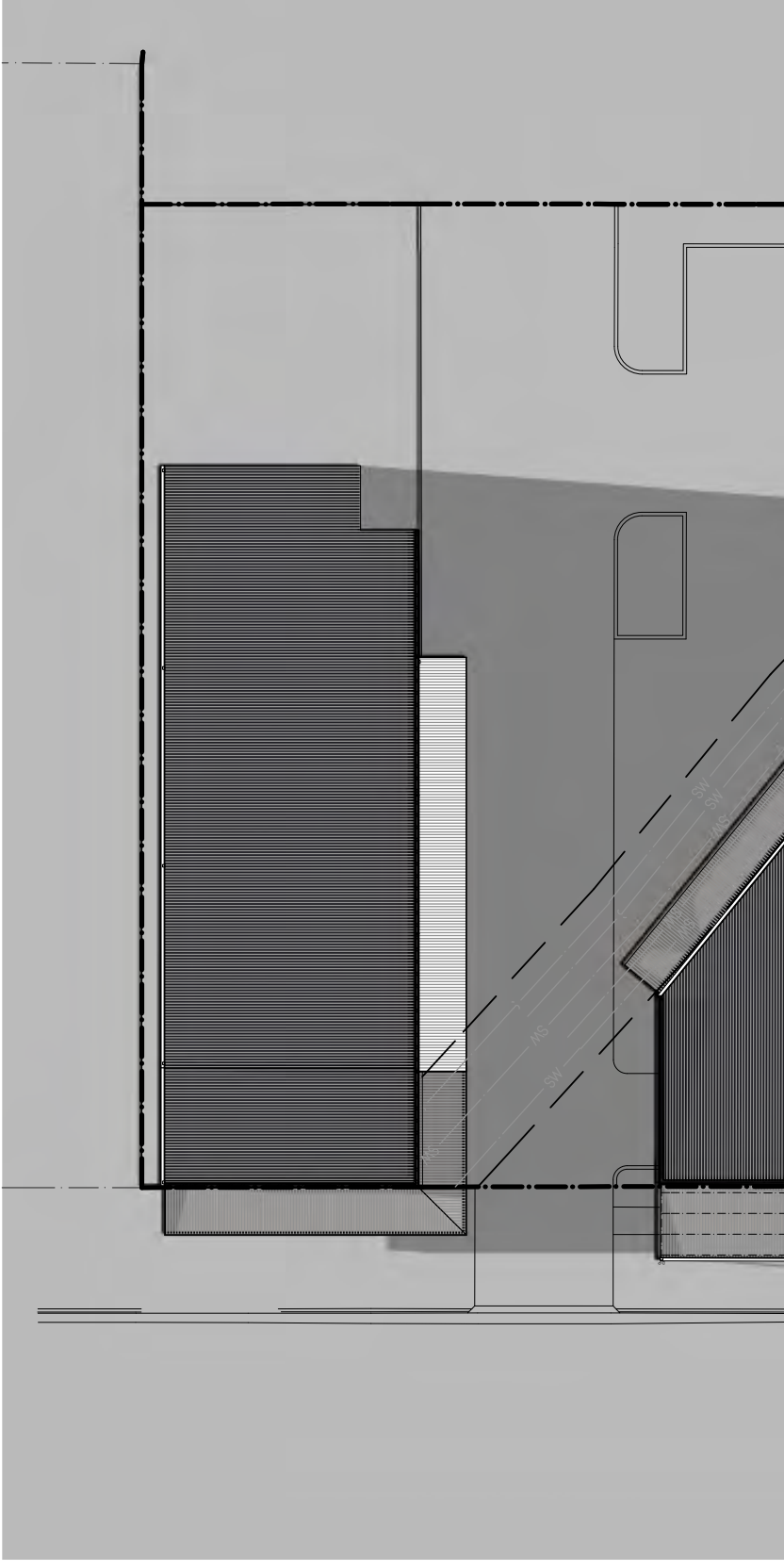
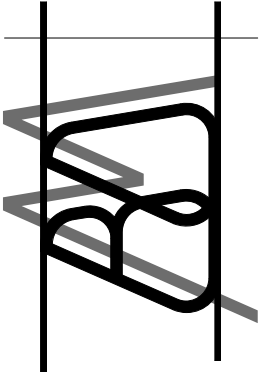
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**Proposed Commercial Premises**  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst



**Sun Shadow Diagrams 3**  
**DACC 15**  
Issue **D**  
Scale **NTS**  
Date: 11/06/2015  
Project: BMD131425





22nd June, 3.00pm

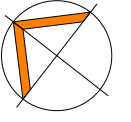
**Sun Shadow Diagrams 4**

**DACC 16**

Issue **D**

Scale **NTS**

Date: 11/06/2015  
Project: BMD131425



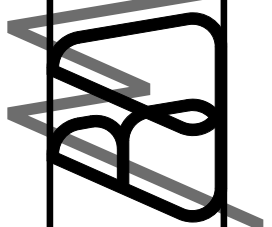
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3 Russell Street Bathurst NSW 2795



**General**

- Design & Construct drawings prepared on the basis of DA approved drawings and the client supplied Design Brief.
- Dimensions are in millimetres unless otherwise noted.
- All dimensions shall be verified on site by contractor prior to commencement of any works.
- Figured dimensions take precedence over scaled.
- 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, Class 2 to 9 Buildings
- All discrepancies are to be referred to designer for action.
- Ground levels shown are subject to preliminary survey only and as such final levels and confirmation of same remains the contractors responsibility.
- No liability will be accepted due to failure to observe & implement any of the above.

**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 Part J Assessment
- The builder is to comply with the requirements of all legally constituted authorities having jurisdiction over the building works
- Prior to the commencement of building work, the builder shall provide temporary toilet facilities for the use of subcontractors. On completion the builder shall remove the amenity.

**BCA Part J Notes****Ground Floor Insulation Requirements**

Selected R1.0 polystyrene edge insulation to be installed.

**Wall Insulation Requirements**

'Bradford' R2.5 Bulk insulation to be installed within the timber framed sections of the conditioned building area.

**Roof/Ceiling Insulation Requirements**

'Bradford' R3.5 Bulk insulation to be installed above the ceiling lining of the conditioned building area.

All insulation to comply with AS/NZS 4859.1 and to be installed in accordance with BCA Part J1.2.

**Glazing requirements**

Windows and doors to provide U- Value of 3.6 and SHGC value of 0.70.

**BCA Requirements**

- Soil & sediment erosion control in accordance with requirements of the department of land & water conservation are to be put into place prior to commencement of building works.
- All materials & structures shall comply with Section B - Structure of the BCA.
- All materials & assemblies must comply with Specification C1.10 of the BCA.
- All selected floor coverings to comply with Clause C1.10 of the BCA. A compliance report is to be provided to Council prior to granting of the Occupation Certificate in accordance with this Clause.
- All wet area floors are to be graded and drained to floor wastes to BCA & plumbing codes.
- An approved impervious wall/floor joints is to be provided to the perimeter of all wet areas to BCA & Council requirements.
- The electricity supply system must comply with Clause C2.13 of the BCA.
- Exits must be constructed in accordance with Clause D1.10 of the BCA
- The unobstructed height of the exit path must not be less than 2m in accordance with BCA Clause D1.6a.
- The unobstructed width of the exit path must not be less than 1m in accordance with BCA Clause D1.6bi.
- The stair, handrails & balustrades shall comply with Part D2 'Construction of exits' of the BCA.
- Doors & operation of latches are to comply with Parts D2, 19, D2.20 & D2.21 of the BCA.
- Thresholds shall comply with Clause D2.15(d) of the BCA.
- Location of services & equipment must comply with Clause D2.7 (d) of the BCA.
- Disabled access is to comply with AS1428.1.
- Accessible facilities, services & features are to comply with Clause D3.6 of the BCA.
- Tactile indicators are to be provided to comply with Clause D3.8 of the BCA.
- Certificates relating to essential services (list to come from Council) shall be submitted pursuant to Section E of the BCA.
- Exits are not to be locked at point of discharge.
- An emergency lighting system is to be provided in accordance with AS 2293.1 and Clause E4.2 of the BCA.
- Exit signage must be supplied and operated in accordance with Clauses E4.5 & E4.8 of the BCA.
- Fire hydrants are to be provided in accordance with Clause E1.4 of the BCA
- Fire house reels (positions shown on the plan) are to be installed in accordance with Clause E1.4 of the BCA
- Provide portable fire extinguishes in accordance with Section E, Clause E1.6 of the BCA.
- Fire precautions during construction shall be undertaken in accordance with section E, Clause E1.9 of the BCA.
- All stormwater drainage work shall be carried out to comply with Clause F1.1 of the BCA & AS/NZ 3500.3.
- All roof coverings to be installed in accordance with Clause F1.5 of the BCA & AS/NZ 1562.1.
- All Sarking to be provided and installed in accordance with Clause F1.6 of the BCA.
- Wet area watertproofing shall be carried out in accordance with Clause F1.7 of the BCA.
- All damp-proofing to be carried out in accordance with Clauses F1.9 & F1.10 of the BCA.
- All wet area floors are to be graded and drained to floor wastes in accordance with Clause F1.11 of the BCA.
- To comply with Clause F1.13 & Part J2 of the BCA, window and door frame and glazing qualities are to be supplied in accordance with the Glazing calculator attached to the BCA Part J Assessment.
- Disabled toilets & the fit out of the same are to comply with Part F2.5 of the BCA & AS1428.1.
- The ventilation of each room is to comply with Clause F4.5 of the BCA. The proposed mechanical ventilation system is to comply with AS 1688.2 and AS/NZS 3666.1. A compliance report is to be provided to Council upon completion.

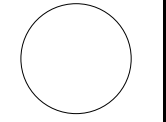


Brett Moulds Design & Drafting  
02 6332 5885  
0424156450  
bmdesigndrafting@bigpond.com  
3 Russell Street Bathurst NSW 2795

Clients signature required below to confirm design acceptance

Date	Amendment
21/02/14	A Issued for comment
11/04/15	B Issued for final comment
04/06/15	C Issued for comment
11/06/15	D Issued for DACC submission

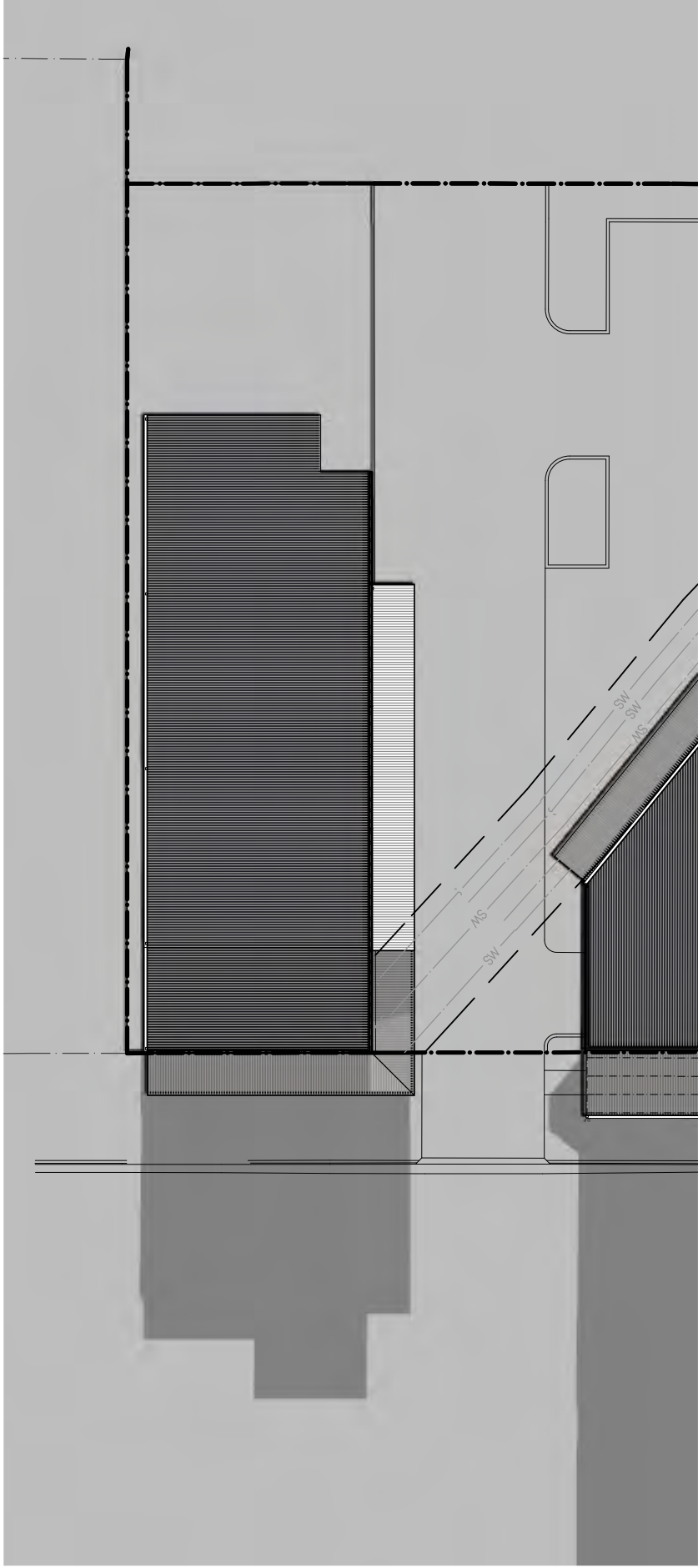
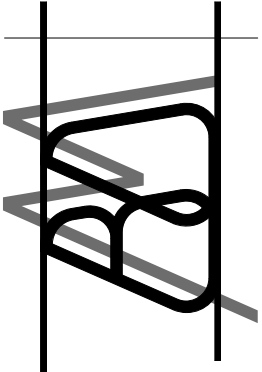
**Proposed Commercial Premises**  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst



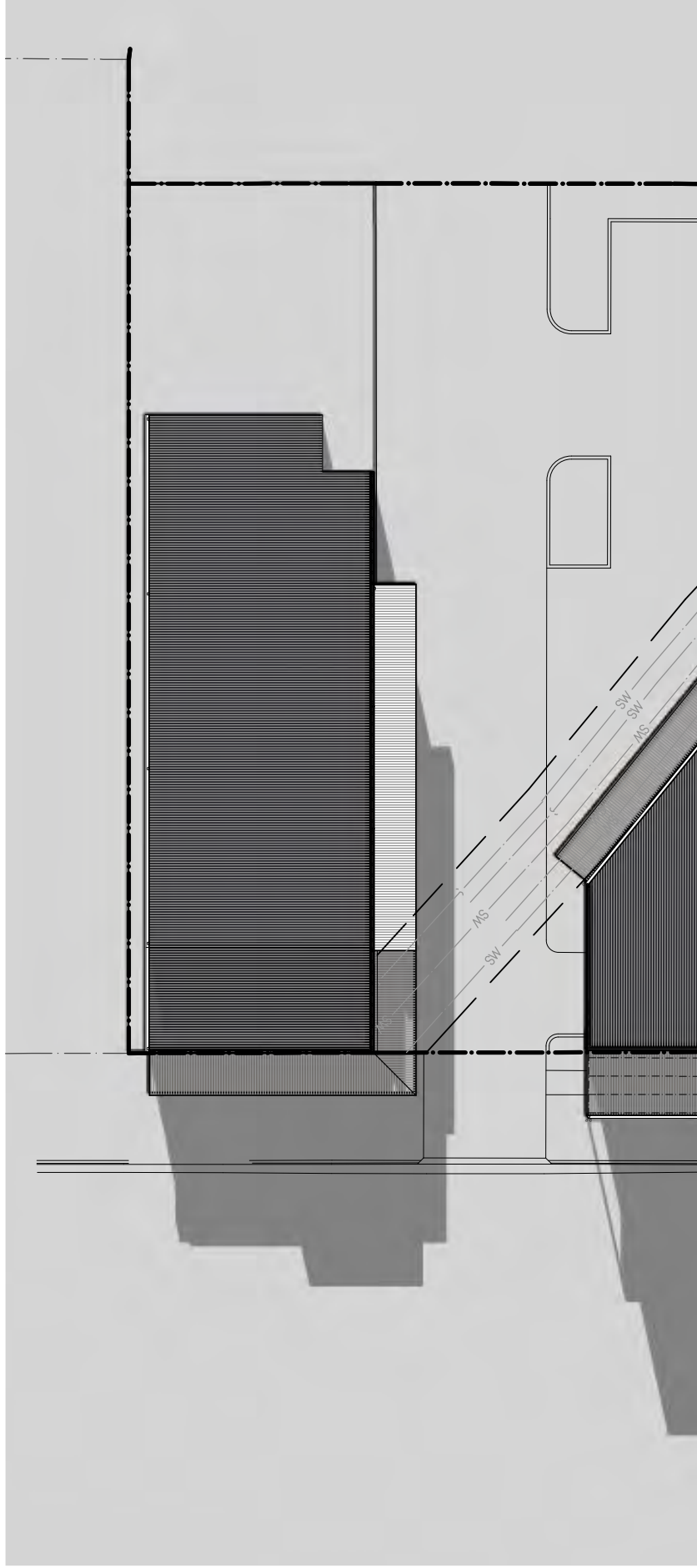
**Specification**  
**DACC 17**  
Issue **D**  
Scale **NTS**

Date: 11/06/2015  
Project: BMD131425





22nd June, 9.00am



22nd June, 10.00am

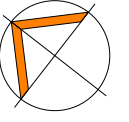


Brett Moulds Design & Drafting  
02 6332 5885  
0424156450  
bmdesigndrafting@bigpond.com  
3 Russell Street Bathurst NSW 2795

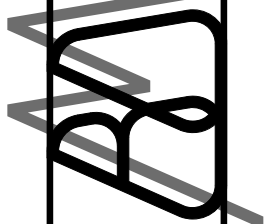
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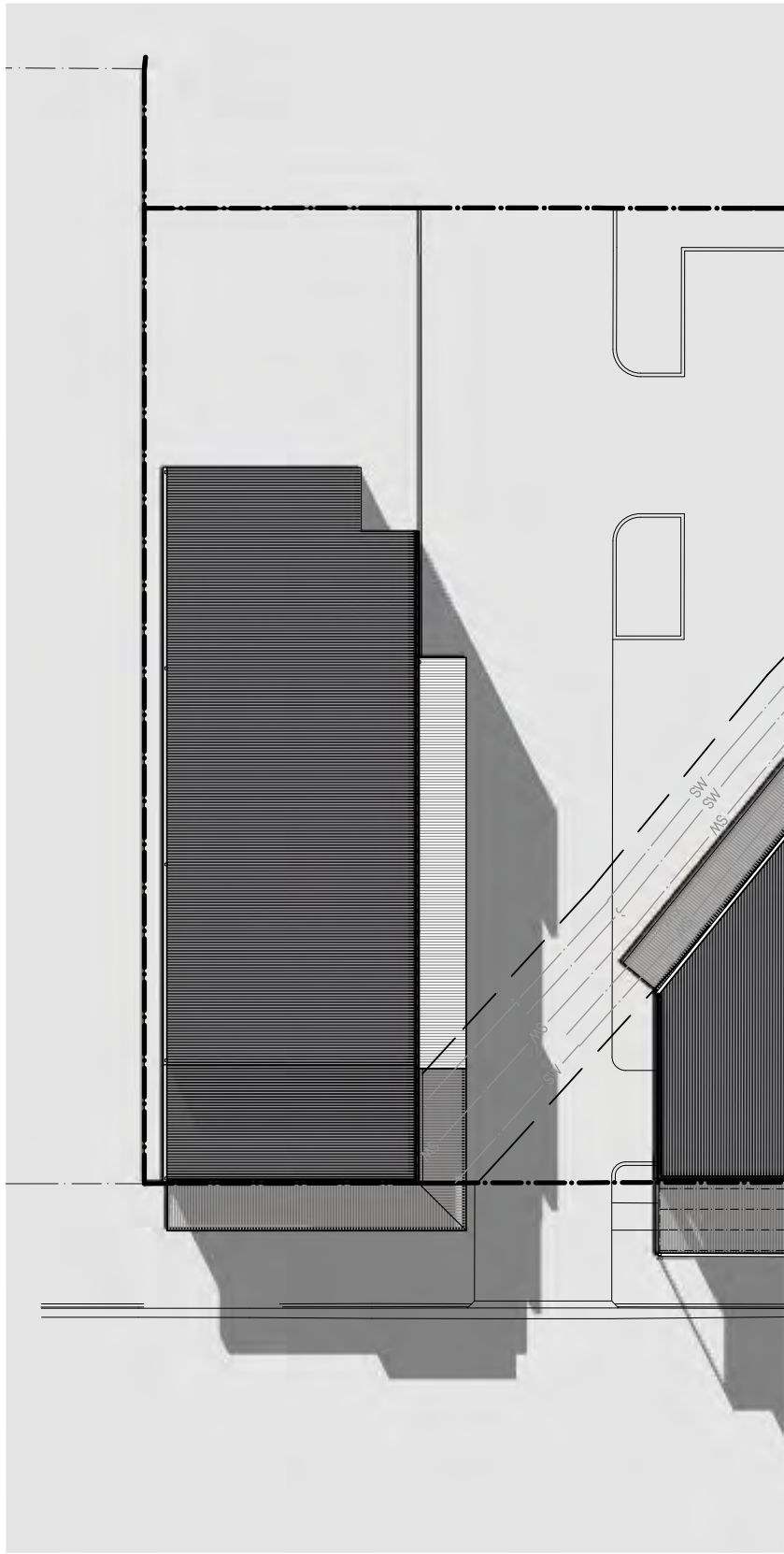
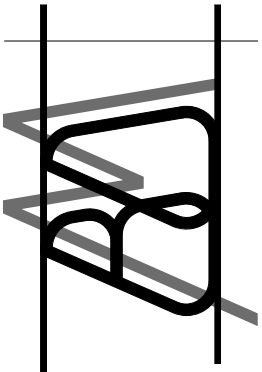
Date	Amendment
21/02/14	A Issued for comment
11/04/15	B Issued for final comment
04/06/15	C Issued for comment
11/06/15	D Issued for DACC submission

**Proposed Commercial Premises**  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst

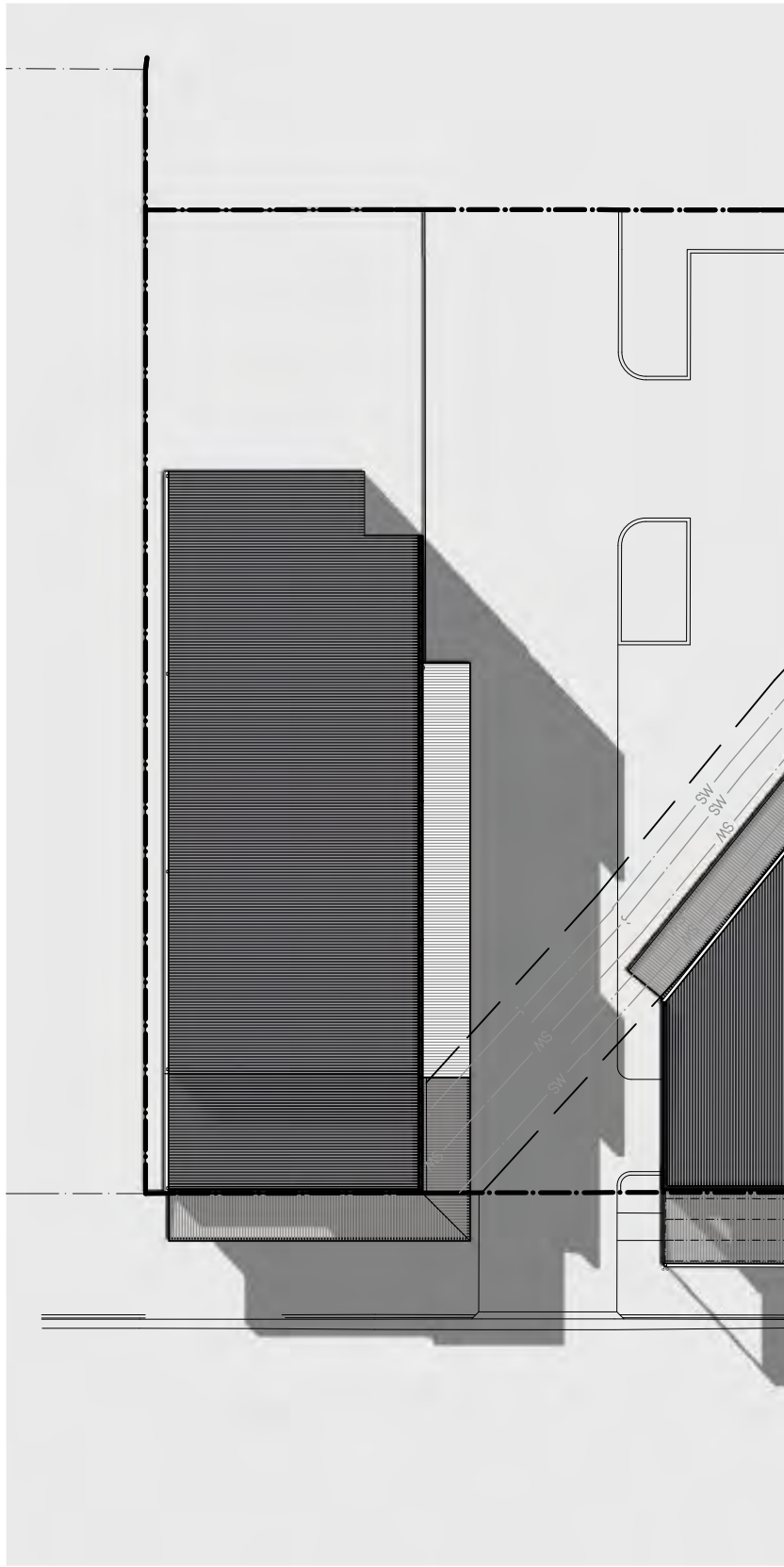


**Sun Shadow Diagrams 1**  
**DACC 13**  
Issue **D**  
Scale **NTS**  
Date: 11/06/2015  
Project: BMD131425





22nd June, 11.00am



22nd June, 12.00pm

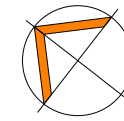


Brett Moulds Design & Drafting  
02 6332 5885  
0424156450  
bmdesigndrafting@bigpond.com  
3 Russell Street Bathurst NSW 2795

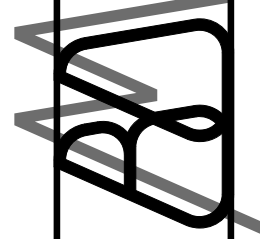
Clients signature required below  
to confirm design acceptance

Date	Amendment
21/02/14	A Issued for comment
11/04/15	B Issued for final comment
04/06/15	C Issued for comment
11/06/15	D Issued for DACC submission

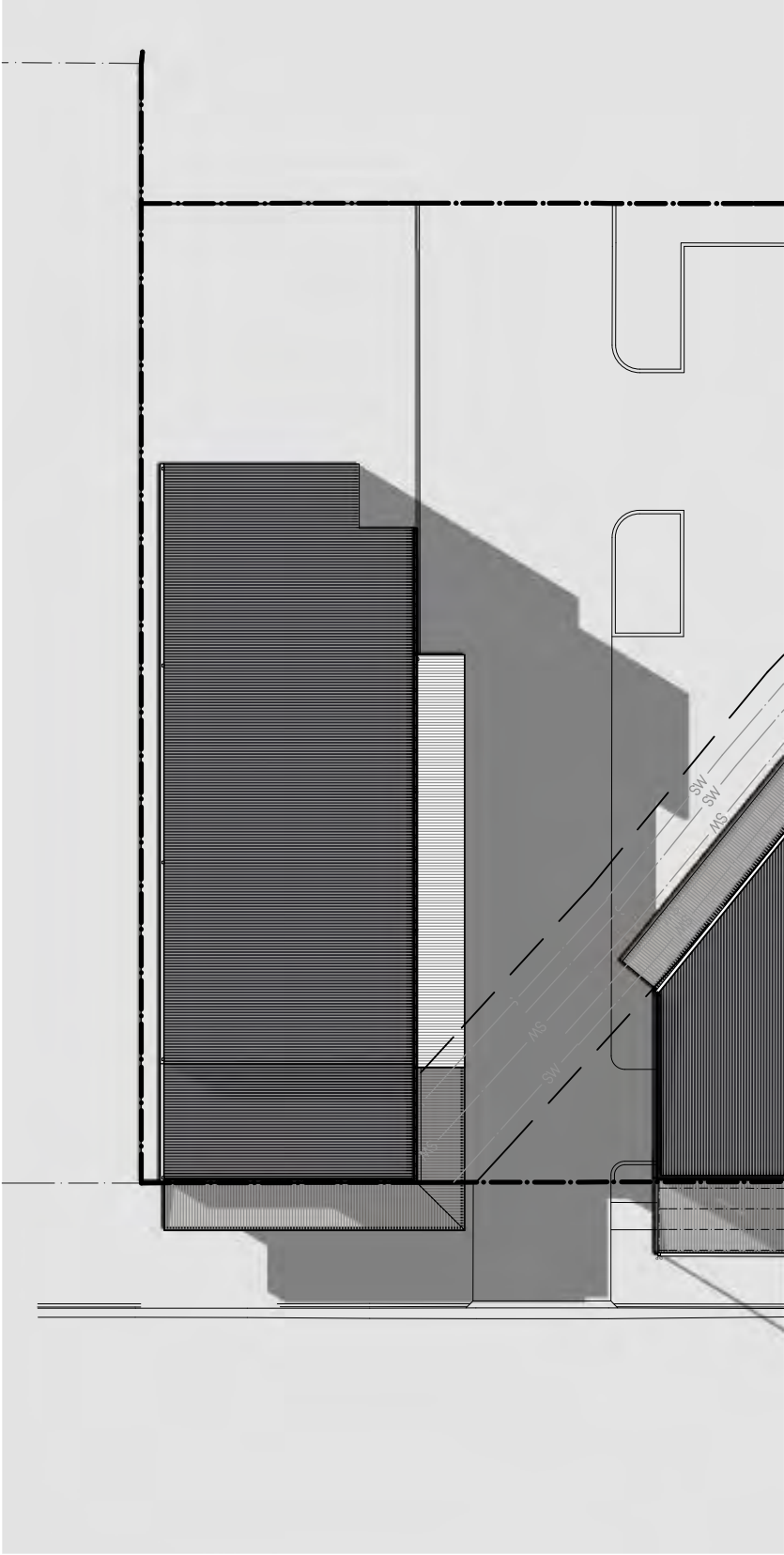
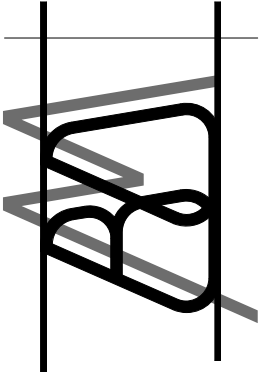
**Proposed Commercial Premises**  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst



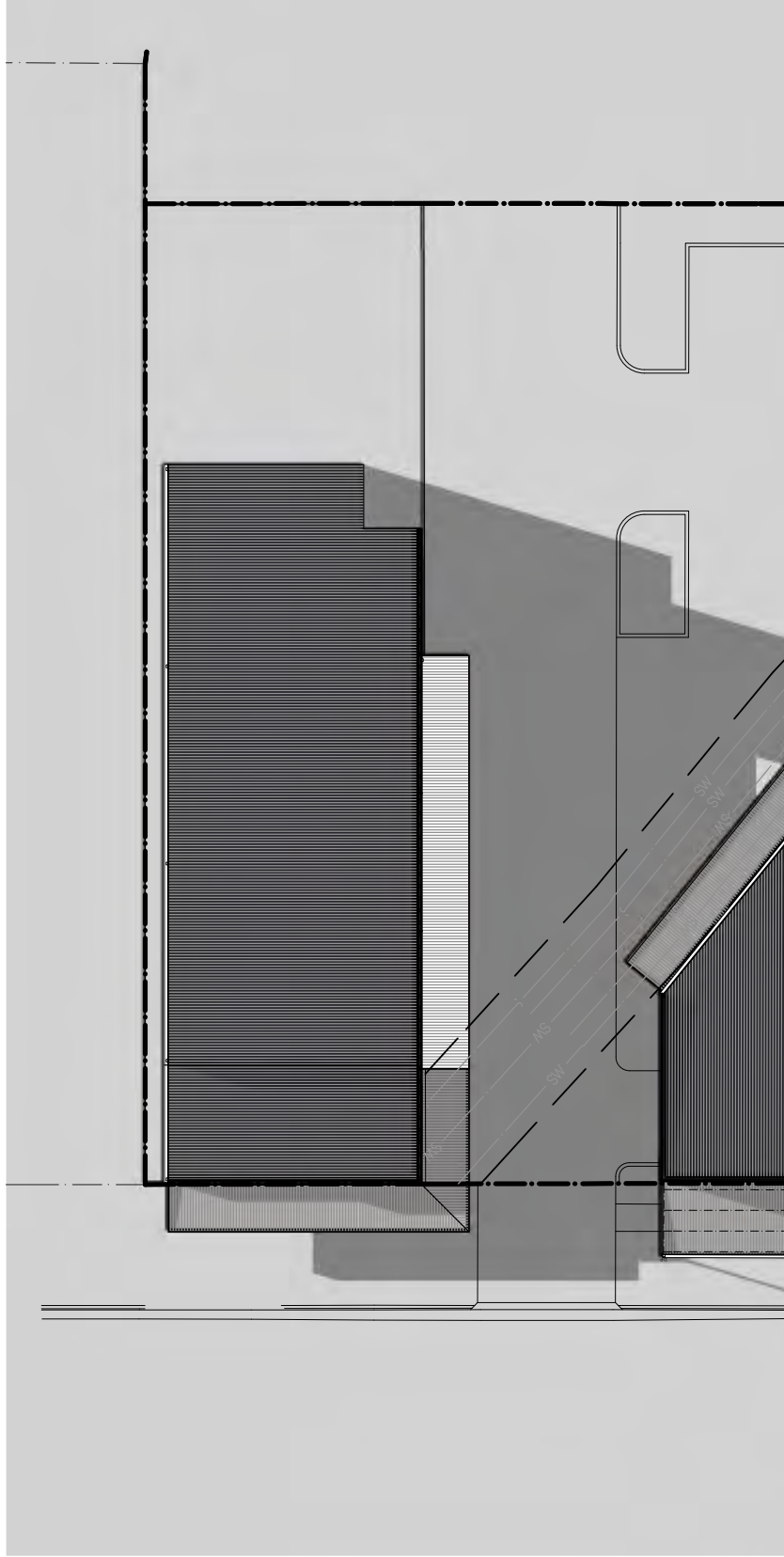
**Sun Shadow Diagrams 2**  
**DACC 14**  
Issue **D**  
Scale **NTS**  
Date: 11/06/2015  
Project: BMD131425







22nd June, 1.00pm



22nd June, 2.00pm

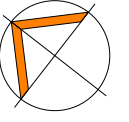


Brett Moulds Design & Drafting  
02 6332 5885  
0424156450  
bmdesigndrafting@bigpond.com  
3 Russell Street Bathurst NSW 2795

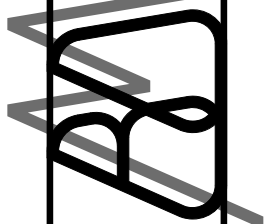
Clients signature required below  
to confirm design acceptance

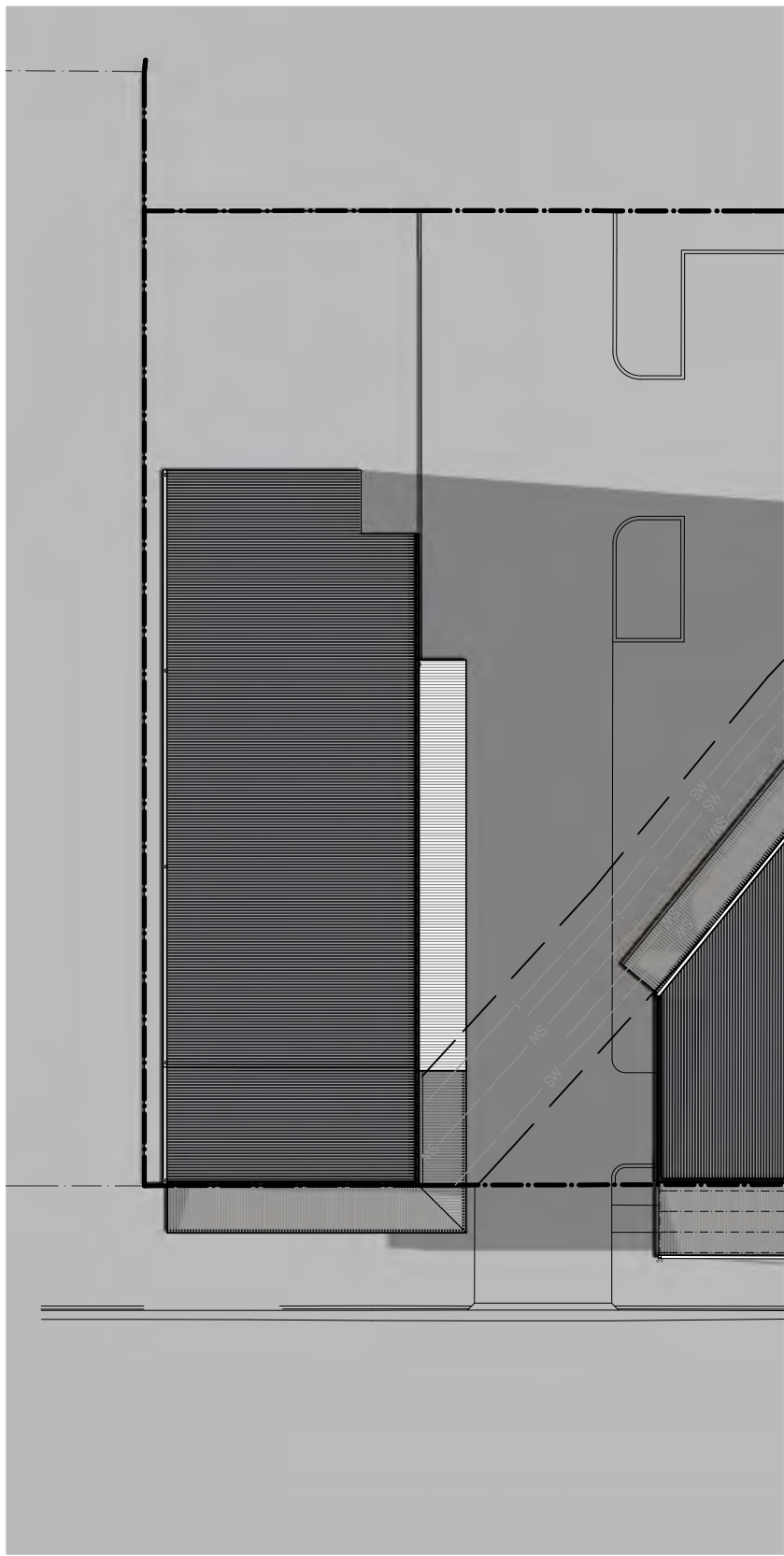
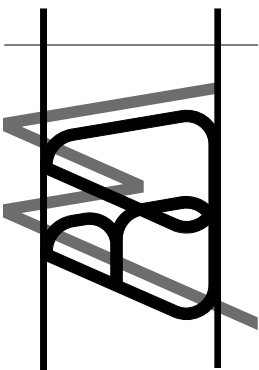
Date	Amendment
21/02/14	A Issued for comment
11/04/15	B Issued for final comment
04/06/15	C Issued for comment
11/06/15	D Issued for DACCC submission

**Proposed Commercial Premises**  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst



**Sun Shadow Diagrams 3**  
**DACC 15**  
Issue **D**  
Scale **NTS**  
Date: 11/06/2015  
Project: BMD131425





22nd June, 3.00pm

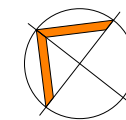


Brett Moulds Design & Drafting  
02 6332 5885  
0424156450  
bmdesigndrafting@bigpond.com  
3 Russell Street Bathurst NSW 2795

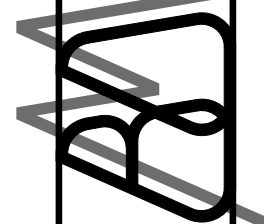
Clients signature required below  
to confirm design acceptance

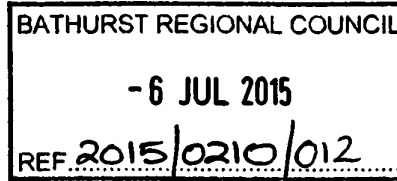
Date	Amendment
21/02/14	A Issued for comment
11/04/15	B Issued for final comment
04/06/15	C Issued for comment
11/06/15	D Issued for DACC submission

**Proposed Commercial Premises**  
Complete Business Partners Pty Ltd  
291 Stewart Street, Bathurst



**Sun Shadow Diagrams 4**  
**DACC 16**  
Issue **D**  
Scale **NTS**  
Date: 11/06/2015  
Project: BMD131425





Tim Davenport  
 PO Box 604  
 Lithgow, NSW  
 2790  
 0428 881 206  
[timdav18@gmail.com](mailto:timdav18@gmail.com)

The General Manager  
 Bathurst Regional Council  
 Private Mail Bag 17  
 Bathurst, NSW  
 2795  
[council@bathurst.nsw.gov.au](mailto:council@bathurst.nsw.gov.au)

3 July, 2015

Dear Sir/Madam,

I wish to express my concern with several aspects of development application no 2015/0210 at 291 Stewart Street, Bathurst, otherwise known as Beaumont Tiles.

I own the residence at 219 Rocket Street, which will be two doors down from this warehouse and believe the building, as it is proposed, will likely have an overbearing aesthetic impact on my property, detracting from street appeal and bringing down its resale value.

I appreciate this lot has been re-zoned as commercial, but the proposed building seems better suited to an industrial area than a commercial/residential area.

The main reasons I say this are:

- The size of the building, namely its massive wall height at 5.3 metres on the boundary of a low-set home.
- The enormous footprint of the building, filling the entire *rezoned* lot. The homes adjoining this building are set back from the footpath and would be dwarfed by this concrete monolith. I appreciate that the business owners would like to maximise their usable floor space and storage height in this building, but this proposal is just plain greedy (and again better suited to an industrial area). Clearly no residence would be allowed to build out its entire block with an enormous building and nor should this development.

A more reasonable proposal that would blend in to the existing streetscape, would have a building with a lower wall height along the immediate border with the home at 217 Rocket Street. This would allow for the use of a sloping roofline which would be much more aesthetically pleasing where adjoining a residential area. Yes, some high storage space

DEPB ✓

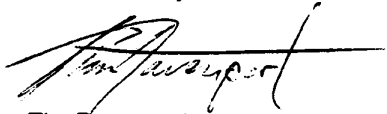
would be lost, but in doing so the building would become a 'better neighbour' rather than a 'bullying neighbour.'

The warehouse should also be set back from the footpath in line with the homes next door (and in line with the existing home to be demolished). This would have two benefits:

1. A much less overwhelming street appearance, conforming with the existing Rocket Street frontages.
2. The opportunity to add some staff parking spaces to address another imposition this business has on the residents of Rocket Street; namely, the employees of Beaumont Tiles filling up the off street parking in front of residences during business hours. This development proposal is no doubt already exceeding the reasonable expectations of residents nearby. Indeed, there needs to be no further impact on those in the residential zoned area adjoining. That is to say, all parking for customers and staff of this business need to be contained within the commercial zoned allotment.

I hope these suggestions are helpful to Council in achieving a more reasonable development for both the residents adjoining this business and the owners of Beaumont Tiles. I look forward to working together with Council and the developers towards achieving this end.

Yours faithfully,



Tim Davenport



**To:** epb secretary/BathurstCC,  
**Cc:**  
**Bcc:**  
**Subject:** Fw: Attn. The General Manager (MAIL)  
FILE NO 2015/0210

----- Forwarded by Donna Ball/BathurstCC on 06/07/2015 09:25 AM -----

**From:** Tim Davenport <timdav18@gmail.com>  
**To:** council@bathurst.nsw.gov.au,  
**Date:** 05/07/2015 08:18 PM  
**Subject:** Attn. The General Manager

---

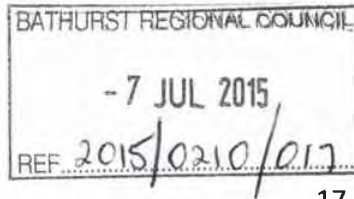
Please find attached submission for development application no 2015/0210.

[Report this message as spam](#)



- Council Submission.pdf

17



17 Carlyle Ave.  
Llanarth NSW 2795  
4 July 2015

The General Manager  
Bathurst Regional Council  
Private Mail Bag 17  
Bathurst NSW 2795

Re: Notice of Proposed Development Application No 2015/0210....215 Rocket Street.

Dear Sir,

I wish to support any objections to the proposed development for the following reasons.

1. Having friends and relatives as homeowners adjacent to the proposed development, I and my family find it increasingly difficult to park a comfortable distance from the proposed development at the present time, let alone if the proposal goes ahead. I believe staff at the present building on the corner of Stewart Street are forbidden to park within the confines of their present parking area thus making for a congested residential roadside. I might mention that I am the holder of a "Disability Parking Permit" until February 2019 and the inability to park in close proximity to my friends causes me unnecessary concern.
2. My understanding is that the area in question is "Heritage Listed". I find it confusing that such an area is to be "invaded" by an extension/ amalgamation of **two portions into one** to satisfy the **Commercial** desires of one company without **Public** consultation! The proposal to demolish an existing cottage that meets the strict conditions to conform to heritage listed guidelines is, in my view, appalling especially in the year of our "200 celebrations."
3. Rocket Street is a **Residential** area and no manipulation by **Commercial** companies should be considered without full consultation, in this instance, with the Historical Society and potentially affected residents. Anything less is an affront to our City residents. Communication only by Notice in Weekend Advocate "Council News" on Saturday 20 June is an insult to adjacent/ affected residents.

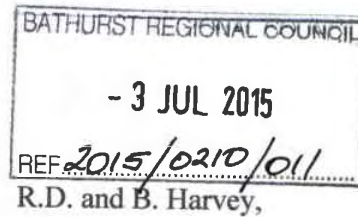
Yours faithfully,

M.J. Hardie

DEPB ✓







//

258 Rocket Street,  
Bathurst. N.S.W. 2795

1<sup>st</sup> July, 2015

The General Manager,  
Bathurst Regional Council,  
Private Mail Bag 17,  
Bathurst. N.S.W. 2795

Reference: Development Application 2015/0210  
215 Rocket Street and 291 Stewart Streets, Bathurst

Dear Sir,

Our home is situated at 258 Rocket Street and is opposite the proposed development. We built it in 2008 in a residential and heritage area and cannot understand why an industrial type building, such as this, is being considered for this area.

With regards to the existing building, Beaumont Tiles, we accept that Stewart Street is in a commercial zoning but the impact the design of this building has had on the surrounding streetscape is, in our opinion, very inappropriate. To continue this type of design into the residential and heritage area along Rocket Street is unacceptable.

One local developer has shown all Bathurstians that an architectural design, sympathetic to the area, can still provide practical and modern use without offending our beautiful city.

We cannot understand why Bathurst City Council saw fit to extend the commercial area zone in Stewart Street to include a residential zoned block of land in Rocket Street. Has this type of commercial development zoning been extended to every other cross street off Stewart? If not, the precedent has now been set for any future applications and this is cause for grave concern to residents who live in similar areas to us.

After inspecting the Development Plans that are on display we wish to lodge our objection to the following points:

1. A 5.3M high concrete block wall, 1 metre off the boundary of an adjacent residence which has a low profile, completely blocks out the sun all day.
2. The proposed warehouse is built to the front boundary of the allotment putting it at odds with the streetscape of this area. All residents in this area have a set back from the front boundary providing an area for landscaping.
3. The large high concrete block walls on the front elevation, with brick batts glued to the surface forming panels to give the impression of a heritage nature is something new to what we understand heritage design to be.

DEPBS-R

4. We used to have early morning sun come in our front windows prior to the erection of the Tile Shop. We now don't see the sun till 7 am. With the warehouse going up in its proposed position we won't expect the sun till mid morning.
5. Parts of the warehouse will still have parapet walls in excess of 8.3 metres high. We will not know how this impacts on our properties until the building is completed and, of course, that will be too late.
6. With the new warehouse building comes more traffic, parking problems affecting the general traffic movement on a very busy highway intersection as the proposed design allows both ingress and egress traffic flow on the two driveway locations, one in Stewart Street and one in Rocket Streets. Maybe one way traffic should be considered eg. Entry Rocket Street and exit Stewart Street.
7. Parking outside our home has become a real problem since the Tile Shop has been built because the employees of this building park in the street outside our homes. This means visitors to our homes during the day have to park a block away to visit us. We have been told unofficially that the employees were told not to park in the designated parking area within the Tile Shop area.

We request that you seriously consider the following suggestions we make regarding the location of the proposed Warehouse as we, and other residents of the area, have made a huge investment based on this area being a residential area.

- With the area available when the two Lots are consolidated, the warehouse could be located along the Northern boundary adjacent to the new Units. This would have almost no impact on the streetscape and help to maintain a residential appearance in Rocket Street.
- Landscaping along the front boundary of Rocket Street could be used to hide the Industrial type building.
- Shadows from the Building would fall within the site for most of the day.
- The site at 215 Rocket St could be used for parking and adjoining houses would retain their appearance.

Another alternate location for the Warehouse could be along Stewart Street, joining the Tile Shop with similar results as above.

Another alternate location would be to move the proposed Warehouse building in a Northerly direction towards the rear of the allotment leaving the front section for parking and landscaping to soften the impact of this stark industrial building.

**Design:**

The Building should be more in line with the Heritage design:

1. Pitched roof on the view from the street
2. External walls constructed in a suitable face brick
3. Colour scheme in line with heritage guidelines
4. Landscaping along Rocket Street to soften the impact of such a high building.

Whilst submitting our concerns, we think back to the problems we had from the Heritage Society and Council in areas such as design, colour schemes, fences, demolition, tree removal, access to the house (had to be from Gladstone Street re traffic in Rocket Street) and front and side setbacks from boundaries. It appears these conditions of approval only apply to individual residences being constructed in a heritage area whereas the rezoning of a residential block in a heritage area removes the need for a Developer to comply with heritage requirements.

Bathurst Regional Council should seriously look at notifying property owners and residents within the area concerned when major changes such as this proposed development are being considered as the impact of this type of development in a residential area dramatically impacts on the environment, traffic safety, resident's privacy and lifestyle.

We hope you will take serious note of our concerns as if this Development proceeds in its present proposed state it is setting a precedent for future Developers to imitate.

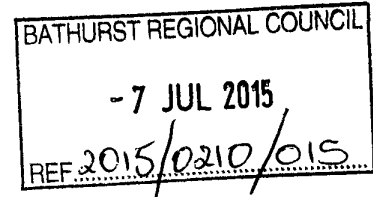
We have offered a number of suggestions which could offer both the residents and Developer an acceptable compromise without changing the proposed use of the Development.

Yours faithfully,  
R.D. and B. Harvey,



58 Hope Street  
Bathurst  
NSW 2795

Mr David Sherley  
General manager  
Bathurst Regional Council  
Bathurst NSW 2795



Dear Mr Sherley

I am writing to protest against the proposed development DA 2015/0210 at 215 Rocket Street / 291 Stewart Street.

The impact of this on the surrounding residential area really concerns me. I have a friend who lives in Rocket Street opposite the proposed warehouse, which would be a real blight on the streetscape for her and her neighbours. They were given no notice of the development, or opportunity for discussion.

The height of the existing Beaumont Tiles building is already excessive, and a monstrous eyesore at the entrance to our heritage city from the Orange and Blayney roads.

To then extend this into a residential street is most unfair!

Another issue is that of parking for residents and their visitors, already compromised by the employees of Beaumont Tiles being forced to park in the street.

Does this development meet appropriate planning and due process requirements? I consider the consolidation of the two lots to be totally inappropriate.

I ask Bathurst Regional Council to please consider this matter very seriously, and to allow a forum for discussion and community consultation.

Yours sincerely

Libby Loneragan

GM ✓  
DEPBS /



**Fw: L. Loneragan : Rocket St DA 2015/0210**  
**Ashlee Cutter** to: Group Records

07/07/2015 08:46 AM

Morning records,

please register attachment to DA2015/2010.

Thanks

Ashlee Cutter  
Senior Heritage Planner  
Bathurst Regional Council  
158 Russell Street Bathurst 2795  
Phone: 02 6333 6130  
Fax:  
[www.bathurst.nsw.gov.au](http://www.bathurst.nsw.gov.au)

----- Forwarded by Ashlee Cutter/BathurstCC on 07/07/2015 08:46 AM -----

From: Daniel Dwyer/BathurstCC  
To: Ashlee Cutter/BathurstCC@BathurstCC,  
Date: 07/07/2015 08:07 AM  
Subject: Fw: L. Loneragan : Rocket St DA 2015/0210

Daniel Dwyer  
Senior Development Control Planner  
Bathurst Regional Council  
158 Russell Street Bathurst 2795  
Phone: 02 6333 6212  
Fax:  
[www.bathurst.nsw.gov.au](http://www.bathurst.nsw.gov.au)

----- Forwarded by Daniel Dwyer/BathurstCC on 07/07/2015 08:07 AM -----

From: Janet Bingham/BathurstCC  
To: Daniel Dwyer/BathurstCC@BathurstCC,  
Date: 06/07/2015 03:22 PM  
Subject: Fw: L. Loneragan : Rocket St DA 2015/0210

Another one for you to get to the right person.

Janet Bingham  
Manager - Strategic Planning  
Bathurst Regional Council

158 Russell Street Bathurst 2795  
Phone: 02 6333 6214  
Fax: 02 6332 9960  
Mobile: 0428 308 250  
www.bathurst.nsw.gov.au

----- Forwarded by Janet Bingham/BathurstCC on 06/07/2015 03:21 PM -----

From: David Sherley/BathurstCC  
To: Richard Denyer/BathurstCC@BathurstCC, epb secretary/BathurstCC@BathurstCC, Janet Bingham/BathurstCC@BathurstCC,  
Cc: David Sherley/BathurstCC@BathurstCC  
Date: 06/07/2015 01:56 PM  
Subject: L. Loneragan : Rocket St DA 2015/0210

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David Sherley  
General Manager  
Bathurst Regional Council  
158 Russell Street Bathurst 2795  
Phone: 02 6333 6201  
Fax: 02 6331 7211  
www.bathurst.nsw.gov.au

----- Forwarded by David Sherley/BathurstCC on 06/07/2015 01:54 PM -----

From: Libby Loneragan <l loneragan@bigpond.com>  
To: David.sherley@bathurst.nsw.gov.au,  
Cc: Graeme Hanger <graeme.hanger@bathurst.nsw.gov.au>  
Date: 06/07/2015 01:54 PM  
Subject: Rocket St DA 2015/0210

---

Dear David  
Please find attached letter of concerns re this development

Libby Loneragan

--

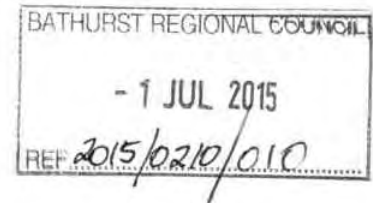
Click here to report this message as spam:  
<https://console.mailguard.com.au/ras/1M1W1X7sRN/2i4wNPK6F5RFBtpnzEkhvZ/0>



Rocket st warehouse.docx

256, Rocket Street,  
Bathurst 2795  
28 th June 2015

The General Manager,  
Bathurst Regional Council,  
Private Mail Bag 17,  
Bathurst NSW 2795



Re. Notice of Proposed Development Application No 2015/0210  
Lot:462 DP 718644, Lot O SP 89817 215 Rocket Street Bathurst

Dear Sir,

As the owner of property 256, Rocket Street Bathurst I live directly opposite this proposed development.

I am aware Stewart Street is considered Commercial and have always understood Rocket Street to be a Heritage Residential area.

There is some suggestion that the 291 Stewart Street and 215 Rocket Street blocks have been combined into one commercial block which astounds me.  
Where do residential guidelines and consultations apply?

Already the construction of the 291 Stewart Street building has caused concern to me and other residents in this area.

- \* I no longer witness the sunrise
- \* The footpath adjacent to that building has no sunlight until well into the afternoon
- \* The car park, being off limits to staff, causes cars to be parked in all available areas outside my, and other residences, on week days causing inconvenience to visitors and others accessing our homes.
- \* When making extensions etc to this cottage on every occasion since purchase in 1996, we have been under strict conditions to conform to the heritage listed guidelines
- \* The residents in this heritage listed area take pride in the historical considerations and take offence at the apparent intended changes to the streetscape which will destroy the residential ambience of this area.

I'm advised the plans allow for a 5.3m height for the lowest wall and a top parapet of 8.3m This will further destroy access to morning sunlight and if built in line with the current building will certainly have a detrimental effect on the value of our property.

Should this building be allowed to proceed may I suggest some solutions that could be considered to lessen the concerns of residents:

- 1) The warehouse could be erected adjacent to the current building in the area currently the car park. This would be in keeping with the commercial area being on Stewart Street. And it would allow the 215 Rocket Street site to be conformed into a landscaped car park
- 2) Should 1) be unacceptable, and 215 Rocket Street remain the warehouse site it should be built at the very rear of that block with landscaping provided on the streetscape. This would ensure the slip back from the adjoining buildings as is expected and demanded for others in this residential area.

DEPBS ✓



Thank you for your consideration of this matter, I look forward to your reply

Yours faithfully



JulieAnn Maher



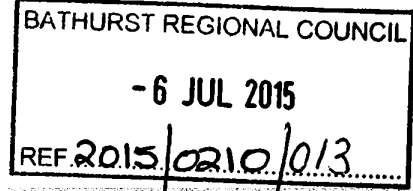
**National Trust submission re DA Cnr Rocket and Stewart Streets DA 2015/0210**

David Sherley to: Richard Denyer, epb secretary, Janet Bingham

06/07/2015 07:35 AM

Bcc: Council

File Number. 1  
Your Ref.  
Full Name. Iain McPherson & Fran White  
Title.  
Organisation.



David Sherley  
General Manager  
Bathurst Regional Council  
158 Russell Street Bathurst 2795  
Phone: 02 6333 6201  
Fax: 02 6331 7211  
www.bathurst.nsw.gov.au

----- Forwarded by David Sherley/BathurstCC on 06/07/2015 07:34 AM -----

From: "Iain McPherson and Fran White" <franceswhite@activ8.net.au>  
To: <david.sherley@bathurst.nsw.gov.au>,  
Cc: <mayor@bathurst.nsw.gov.au>  
Date: 05/07/2015 10:40 PM  
Subject: National Trust submission re DA Cnr Rocket and Stewart Streets DA 2015/0210

Please find attached the Bathurst and District Branch National Trust submission re DA 2015/0210 215 Rocket Street, 291 Stewart Street.

Iain McPherson  
Chairperson

Bathurst and District Branch  
National Trust of Australia (NSW)

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DA 2015 210 215 Rocket and 291 Stewart Street National Trust submission.doc

DEPB ✓  
GM ✓

The National Trust  
Of Australia (New South Wales)



Bathurst & District Branch

General Manager  
Bathurst Regional Council  
Russell Street  
BATHURST NSW 2795

c/o PO Box 830, Bathurst NSW 2795

Dear Mr Sherley

**Re: DA 2015/0210 215 Rocket Street, 291 Stewart Street**

The Bathurst and District Branch of the National Trust of Australia (NSW) wishes to make a submission in relation to this development application for demolition and construction on a site zoned commercial in the Bathurst Conservation Area.

We recognise that the proposed site is zoned commercial but note that the site significantly impacts on the surrounding residential area. This site is also an important part of the entrance to Bathurst from Orange and Blayney and therefore is important in the presentation of Bathurst.

We also wish to comment that this development application involves a further development on the amalgamated site with the Beaumont Tiles building which has been a real disappointment to many residents of Bathurst because of its excessive bulk and disproportionate rendering of the elements of the building. It is important therefore that any further development on this site does not further exacerbate the shortcomings of the current building. We note that we were not able to comment on the development application for the Beaumont Tiles building as it was a vacant site and dealt with under delegated authority without the opportunity for community input.

We make the following points:

1. In relation to the Rocket Street elevation

Whilst the building does present with a more appropriate bulk and scale, we are of the view that there should be some setback from Rocket Street to give recognition that it is a merge point between a site zoned for commercial development adjoining and opposite a residential area. We also note that from this perspective, the end of the false parapets to a height of 8.150 metres from this elevation echoes the excessive bulk of the Beaumont Tiles building. This needs to be reduced.

We understand that the adjacent residents of Rocket Street are already disadvantaged because of the parking arrangements for the occupants of the Beaumont Tiles building office who have been advised that they are not to park in the parking area which is reserved for customers. There are only four additional parking spaces shown in the development application for the commercial offices and warehouse in this development application when anecdotal evidence tells us that office occupants park along Rocket Street, outside residential premises.

## 2. Stewart Street – elevation 2

The scale and bulk of the proposed building from this elevation echoes the excessive and disproportionate bulk of the Beaumont Tiles building. This issue is exacerbated by the proposed false parapets to a height of 8.150 metres, partly caused by the use of projecting sections of the façade, and the excessive height of the sloping roof of the warehouse section. We also note that the drawings do not detail how the proposed verandahs are supported. We note and welcome the use of some brickwork detailing on this façade, in marked contrast to the wall treatment below the excessively high verandah on the Beaumont Tiles building. However, we are of the view that the elevation 2 from Stewart Street will benefit from a redesign in order to create an enhanced street presentation and a marked contrast to the Beaumont Tiles building.

## 3. Overshadowing and bulk

The proposed development application is for a large building adjacent to a residential area. Whilst we have been provided with some shadow diagrams (1,2,3 & 4), there does not appear to be any drawings which describe the shadow effect on the neighbouring residential buildings between dawn and 10 am, which are potentially of great significance in their effect on the amenity of neighbours.

The Rocket Street adjacent residential neighbours will have a building at least 5.5 metres high, one metre from their boundary. If the proposed sloping roof and parapet is not lowered, the current parapet height of 8.150 metres will only be approximately 10 metres from the boundary. The bulk of this building as shown in elevation 3 and elevation 4, must be reduced if we are to avoid another ugly 'blob' within our heritage conservation area.

## 4. Signage

The proposed signage panels currently do not appear to meet the development control plan provision that they not exceed 5% of the relevant façade and therefore need to be modified.

We request the opportunity to participate in a discussion forum in order to achieve a plan which meets community expectations for the quality of building design in the conservation area and at the entranceway to our city.

Yours sincerely

(emailed)

Iain McPherson

Chairperson  
Bathurst and District Branch  
National Trust of Australia (NSW)

PO Box 830  
Bathurst NSW 2795

5 July 2015



**To:** epb secretary/BathurstCC, David Sherley/BathurstCC, Wendy MacDougall/BathurstCC,  
**Cc:**  
**Bcc:**  
**Subject:** Fw: Rocket Street development Application No 2015/0210 (MAIL)  
 FILE NUMBER: 2015/0210

BATHURST REGIONAL COUNCIL  
 - 6 JUL 2015  
 REF: 2015/0210/014

----- Forwarded by Helen Hurditch/BathurstCC on 06/07/2015 01:29 PM -----

**From:** "Julie Priddle" <jepriddle@bigpond.com>  
**To:** <council@bathurst.nsw.gov.au>  
**Date:** 06/07/2015 12:24 PM  
**Subject:** Rocket Street development Application No 2015/0210

Attention Mr David Sherley and Councillors

Please find letter attached hereto which we would like distributed to the General Manager and all Councillors before tonight's meeting of 6/7/2015.

A signed hard copy has been hand delivered to Council today.

Graham & Julie Priddle  - Rocket st.docx

DEPB ✓  
 GM ✓  
 Mayor ✓  
 Councillors ✓

297 George Street

Bathurst NSW 2795

6 July 2015

The General Manager  
Bathurst Regional Council  
Council Chambers  
BATHURST NSW 2795

Dear Mr Sherley

Re: Development Application No: 2015/0210

215 Rocket Street Bathurst (behind 291 Stewart Street)

As we live at the top end of George Street, we often drive past the Beaumont tile shop on the cnr of Stewart and Rocket Street, and lament the fact that this unnecessarily tall building with its toytown facade was allowed to be built on a major road into Bathurst, which is trying to promote itself as a heritage city.

However, when we learnt that another 8 metre tall building is to be erected behind the tile shop, in Rocket Street, which we understand has always been zoned "residential", we feel we must write to protest at the size of the proposed building, in a residential area, and the effect it will have on the residences around it.

How did the Rocket Street block suddenly change from residential zoning to allow this to happen? We would like this to be discussed at tonight's meeting when the Development Application comes before Council, and hope that common sense will prevail, and that the proposed development will not be allowed in a residential area. One mistake with the unnecessary height of the building on Stewart Street is one thing, but to perpetuate this in a residential area is appalling and totally inappropriate.

Yours faithfully

Graham & Julie Priddle

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To: epb secretary/BathurstCC,  
 Cc:  
 Bcc:  
 Subject: Fw: DA 2015/0210 DA - 215 ROCKET STREET, BATHURST (MAIL)  
 FILE NUMBER: 2015/0210

----- Forwarded by Kellie Borland/BathurstCC on 13/07/2015 10:06 AM -----

From: "Mark Buttsworth" <mark@mysurveyor.com.au>  
 To: <council@bathurst.nsw.gov.au>,  
 Date: 11/07/2015 02:41 PM  
 Subject: DA 2015/0210 DA



Sirs,

Sind attached our submission in relation to the proposed development in 215 Rocket Street, Bathurst

Regards

**Mark Buttsworth** Registered Surveyor

**Tablelands & Buttsworth Surveyors**

71 Bentinck St. BATHURST NSW 2795

PO Box 1495 BATHURST NSW 2795

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DEPB/



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- Rocket St Obj.pdf

**TABLELANDS & BUTTSWORTH SURVEYORS**

(Incorporating TABLELANDS SURVEYORS P/L and MEBUTTSWORTH SURVEYORS P/L)

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Director

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B. App. Sc. (Surv) W.A.I.T.

Registered Surveyor

M.I.S.(NSW)

**The General Manager****BATHURST REGIONAL COUNCIL**

Russell Street,

**BATHURST NSW 2795**

Our Ref:

Your Ref : 2015/0210 DA

11 July 2015

Sirs,

**RE: PROPOSED DEVELOPMENT****215 ROCKET STREET & 291 STEWART STREET, BATHURST**

I have lived at 3 Gladstone Street, raising 3 boys, for just on 30 years, in what I understand is a **heritage area**. I can't understand that Council has considered including a commercially zoned lot into an existing residential area in the first place let alone considering the proposed building. This could be said to have created a precedent and now could be argued for further inclusion into the residential heritage areas of Bathurst.

I understand this building to be an extension of the Beaumont Tiles business which is already the most ordinary, unexciting, blob of a building since the Telstra building in Bentinck Street. We used to have views to the mountains, but now look out and see a brown obstacle.

The Beaumont Tiles building exists and it's not going away quickly but for Council to consider extending a similar lack of design, commercial streetscape into Rocket Street is **not enhancing** the heritage area and in our opinion **inappropriate and detrimental** to that **heritage area**. This will not contribute to the beautification of our city and is a major concern to us.

The proposed building does not fit in with the existing streetscape of Rocket Street, having a zero street setback, where all residence in the street are setback between 4 and 6 metres and is not of similar design or roof line to other buildings in the area. It does not fit in with a heritage design and is not sympathetic to the heritage area.

Since the Beaumont Tiles building has been in use, increased traffic flow and parking has been noticeable in Rocket Street and will be of further concern at the busy intersection of Stewart and Rocket Streets.

We request that Council seriously consider the design of this building and asses the long term effects of that building in Rocket Street. It should be considered that the building front onto Stewart Street and this lot (in Rocket Street) be used for the parking space that the proposed building displaces, perhaps with a one way traffic loop off Stewart Street and one off Rocket Street.

I would also suggest that the building should be constructed using brick, having similar building and roof lines in keeping with the heritage and design of other local buildings. I believe Council should

show some consistency when considering this and other development in the Bathurst area. I understand the residential building on the corner of Gladstone and Rocket Street had to comply with a number of heritage items with regards to the design and its access to Rocket Street prior to construction. Similarly was the requirement by Council for a streetscape analysis prior to approval of a boundary adjustment in Blandford Street (DA 980496).

This building could be there for another two hundred years, so to allow a poor and unwelcome decision will not just haunt us but future generations.

As mentioned earlier, **this will not contribute to the beautification of our city and is a major concern to us.**

If I can be of any further assistance with this matter please do not hesitate to contact me.

Regards

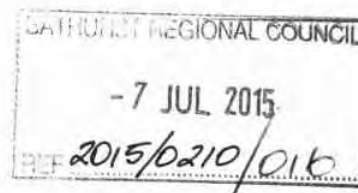


Mark Buttsworth and Gai Buttsworth  
Registered Surveyor

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Philip Webb  
PO Box 927  
Bathurst 2795

The General Manager  
Bathurst Regional Council  
158 Russell Street  
Bathurst 2795



Attention Ms A Cutter  
Ref ACUT: MM:DA/2015/0210

Dear Sir/ Madam

I am the owner of 217 Rocket Street Bathurst which adjoins 215 Rocket Street Bathurst and am making a submission on the Development Application No 2015/0210.

The area surrounded by Rocket Street, Stewart Street, Blandford Street and Banks Street comprises about 10 houses, 6 high density units and the building on 291 Stewart Street. This is in the 'Conservation' area of Bathurst LEP.

The type of construction being a warehouse/ office building is more suitable in an area such as Bathurst Trade Centre.

In the Statement of Heritage Impact-Issue A prepared by Brett Moulds Design & Drafting the Report states on page 7 of 15 " It has been established that the subject house, along with adjacent houses were constructed in the 1960's. Each house is of similar construction type and do not offer any significant historical value. Whilst the existing residence and some of the adjacent residences do not portray the features evident in the more historical forms, it has been the aim to design the streetscape elevation of the new commercial premises to be in keeping with the surrounding areas."

This is incorrect. My house is brick veneer with tiled roof and was constructed in about 1983. The house next to me is brick with a colourbond roof and was constructed in about 2000.

The same report states on page 10 of 15 " The existing and adjacent residence expresses standard construction methods and aesthetics typical of more modern eras of when it was constructed in the 1960's. As a result, the existing residence retracts from the more traditional examples in the local area."

This is also incorrect. The adjacent residence (mine) was constructed in the 1980's. Also the existing residence does not retract from other examples in the local area. Weatherboard houses will have more historical significance than the proposed building.

On page 11 of 15 of the same report " Whilst the commercial premises proposed to take its place will not have any historical value, we have sought to provide a building which compliments the existing streetscape with its design, and reduced front setback now similar to that of adjacent commercial premises. This has been achieved whilst complying with all relevant standard and codes."

If the aim is to design the streetscape elevation to be in keeping with the surrounding areas then the height of the building should be similar (about 2.4m) same building materials (brick) and similar style of roof to my house and the one next door to mine. In addition the building should be set back by 7 meters to maintain the existing streetscape.

The proposed height varies from 5.3m to 8.15m and the building will look like a warehouse surrounded by residential buildings and will stick out like a sore thumb. If the developer wants to build then they should look at constructing along 291 Stewart Street (currently used for parking) and using 215 Rocket Street for parking. This would be similar to what has occurred opposite in Rocket Street in the building occupied by Opetun (293 Stewart Street). This would achieve the developers stated objective of complementing the existing streetscape.

D&amp;P B

I strongly believe that 291 Stewart Street is far more suitable for the proposed building.

If the proposed building is approved as is then the value of my house would be significantly reduced. The views out of 2 bedrooms, living room and kitchen will be of a 5.3m high wall instead of a 1.5m fence and daylight.

Yours faithfully



PHILIP WEBB