

28 November 2018

His Worship the Mayor & Councillors

**Notice of Policy Committee Meeting of Bathurst Regional Council -  
Wednesday, 5 December 2018**

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 5 December 2018 commencing at 6.00 pm.



D J Sherley  
**GENERAL MANAGER**

# **BUSINESS AGENDA**

## **POLICY COMMITTEE**

**TO BE HELD ON WEDNESDAY, 5 DECEMBER 2018**

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

**2. APOLOGIES**

**3. REPORT OF PREVIOUS MEETING**

\* MINUTES - POLICY COMMITTEE MEETING - 7 NOVEMBER 2018

**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 GENERAL MANAGER'S AND DIRECTORS' REPORTS**

\* GENERAL MANAGER'S REPORT

\* DIRECTOR ENVIRONMENTAL PLANNING & BUILDING SERVICES' REPORT

\* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

\* DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT

**6. GENERAL BUSINESS**

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

\* DEVELOPMENT APPLICATION 2015/196 – RECREATION FACILITY (GO KART TRACK) AT MCPHILLAMY PARK, BROCKS SKYLINE, MOUNT PANORAMA. APPLICANT: BATHURST REGIONAL COUNCIL. OWNER; BATHURST REGIONAL COUNCIL

**8. DISCUSSION FORUM OTHER**

Nil

**9. MEETING CLOSE**

## MINUTE

### 1 MEETING COMMENCES

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

## MINUTE

### 2 APOLOGIES

MOVED: Cr B Bourke SECONDED: Cr J Jennings

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

## REPORT OF PREVIOUS MEETING AND MINUTES

POLICY COMMITTEE

## **1 MINUTES - POLICY COMMITTEE MEETING - 7 NOVEMBER 2018 (07.00064)**

**Recommendation:** That the Minutes of the Policy Committee Meeting held on 7 November be adopted.

**Report:** The Minutes of the Policy Committee Meeting held 7 November 2018, are **attached**.

**Financial Implications:** N/A

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

- Objective 6: Community leadership and collaboration Strategy 6.4

### **Community Engagement**

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

**MINUTE**

**3** Item 1 MINUTES - POLICY COMMITTEE MEETING - 7 NOVEMBER 2018  
(07.00064)

MOVED: Cr I North SECONDED: Cr J Rudge

**RESOLVED:** That the Minutes of the Policy Committee Meeting held on 7 November be adopted.







**12**      **Item 4 HECTOR PARK TOILETS REPLACEMENT (04.00010)**

**Cr North** - asked could this be referred to the budget for consideration in 2019/2020.

**The Director Engineering Services** advised this year working on villages, will refer request to next year's budget for consideration.

**13**      **Item 5 MOUNT PANORAMA - WATERING GRASS ON TRACK VERGES (04.00098 & 04.00029)**

**Cr North** - asked is there a watering system on the inside of the track for the grass on the track verges?

**The Director Engineering Services** advised there is not and explained the safety reasons why.

**14**      **Item 6 PERTHVILLE WORKS (36.00624)**

**Cr North** - advised works have been drawn out. What is going to happen with these delays?

**The Director Engineering Services** advised Council is working with contractor, understands Telstra work is now completed.

**15**      **Item 7 WATER RESTRICTIONS - IRRIGATORS (32.00017)**

**Cr North** - noted meeting to be held with irrigators this week. Raised queries about when cease to pump occurs. Then raised pipeline study previously commenced and asked whether this should be completed.

**The Director Engineering Services** gave details of water regimes in place and State Government rules. Noted State rule is to stop at 22%. Meeting with irrigators is to discuss efficient water use. In regards to pipeline study, will be referred to 2019/2020 budget.

**16**      **Item 8 WATER AVAILABILITY (13.00031)**

**Cr Fry** - requests Council to adopt the NSW Department of Industry Extreme Events Policy. Does Council have an emergency water plan? Could Council request the NSW Government to check the 65 monitoring bores in the catchment (Macquarie Upper)? Could Council increase water tank sizes for new developments? Can Council fast track water quality and wetlands restoration plan for Ben Chifley Dam catchment? Raised query about water (fire fighting capacity) at Aerodrome. With the drought, can Council hold waterwise garden workshops and consult nurseries,

garden clubs etc.

**The Director Engineering Services** noted Council has a Drought Management Plan in place. Will talk to government about bores. The Ben Chifley Dam Catchment Management Committee checks water quality etc, if wish to accelerate need to vote more funding. Noted existing fire fighting capacity at Aerodrome. Current waterwise program is being ramped up, noted resource restrictions of Council.

**The Director Environmental, Planning & Building Services** will need to check in regards to tanks what powers Council has over BASIX sizes

**17**      **Item 9 SOFALA - RIVER CROSSING (25.00345)**

**Cr Aubin** - advised has received representations from a resident that the crossing is dangerous, the resident would like to meet with Council.

**The Director Engineering Services** spoke to permits in place and restrictions; will meet with interested persons.

**18**      **Item 10 LIVING LEGENDS TREES - BRADWARDINE ROAD (20.00282)**

**Cr Aubin** - advised trees on one side of the road have the names facing the road and on the other side they face the other way.

**The Director Engineering Services** will review signage layout.

**19**      **Item 11 MOUNT PANORAMA - SPREADING OF ASHES (04.00098)**

**Cr Aubin** - advised that apparently the spreading of ashes on Mount Panorama occurs fairly regularly. Can we look at putting in a wall for the ashes to be placed. Could this be researched?

**The Director Engineering Services** advised the matter will be reviewed for consideration.

**20**      **Item 12 VILLAGE EVENTS UNDERWRITING (16.00163)**

**Cr Jennings** - asked could Council take out a catch all policy for Events in the villages.

**The Director Corporate Services & Finance** provided advice on insurance cover.

**21**      **Item 13 ARTSTATE (21.00117)**

**Cr Jennings** - congratulated all involved. The event went very well.

**22**      **Item 14 ELVIS BUS (20.00020)**

**Cr Jennings** - asked in regards to proposal to run a bus to Parkes, did we have any feedback?

**The Director Cultural & Community Services** will follow up with the bus company, initial contact was made.

**23**      **Item 15 AQUA PARK (32.00005)**

**Cr Jennings** - congratulated staff in assisting to get this up and running. The road leading to the dam, could Council look at repainting double white lines which are faded. Could Council see if there are any grants to upgrade the foreshore area?

**24**      **Item 16 TAXIS/UBER (28.00009)**

**Cr Jennings** - requests Council contact the NSW Taxi Council to get the CEO to address our Council and also get Uber to come and address Council. Noted concerns with Uber coming to regional cities, as there are only 24 taxis in Bathurst.

**25**      **Item 17 SOLAR ELECTRIC TAPE (14.00627)**

**Cr Jennings** - asked could we trial this to get rid of pigeons?

**26**      **Item 18 CITIES POWER PARTNERSHIP CONFERENCE (16.00007)**

**Cr Jennings** - advised, recently attended conference, noted battery powered tools are readily available. Could Council look into this, the batteries are getting much better.

**27**      **Item 19 ELECTRIC VEHICLE - ACT (13.00089)**

**Cr Jennings** - asked will Council join in with the ACT purchase, further queried where the autonomous vehicle trial is at?

**The Director Environmental, Planning & Building Services** will follow up these matters.

**28**      **Item 20 INSURANCE FOR COMMUNITY GROUPS (16.00163)**

**Cr Rudge** - advised will be meeting with various groups to discuss this.

**29**      **Item 21 PLANNING DECISIONS (eg GEORGE PARK) (04.00042)**

**Cr Rudge** - asked what process do we follow in advising residents of proposed developments? Spoke of Your Say Website and Councillors portal.

**The Director Environmental, Planning & Building Services** spoke to notifications made for Development Applications.

**The Director Engineering Services** noted processes applied, eg George Park Master Plan. Notification depends on the nature of the project.

**The General Manager** provided comments on various contact techniques utilised and the Councillor portal.

**30**      **Item 22 EGLINTON GLIDERS MATTER (22.01310)**

**Cr Rudge** - asked is there any more information on this?

**The Director Engineering Services** noted matter has been referred to CASA and they will accept resident feedback.

**31**      **Item 23 DENISON BRIDGE LIGHTS (40.00003)**

**Cr Rudge** - advised has had resident approaches and notes Council is following this matter up.

**32**      **Item 24 ART GALLERY IMAGINE AWARD AND BVIC AWARDS (23.00111 & 23.00075)**

**Cr Rudge** - advised both are in the running for awards, congratulations staff.

**33**      **Item 25 BEN CHIFLEY DAM - DRAGON BOATS REGATTA (32.00005)**

**Cr Rudge** - advised attended this event, users were very happy with Council and the Regatta.

**MEETING CLOSE**

**34**      **MEETING CLOSE**

The Meeting closed at 6.52 pm

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

**MINUTE**

**4     DECLARATION OF INTEREST 11.00002**  
**MOVED: Cr I North SECONDED: Cr J Fry**

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

## GENERAL MANAGER'S REPORT AND MINUTES

POLICY COMMITTEE

5 DECEMBER 2018



## **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 senior staff positions are in Council's structure:

- General Manager
- Director Corporate Services & Finance
- Director Engineering Services
- Director Environmental Planning & Building Services, and,
- 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 Office 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 Community Strategic Plan - Objectives and Strategies**

- Objective 6: Community leadership and collaboration Strategy 6.4

### **Community Engagement**

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

**MINUTE**

- 5**     Item 1 SENIOR STAFF CONTRACTS (19.00030)  
MOVED: Cr J Rudge SECONDED: Cr A Christian

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

Yours faithfully



D J Sherley  
**GENERAL MANAGER**

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

POLICY COMMITTEE

5 DECEMBER 2018

## **1 USE OF REMOTELY PILOTED AIRCRAFT SYSTEMS/DRONES (41.00089)**

**Recommendation:** That Council:

- (a) place the draft Policy “Use of Remotely Piloted Aircraft Systems/Drones” on public exhibition for a period of 28 days;
- (b) if no submissions are received, adopt the Policy;
- (c) if submissions are received, provide a further report to Council.

**Report:** More commonly known as drones, the use of Remotely Piloted Aircraft Systems (RPAS) by Councils across the country is increasing, and for good reason. They are both a cost effective way of exercising some of the critical functions of Council and indeed can significantly reduce, if not eliminate, some of the risks of injury to employees where they are employed.

Many Councils have introduced these devices as one of the technologies being applied to ‘smart cities’ initiatives and Bathurst Regional Council has an opportunity to follow suit by embracing the use of RPAS across many Council services such as:-

- Asset management – inspections, asset data capture and geo-tagging
- Urban planning – baseline and ongoing aerial surveys of proposed and new development sites
- GIS – Mapping, 2D/3D imagery
- Environmental - inspections, compliance monitoring, detection and control

There is a low level of risk associated with the use and application of RPAS by Council officers, which will be managed through the policy, operational manual and procedures and the Safe Work Method Statement. These documents and guidelines have been developed through an evaluation of the CASA regulations and guidelines.

Privacy issues are addressed within the Policy (**attachment 1**).

It is recommended that Council place the draft Policy on public exhibition, and if no submissions are received, adopt the Policy.

**Financial Implications:** Cost of equipment and training are met within existing budgets.

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

- Objective 2: A smart and vibrant economy Strategy 2.3
- Objective 3: Environmental stewardship Strategy 3.1, 3.4
- Objective 4: Enabling sustainable growth Strategy 4.6
- Objective 6: Community leadership and collaboration Strategy 6.4

### **Community Engagement**

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

## MINUTE

### **6 Item 1 USE OF REMOTELY PILOTED AIRCRAFT SYSTEMS/DRONES** **(41.00089)**

**MOVED: Cr I North SECONDED: Cr M Morse**

**RESOLVED:** That Council:

- (a) place the draft Policy “Use of Remotely Piloted Aircraft Systems/Drones” on public exhibition for a period of 28 days;
- (b) if no submissions are received, adopt the Policy;
- (c) if submissions are received, provide a further report to Council.



## MINUTE

7 Item 2 COMPANION ANIMAL MANAGEMENT PLAN (02.00006)  
MOVED: Cr I North SECONDED: Cr J Rudge

**RESOLVED:** That Council:

- (a) place the Companion Animal Management Plan on public exhibition for a period of 28 days;
- (b) if no submission are received, adopt the Plan;
- (c) if submissions are received, provide a further report to Council.

Yours faithfully



N Southorn  
**DIRECTOR**  
**ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

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

POLICY COMMITTEE

5 DECEMBER 2018



## **1 POLICY REVIEW - NAMING OF COUNCIL FACILITIES (04.00008, 41.00089)**

**Recommendation:** That Council adopt the Naming of Council Facilities Policy with the proposed amendment and update the Council Policy Manual.

**Report:** Council in 2010 adopted a policy on the naming of council facilities. At a recent working party it was agreed that Council should review the policy. A copy of the Naming of Council Facilities Policy is shown at **attachment 1**.

At a recent Policy Committee Meeting it was raised that the naming of Council facilities needs to have Council approval to ensure that appropriate consideration is given to any renaming proposal. It is proposed to alter the Naming of Council Facilities Policy by adding the following sentence.

*All proposals to rename facilities owned by Council must be approved by Council resolution.*

It is proposed to insert this sentence at the end of the third last paragraph of the policy which will be amended to read:

*If assessed as conforming, the proposal will be advertised in Council's column in the local newspaper for a minimum of 2 weeks to allow the community an opportunity to comment. Following this, the proposal will be put to Council for final consideration and approval. All proposals to rename facilities owned by Council must be approved by Council resolution.*

It is recommended that Council adopt the Naming of Council Facilities Policy with the proposed amendment and update the Council Policy Manual.

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

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

- Objective 6: Community leadership and collaboration Strategy 6.4

### **Community Engagement**

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

**MINUTE**

**8 Item 1 POLICY REVIEW - NAMING OF COUNCIL FACILITIES (04.00008, 41.00089)**

**MOVED: Cr I North SECONDED: Cr J Rudge**

**RESOLVED:** That Council adopt the Naming of Council Facilities Policy with the proposed amendment and update the Council Policy Manual.

Yours faithfully

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

A Jones  
**DIRECTOR  
CORPORATE SERVICES & FINANCE**

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

POLICY COMMITTEE

5 DECEMBER 2018

## **1 POLICY - CENTRAL BUSINESS DISTRICT (CBD) CLOSED CIRCUIT TELEVISION (CCTV) POLICY (07.00106)**

**Recommendation:** That Council:

- (a) Note the submission received during the public exhibition period.
- (b) Provide a letter to the individual who provided a submission thanking them for their contribution to the Central Business District (CBD) Closed Circuit Television (CCTV) Policy.
- (c) Adopt the Central Business District (CBD) Closed Circuit Television (CCTV) Policy.
- (d) Provide a copy of the endorsed Central Business District (CBD) Closed Circuit Television (CCTV) Policy to Chifley District Police Command.

**Report:** At the ordinary meeting of Council held on 16 October 2018, Council resolved that the Central Business District (CBD) Closed Circuit Television (CCTV) Policy be placed on public exhibition for 28 days.

The draft policy was placed on public exhibition from Thursday 17 October 2018 until Thursday 15 November 2018. The draft policy was made available to members of the public at the following locations during this period encouraging review and comment:

- Council's Your Say website, where copies of the report could be accessed and/or downloaded and comments received;
- Council's Civic Centre;
- Bathurst Library.

Advertisements were placed in the Council notices section and classified section of the Western Advocate on each Saturday during this period.

As at the closing date for submissions one response was received. The individual was highly supportive of the document, commending staff on their achievements and provided positive feedback and suggestions. The submission related to the suggestion of mobile cameras for events, the importance of high-quality cameras, coverage around Machattie Park and the possibility of signage indicating CCTV may be operational in areas of medium-level security problems, where cameras may not exist.

There will be no change to the policy as a result of this submission, as the suggestions relate to operational matters.

A copy of the summary of the submission is provided at **attachment 1**.

Also, it was identified that the policy title should include the full wording of "Central Business District (CBD) Closed Circuit Television (CCTV) Policy", instead of the exhibited title of "Closed Circuit Television (CCTV) Policy". To ensure consistency throughout the document, minor changes were made to include "CBD" in relevant locations. These minor changes will ensure the policy relates to other CBD CCTV documents as well as being able to be utilised in grant applications and other associated applications.

A copy of the updated Central Business District (CBD) Closed Circuit Television (CCTV) Policy is provided at **attachment 2** for Council's information.

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

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

- Objective 5: Community health, safety and well being Strategy 5.2, 5.4

**Community Engagement**

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

## MINUTE

### **9 Item 1 POLICY - CENTRAL BUSINESS DISTRICT (CBD) CLOSED CIRCUIT TELEVISION (CCTV) POLICY (07.00106)**

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

**RESOLVED:** That Council:

- (a) Note the submission received during the public exhibition period.
- (b) Provide a letter to the individual who provided a submission thanking them for their contribution to the Central Business District (CBD) Closed Circuit Television (CCTV) Policy.
- (c) Adopt the Central Business District (CBD) Closed Circuit Television (CCTV) Policy.
- (d) Provide a copy of the endorsed Central Business District (CBD) Closed Circuit Television (CCTV) Policy to Chifley District Police Command.

Yours faithfully



Alan Cattermole  
**DIRECTOR**  
**CULTURAL & COMMUNITY SERVICES**

**GENERAL BUSINESS**

POLICY COMMITTEE

## MINUTE

### 10 Item 1 Go Kart Development Application 2015/196

**Cr Bourke** - Is the Development Application that was approved in 2015 still valid?  
Noted current Development Application is a modification.

**General Manager** advised that the 2015 Development Application is still valid.



## **MINUTE**

### **11 Item 2 Water Restrictions 32.00017**

**Cr Bourke** asked whether a letter box drop was occurring? He spoke to representations being received.

**Director Engineering Services** advised that a letter box drop was commencing on 6 December 2018.

## MINUTE

### 12 Item 3 Water Restrictions 32.00017

**Cr Rudge** has sought clarification on this matter and notes a review of the Drought Management Plan is being proposed for 2019/2020 budget. Spoke to current plan and existing conditions that are in place and considerations given in adopting water restrictions. Noted pool usage issue that has been raised and also information on Council's website.

**MINUTE**

**13    Item 4    Design Exhibition Chifley Home 21.00113**

**Cr Rudge** - spoke to Kim Bagot exhibition being held and connection to Chifley Home which was very successful. The exhibition will then tour to other areas.

**MINUTE**

**14 Item 5 Bathurst Arts Council Youth Awards 18.00063**

**Cr Rudge** - talent was outstanding with the top three talents performing at future functions.

## MINUTE

### 15    Item 6    Inland Sea of Sound 23.00154

**Cr Jennings** - congratulated staff on the presentation of the Inland Sea of Sound event. The challenge is to grow the festival. Spoke to sister relationships with sister councils in Sydney to promote the event.

**MINUTE**

**16    Item 7    Carillon 04.00021**

**Cr Morse** - thanked Council's Engineering and Finance staff for their assistance for getting the new bells installed. Noted project is now a beneficiary of the "Return and Earn" scheme.

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

**General Business resumed at 7.02 pm following the conclusion of the Discussion Forum**

## MINUTE

### 17    **Item 8    Inland Sea of Sound 23.00154**

**Cr Christian** - Heard it was a massive success, but numbers were very low which was a very disappointing result. Let's see how next year goes. Cannot do much more than what was done.

The **General Manager** noted a detailed analysis on this and other major events will be provided to Councillors in the New Year.

## MINUTE

### 18    Item 9    Farming Futures Conference 18.00157

**Cr Fry on behalf of Greening Bathurst/Flannery Centre** - thanked Council for the support provided for the "Farming Futures Conference". Numbers were excellent. Spoke to discussions held and issues of agriculture. The speakers provided invaluable information and video packages were made.



**MINUTE**

**19 Item 10 Weeds - Stewart Street/Suttor Street/Great Western Highway  
13.0022**

**Cr Christian** - can this problem be looked into.

## MINUTE

### 20    Item 11    Perthville Works 36.00624

**Cr North** - are there any timelines for when work will be finished? Spoke to contractor issues.

**Director Engineering Services** advised work has recommenced and will review timelines and get back to Council. Contracts do have measures to take action and Engineering Department is working with the contractor.

**MINUTE**

**21    Item 12    Water Restrictions 32.00017**

**Cr North** - our communication is not good, flyers should have been ready to go when restrictions were implemented. Not everyone reads the newspaper or listens to the radio.

**MINUTE**

**22    Item 13    People in the Gallery 21.00039**

**Cr North** - thanked them for being in attendance during the year.

**MINUTE**

**23    Item 14    George/Howick Street 25.00006**

**Cr North** - what is the timeline expected for these works?

**Director Engineering Services** - works have commenced with water infrastructure. Rest of works to start in January 2019 and then spoke to timetable.

## **MINUTE**

### **24    Item 15    Mitre/Suttor/Lambert Streets 25.00095**

**Cr North** - raised timeline and concerns when will be completed.

**Director Engineering Services** advised still working on opportunity to divert water works through Scout hall land, will make job much faster. Awaiting Crown Land response on access.

**MINUTE**

**25    Item 16    Upper Macquarie County Council 18.00172**

**Cr North** - Oberon Council has agreed to extra support. Blayney and Lithgow Councils are yet to advise.

**MINUTE**

**26 Item 17 George/Howick Streets pedestrian crossings 25.00006 & 25.00007**

**Cr North** - before crossings are changed, can Council get information and flyers out to residents concerning road safety issues.

**Director Engineering Services** advised an education campaign will occur.



**MINUTE**

**27**    **Item 18**    **Staff thank you 23.00012**

**Cr North** - thanked staff and Councillors for the efforts undertaken over the last 12 months. It has been a busy and hectic year.

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

POLICY COMMITTEE

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

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

**Report:** Council has received a request to modify the current development consent for a proposed Go Kart track on land at Mount Panorama.

**The site**

The site of the proposal is Council owned land at the top of Mount Panorama, described as:

- Lot 9 DP1047248
- Lot 40 DP1056379
- Lot 1 DP700629
- Lot 1 DP634401
- Lot 2 DP634401

A location plan and aerial map are provided at **attachment 1**.

Existing improvements on the site include a dwelling (known as 310 Brocks Skyline), the “blue stone” cottage, picnic shelters, water tanks and amenities buildings. Part of the site is currently used for camping during major events.

**The proposal**

The original Development Application was lodged by The Bathurst Kart Club. The proposal involved the construction of a 950m long track with associated facilities including a pit complex. This original proposal also involved the use of parts of Sulman and McPhillamy Parks for ancillary infrastructure such as parking provided in an informal setting.

The current approved plans are provided at **attachment 2**.

The current development consent is provided at **attachment 3**.

The original proposal was considered and approved by Council at its meeting held 16 September 2015. The Notice of Determination was issued on 28 September 2015.

Council has now taken carriage of the application and has lodged an application to modify the consent.

The modification was originally lodged in July 2016 however it was subject to a request for further information in relation to noise, biodiversity and aboriginal cultural heritage issues. That information has since been submitted and the application has proceeded to public consultation and assessment.

The current modification proposal involves:

- Redesign and reconfiguration of the track layout to accommodate a track of 1100m in length
- Establishment of a Pit complex

- Clubhouse building
- Use of part of McPhillamy and Sulman Park areas for parking and staging.

The submitted plans are provided at **attachment 4**.

The submitted Statement of Environmental Effects is provided at **attachment 5**.

The submitted Acoustic Assessment is provided at **attachment 6**.

The submitted Flora and Fauna Assessment is provided at **attachment 7**.

Council has also prepared an Aboriginal Cultural Heritage Assessment (ACHA) for the proposal. It is to be noted that the ACHA does not form part of the publically available information as it includes culturally sensitive information. It will however form part of the final consideration by Council.

The modification request does not propose any alterations to the operating parameters contained in the development consent. Notably, those conditions governing the frequency, times of use and number of vehicles remain unchanged from those originally imposed by Council.

#### Public notification

The public consultation process for the modification is governed by Chapter 2 of Bathurst Regional Development Control Plan (DCP) 2014.

Consistent with the DCP, notice of the modification was forwarded to the private residents at Mount Panorama and the adjoining landowners and those persons who lodged submissions to the original proposal. Notice of the modification was also sent to the Registered Aboriginal Parties who were involved in the ACHA process.

In response to notification, Council received 4 submissions (**attachment 8**).

The submissions included both opposition and support of the proposal.

Issues raised in opposition to the proposal include:

- Proposal is located on a known aboriginal site relating to womens lore and ceremony.
- Proximity to registered aboriginal sites.
- The site is currently being considered by OEH for gazettal as an "aboriginal place".
- The site is a place of deep spiritual significance.
- Historic land uses have resulted in destruction of tangible cultural assets.
- Support for an Indigenous Land Use Agreement (ILUA).
- Discussion as to who has "cultural authority to speak for Country".
- Use of Crown Land without permission or consultation with the traditional owners.

Issues raised in support of the proposal include:

- Proposal would bring massive benefits to the community including low cost activities, driving skills and provide opportunities for young drivers.
- Further establish Bathurst as a motorsport mecca.
- Highlight the need for proper liaison and ongoing engagement with community and indigenous groups.

Following the Discussion Forum a report will be prepared for a future Council meeting for

determination of the modification application.

**Financial Implications:** Nil.

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

- Objective 1: Our sense of place and identity Strategy 1.1
- Objective 2: A smart and vibrant economy Strategy 2.5
- Objective 4: Enabling sustainable growth Strategy 4.6
- Objective 6: Community leadership and collaboration Strategy 6.1

**Community Engagement**

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

## MINUTE

### **28 Item 1 DEVELOPMENT APPLICATION 2015/196 – RECREATION FACILITY (GO KART TRACK) AT MCPHILLAMY PARK, BROCKS SKYLINE, MOUNT PANORAMA. APPLICANT: BATHURST REGIONAL COUNCIL. OWNER; BATHURST REGIONAL COUNCIL (DA/2015/196)**

Discussion included:

#### **Steve Angelucci - Secretary Kart Club**

- Has 250 members. Started seven years ago.
- Spoke to objectives of the group.
- Noted policy of Council to build large self-sustaining facilities. There is interest from all around the world. They have had to refuse requests at this time as track is not in place.
- Noted visitor spend that will occur.
- The Kart Club is focused on junior development and spoke to opportunities that will be presented if circuit is developed, particularly if built to FIA standard. This is a visionary project.
- The Kart Club is here to run sports not make a profit.

#### **Ian McPherson - citizen of Bathurst**

- Not here to talk whether we need a kart club but where facility should be placed.
- Concern at community division. The debate is becoming distorted and has led to arguments about rights.
- Need to look at best place to put it, don't trample Mount Panorama/Wahluu. This is not just an Aboriginal issue. Need to be aware of cultural heritage that is important to the community.
- Asks Councillors not to just make an easy decision; harvest our better selves.
- Spoke to positive role of Aboriginal community in 2015 celebrations. If Council powers ahead and approves development application, this is not productive - find a better solution.

#### **M Laybutt - Karting Australia**

- Spoke of involvement in Condobolin in karting and also Cherry Tree Hill track in this region and noted support that existed for it.
- Why Mount Panorama? People know Mount Panorama and to give people the opportunity to stand on the Mount and to compete would be the greatest. The site is in the motor racing precinct. Top level racing in Australia has diminished with less circuits, eg Oran Park.
- Need a place for our juniors to train. Bathurst will give an opportunity to get back to top level racing.
- Oceania's were last held in Australia in 1996. The circuit proposed will attract high level drivers and many people from overseas.

#### **B Allen - Wiradyuri Elder**

- Understands what is being said about kart racing. The Elders are not against kart racing but do not believe it should be located on the Mount. The ACHA says that there are artefacts there. The report should be publicly released. Percy Gresser found 2,000 artefacts, the bluestone cottage is an artefact - the Council is lying about artefacts.

- Spoke to significance of Mount Panorama/Wahluu and lack of available land for Wiradyuri to practice their culture. The track should be built down at the proposed second circuit.
- Noted the programs the Wiradyuri people are running and the need for respect. Wiradyuri are sharing, but are not getting anything in return. 2015 is "deja vu". The community is not being respected. Need area to teach their young.

#### **R Taylor - Kart Club and second circuit action group**

- Spoke to purpose of modification and congratulated Council on its vision to ensure higher level events can be held.
- Gave examples of the many facilities (sporting) that are first class in Bathurst.
- Noted volunteer assistance, economic value, etc. Concerned at how long this process has taken.
- The proposal to put with second circuit is not supported; needs to be separate.
- A development application for a 950 metre circuit was previously approved and this was on privately owned land; if modification not approved will action prior development application.

#### ● **B Sugden - Forest Grove**

Attended Inland Sea of Sound last weekend and noted Wahluu Mount Panorama is a special place and needs to be protected. Then spoke to late 1950's/1960's when heritage was destroyed in a frenzy of modernisation. We need to preserve heritage including Wahluu. Urged Council to think forward 65 years and consider what is Council's vision; we don't want people to think Council had a lack of foresight. Wahluu is not to be treated as a place to be exploited. Spoke to existing facilities at the top of the Mount which are ugly.

#### **P Dowling** - Mr Allen said artefacts have been found, could this be clarified.

**General Manager** spoke to findings of Go-Kart ACHA concerning artefacts and noted the ACHA found that there were no Aboriginal objects, as defined, in the Go Kart area.

#### **A Gerard - CSU - Law and Justice and Resident**

- There is common ground for a Go-Kart track, the issue is where to locate it on Mount Panorama/Wahluu. Do not locate it on top of Mount Panorama.
- Further, spoke to role of Elders in regard to culture, law and history in the community. They are to be respected and noted linkages with Charles Sturt University.
- Then noted huge opportunity to work together eg Suttor/Windradyne. Go-Kart track should not be placed on an area of great cultural heritage, need to be aware of intangible cultural heritage. Bathurst needs to be in step with other areas. Let's move forward on a positive basis.

#### **G Dixon - Bathurst resident**

- Relocated to Bathurst in 1976 with the Central Mapping Authority (CMA). May be the CMA was built on the wrong place; it is a dilemma we face everyday. Previously the Kart Club was offered the old drive-in theatre site. Sons drove go karts, people come to Bathurst and are in awe of our facilities.
- Have been waiting four and a half years, concern at how long must further wait.
- Spoke to views of all around the area. Club has been very patient and deserve a resolution.

#### **A Gainsford - representative of Bathurst community of Elders**

- Has gone to Wahluu over many years as part of her cultural heritage. Would like to pass this cultural understanding to children and grand-children, particularly at Mount Panorama. Works at Charles Sturt University and spoke to law/justice degrees being offered.
- Wahluu is a special place; it is spiritual and doesn't want these places taken away.
- Noted recent role at Inland Sea of Sound of the Wiradyuri community.
- Feels cultural connection is rolled in and out when it suits people. The Go-Kart track is needed but it should not be at Wahluu. If we know better we can do better. Councillors should attend a cultural immersion course.



## MINUTE

### 29 MEETING CLOSE

The Meeting closed at 7.18 pm.

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

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

POLICY COMMITTEE

5 DECEMBER 2018

**POLICY:** USE OF REMOTELY PILOTED AIRCRAFT SYSTEMS /DRONES

**DATE ADOPTED:**

**ORIGINAL ADOPTION:**

**FILE REFERENCE:**

**OBJECTIVE:** To ensure that all legislated requirements for the use of Remotely Piloted Aircraft System (RPAS)/Drone technology and the management and use of data collected by such technology is applied and adhered to by Council staff.

Remote Piloted Aircraft will increase the efficiency of Council's corporate and operational activity across the municipality. The below parameters are to be adhered to when operating a RPAS/Drone for Council use.

- That the operation of RPAS/Drone technology by Council shall be in accordance with Civil Aviation Safety Regulations Part 101 (CASR101). All CASA regulations and guidelines as well as approved operational procedures are to be adhered to at all times when piloting an RPAS.
- That Bathurst Regional Council will only fly RPAS/Drones over private property in connection with a lawful function of Council.
- Where practicable, notice of such flights over private property will be provided to property owners.
- Any and all data collected or recorded by the RPAS/Drone, including geospatial data, is owned by Council and may be subject to the Privacy and Personal Information Act 1998 (NSW), the Surveillance Devices Act 2007 (NSW), the Commonwealth Privacy Act 1998 and the Bathurst Regional Council Code of Conduct. Recordings are subject to the legislated Information Privacy Principles that determine the storage and retention of data.  
Data is considered and managed by:
  - Collecting (or recording) only for a specific purpose in support of a lawful Council function;
  - Reviewing to redact inadvertently collected personal data; and
  - Editing to dispose of data that is not required.

Definitions:

CASA: Civil Aviation Safety Australia  
 CASR: Civil Aviation Safety Regulations  
 Council: Bathurst Regional Council  
 RPAS/Drone: 'Remotely piloted aircraft system' is the common term used to reference an unmanned aircraft. This term is used interchangeably with 'drone'.



# Companion Animal Management Plan 2018



# Contents

Introduction	1
1.1 Statement	3
1.2 Objectives	3
1.3 Community Strategic Plan Bathurst 2040	3
Companion Animals	5
2.1 Microchipping and registration	5
Benefits	5
Exemptions	6
2.2 Impounding	6
2.3 Animal welfare and responsible pet ownership	7
Community	9
3.1 Public safety	9
Dog attacks	9
Dangerous and menacing dogs	9
Education	10
Secure confinement and environmental enrichment	10
Socialisation and training	11
Dog Exercise Areas	11
3.2 Enforcement	12
Environment	14
4.1 Noise	14
4.2 Water and faeces pollution	14
4.3 Impacts on biodiversity	15
Monitoring and review	17

# Introduction

The Companion Animal Management Plan provides the framework for the provision of an effective animal management service and procedural functions under the Companion Animals Act 1998 (the Act) and the Companion Animals Regulation 2018.

The Act and the Regulations is the legislation that gives effect to the way local authorities manage dogs and cats. The principle object of the Act is to provide for the effective and responsible care and management of companion animals.

The term Companion Animal refers to all dogs and cats and any other animal that is prescribed by the regulations as a companion animal.

The main items relevant to the Companion Animal Management Plan are to:

- acknowledge the duties and responsibilities for the management of domestic dogs and cat animal issues in the

Bathurst Region .

- ensure that Council meets its responsibilities under the Companion Animals Act 1998 and Companion Animal Regulation 2018.
- achieve a balance between the needs of pet owners and non-pet owners.
- provide pet owners with support, education, regulation and facilities to accommodate their pets within the broader community and environment.



# Statement and Objectives

## 1.1 Statement

The purpose of this Plan is to balance community amenity, animal welfare and environmental preservation while promoting the benefits of responsible pet ownership alongside effective companion animal management.

## 1.2 Objectives

Our main objectives include:

- encourage residents and visitors to properly care for all dogs and cats.
- encourage companion animal owners to provide appropriate physical and mental challenges for their animals, to improve animal welfare without affecting the comfort of others.
- encourage the permanent microchip identification and lifetime registration of all dogs and cats.
- identify and prioritise dog and cat management issues particularly in managing menacing and dangerous dogs, restricted breeds and nuisance dog and cat behaviour.
- educating the community about the rights and responsibilities of dog and cat ownership.

- maintaining best practice care and pound facilities and minimise the number of unwanted animals that are euthanased .
- providing adequate off leash areas for dog exercise within the Bathurst region that are as safe as possible for dogs and people.

The statement and objectives of the Plan are detailed under four key areas:

- Companion Animals
- Community
- Environment
- Monitoring and review.

## 1.3 Community Strategic Plan Bathurst 2040

The Community Strategic Plan Bathurst 2040 (CSP) describes a vision of "Bathurst: A vibrant and innovative region that values our heritage, culture, diversity and strong economy". This companion animal management plan contributes to achieving objective 5 (Community health, safety and well-being) and 6 (Community leadership and collaboration).





# Companion Animals

## 2.1 Microchipping and registration

Microchipping and registration is required by law and enables the return of stray animals to their owner.

The Companion Animals Act 1998 (Sections 8-9) require owners to:

- have their cats and dogs microchipped from 12 weeks of age or at the time in which they are sold or given away prior to 12 weeks of age;
- register their cats and dogs on the NSW Companion Animals Register by 6 months of age, or upon sale of the cat or dog (if sold prior to 12 weeks of age); and advise the Council or the Pet Registry when there is a change in either the registration or identification information for the animal, if the animal has been missing for more than 72 hours and also if found after the missing notification or the animal has died.
- The NSW Pet Registry is an online database of microchipped and registered cats and dogs in NSW. All existing cats and dogs that have previously been contained within the Companion Animals Register are available via the Pet Registry.

The Pet Registry enables owners to:

- update their contact details such as a change of address
  - transfer ownership
  - report pets as missing or deceased; and
  - pay most lifetime registration fees online
- Benefits**
- lost pets can be identified and reunited with their owner reducing stress on lost pets.
  - faster reunion with pet owners reducing the likelihood of extended confinement in the pound facility and associated costs of collection, kennelling, impounding and possible destruction of pets
  - ownership of pets can be legally established in the event where liability has been incurred as a result of animal behaviour
  - allows an opportunity for Council to educate and/or take enforcement action where necessary.

### Goals

- encourage microchipping and lifetime registration of dogs and cats in the Bathurst region
- to improve rehoming rates for lost and stray dogs and cats.

## Exemptions

Dogs generally exempt from registration under the Act are:

- Working dogs
- Greyhound racing dogs
- Assistance animals

(Note. However, these animals are required to be registered if they become impounded.)

A working dog is defined as a dog used primarily for the purpose of droving, tending, working or protecting stock, and includes a dog being trained as a working dog. A working dog must be ordinarily kept on land categorised as farmland for the purpose of Part 3 of Chapter 15 of the Local Government Act 1993. The owner of the dog claiming working dog status should be engaged in commercial primary production.

Greyhound racing dogs are those dogs registered and controlled under the Greyhound Racing Act 2017.

An assistance animal in NSW is a dog or other animal that is either:

- accredited under a law of a State or Territory that provides for the accreditation of animals trained to assist a person with a disability to alleviate the effect of that disability; OR
- accredited by an animal training organisation prescribed by the

Commonwealth; OR

- trained to assist a person with a disability to alleviate the effect of that disability, and, to meet standards of hygiene and behaviour appropriate for an animal in a public place.

This is based on how assistance animals are defined in Commonwealth law (Disability Discrimination Act 1992). Currently neither the Commonwealth nor NSW laws provide for the accreditation of assistance animals. A working dog cannot also be an assistance animal.

## 2.2 Impounding

Bathurst Regional Council has a Small Animal Pound (Pound) established on the corner of Lloyds Rd and Vale Road Bathurst. This facility is open Monday to Friday from 12.30 pm till 2.00pm and is closed weekends and public holidays.

There are 22 dog and 10 cat pens at the pound. All dogs are exercised daily in covered dog runs. Dogs and cats are fed daily with food supplied by Mars Petcare Australia.

Where an animal has identification i.e. microchipped and registered, every effort is made to return the animal to the owner. This requires that the place of residence is current and has suitable containment for the animal.

In circumstances where the owner of an animal cannot be located or is

unknown, the dog or cat will be transported to the impound facility for collection by the owner within the prescribed time limits.

The Act provides that identified animals can be held for a minimum of 14 days and unidentified animals for 7 days.

Fees may apply for accommodation, sustenance, registration, microchipping and veterinary costs if required, upon collection of the animal. Details of fees payable are included in Councils Revenue Policy which is updated annually and published on Council's website. At the expiration of the prescribed periods the unclaimed animal may be sold.

One of Council's primary goals is the re-homing of animals. Council will use social media and other avenues to advertise animals for sale. Residents are encouraged to purchase animals from the Small Animal Pound and all animals sold are micro-chipped, wormed for intestinal worms and given the first vaccination.

Dogs are vaccinated against hepatitis, distemper and parvovirus whilst cats are vaccinated against cat flu and feline enteritis.

No animal may leave the Pound until it has been registered and microchipped.

#### Goals

- To facilitate the prompt return of seized animals to their owners and

- reduce the number of animals that need to be impounded
- To maintain and broaden links with professional bodies, animal welfare agencies, Animal Welfare League(AWL)/Royal Society for the Prevention of Cruelty to Animals (RSPCA)/Police/Vets, to promptly manage incidents, health issues and increase re-homing opportunities

- To minimise the number of animals euthanased.

### 2.3 Animal welfare and responsible pet ownership

The health and social benefits of owning pets are well understood. With pet ownership comes a responsibility to manage the welfare of animals. Owners have an obligation to take reasonable care of their animals and to prevent any adverse impacts on the community from improper or negligent control.

Problems can be addressed by:

- attending to pet health and welfare including exercise, training and socialising as appropriate to the breed of animal
- confining dogs within the perimeter of the home to prevent straying
- minimising any adverse effects toward neighbours, such as excessive barking
- complying with relevant legislation (leash laws, removal of faeces from public places, and maintaining dogs under effective control).



# Community

Conflict between people, dogs and cats does occur, particularly when there is close proximity to neighbouring dwellings. Issues include barking dogs, roaming cats/dogs, cat/dog faeces exposure, number of animals per household and serious issues such as dog attacks.

## 3.1 Public safety

People should be able to move freely throughout the public areas without loss of amenity due to dogs and cats not being under effective control and furthermore that dog owners have access to safe off leash and on leash exercise areas for their pets.

Cats and dogs are important companions to their owners and the rights of owners to enter public places with their pets needs to be protected. It is equally important that general rights to enjoy community and open spaces, free of dog and cat nuisances, are enforced.

It is essential that owners keep their pets under effective control when they exercise their rights to enter the public domain and immediately pick up and appropriately dispose of faeces.

### Dog attacks

Offences relating to dog attacks are broadly defined under the Act. An

offence occurs if a dog rushes at, bites, harasses or chases any person or animal (other than vermin), whether or not any injury is caused. There are significant penalties associated with dog attack incidents clearly reflective of broader community concern across NSW.

It is not an offence if the dog is provoked by teasing, is being mistreated or attacked, or as a result of the person or animal trespassing on the property on which the dog was being kept, or as a result of the dog acting in reasonable defence of a person or property.

Victim and witness statements received by Council on alleged dog attacks will be assessed on their individual merits to determine the nature of any enforcement action.

All confirmed dog attacks will be reported to the Office of Local Government within 72 hours as prescribed.

### Dangerous and menacing dogs

The Act (Part 5) includes provisions that impose stringent controls on dogs that pose a threat to the safety of humans and other animals through attacks or menacing behaviours. Council has adopted policy regarding the process for performing a risk assessment on all dogs responsible for an attack on a person or animal as well as appeal procedures prior to exercising its authority to declare a dog as menacing

or dangerous under the Act.

Restricted dog breeds are defined in the Act also and are required to comply with special conditions including stringent control and enclosure requirements.

There are significant penalties for owners of dogs declared as menacing, dangerous or a restricted breed, for breaches of the Act.

### Education

Council Rangers engage with various community and school groups on topics as, legislation, general care and personal responsibilities of pet ownership.

The annual Pet Expo provides a platform for education and coupled with social media is a valuable resource for the transmission of information. An opportunity exists for pet owners to provide feedback to Council on issues associated with animal management.

In conjunction with the RSPCA NSW and members of the Australian Veterinary Association in Bathurst, de-sexing and micro-chipping initiatives are held twice a year.

This initiative targets low-income earners where the full cost of undertaking this procedure would otherwise be too prohibitive. This initiative encourages responsible pet ownership and ultimately benefits

the broader community with the result being fewer stray cats and dogs through unwanted litters.

General information on responsible pet ownership is also available on Council's website.

Education programs will continue to focus on:

- appropriate pet selection. Problems can be avoided by selecting the type of animal, breed and sex to suit the owner's lifestyle and circumstances
- basic health and welfare principles. Regular exercise, proper nutrition, water and shelter are crucial to the maintenance of animal health. Health care practices, such as worming and vet check-ups, must be maintained
- permanent identification (microchipping) and registration
- desexing, which has the capacity to reduce several unwanted animal behaviours, such as: unwanted litters; roaming by male animals; territorial aggression and noise complaints.
- obedience training, which can allow for better control over your animal, a better understanding of your pet, develop a stronger bond, provide a rewarding and challenging environment.

### Secure confinement and environmental enrichment

Confining an animal reduces its risk of causing harm. For example, almost all dog attack incidents are as a consequence of a dog having

escaped its owner's property. In addition, effective confinement reduces the risk of the animal suffering serious harm or death by misadventure (e.g. struck by a vehicle). While for dogs there is a legal requirement for confinement, there is the consideration of combating the boredom and frustrations that animals may feel while their owner is absent.

Environmental enrichment is the inclusion of cognitive, dietary, physical, sensory and social stimuli to relieve boredom and frustration. If an animal is kept busy, it is less frustrated, less reactive and less of a potential nuisance (barking and roaming).

#### **Socialisation and training**

Early socialisation of animals is important to allow exposure to different stimuli in the local environment (children/elderly people, other animals, noises and movement). Dog training is encouraged to ensure that owners have control of their pet in public and private places.

#### **Goals**

- to improve community awareness of the importance of safety around animals
- to encourage further education regarding responsible pet ownership
- improve community awareness of the value of microchipping and registration

- to promote the desexing of animals
- to encourage animal owners to provide mental and physical challenges for their animals improving the welfare of their animals and reducing negative impacts on the community.

#### **Dog Exercise Areas**

There are a number of locations where the Act (sections 14, 30) prohibits cats and dogs including:

- in or within 10 metres of a children's play areas
- food preparation or consumption areas (unless it is in a public thoroughfare such as a road, footpath or pathway)
- recreation and public bathing areas where dogs are declared to be prohibited
- school grounds and child care centres (unless with the permission of the person controlling the school/centre)
- shopping areas (unless secured in a vehicle, with the permission of the person controlling the place or going to or from a vet or pet shop)
- wildlife protection areas

Whilst in public dogs should generally always be on a leash and under the effective control of a competent person.

Council has two fully fenced designated leash-free areas located in Kefford Street between Peel and Stewart Streets. There is a large general



area for dogs of all sizes and a smaller dog area for dogs under 10kg in weight.

Additionally the following sites have been designated for use as off-leash dog exercise areas:

- Site 1 Eglinton Showground at the rear of Cottonwood Drive
- Site 2 Russell Street, opposite Police Paddock and bounded by Vale Creek and the flood levee
- Site 3 The reserve between McMenamin Place, Rivett Place and Bell Place, Kelso
- Site 4 The Vale Creek side of the Brian Booth Oval, Perthville
- Site 5 Lavis Park and the reserve between Napoleon Street and Adrienne Street, Raglan
- Site 6 Drainage reserve on the corner of Bradwardine Road and Evernden Road, Windradyne
- Site 7 Hector Park and the Rocket Street Reserve adjacent to the Basketball Stadium, West Bathurst
- Site 8 Between Evans Bridge and the George Street Bridge, subject to operating hours before 8 am and after 5 pm
- Site 9 Centennial Park, subject to exclusion of playground area and operating hours before 8 am and after 5 pm
- Site 10 Jaques Park, South Bathurst

**Goals**

- to promote and provide opportunities for dogs to socialise with

- other dogs and humans
- increase exercise opportunities for the benefit and health of dogs and dog owners.
- increase the awareness of dog training and keeping dogs under effective control.

**3.2 Enforcement**

Council has an active role to ensure animal owners comply with the Act. Rangers are responsible for enforcing the regulations in accordance with the Bathurst Regional Council Enforcement Policy.

Community safety is always paramount and responses are prioritised by severity in particular in regard to cases of aggressive dogs and dog attacks.

Generally Council relies in the main on voluntary compliance and encourages responsible animal ownership. It will continue to deliver community education on regulatory aspects such as :

- public safety, dog attacks, menacing and dangerous dogs and restricted breeds
- nuisance and barking dogs
- microchipping and registration
- responsibilities for confinement and effective control in public
- general responsibilities (change of ownership/address etc)



Animals can create adverse impacts on the environment in a number of ways such as noise, pollution, water and faecal pollution as well as impacting on native fauna.

Education of dog and cat owners to understand the potential negative impacts of their animals will help the owner manage their animal's activities to minimise their impact on the surrounding environment.

#### 4.1 Noise

The predominant form of noise complaints relating to companion animals is from barking dogs. While all dogs bark, it is those that bark excessively that require management. Barking dogs account for a large percentage of noise complaints received by Council.

Barking dogs are a significant community problem and dog owners are responsible for ensuring that their dog does not create a nuisance by barking. However, an animal barking may be due to: territorial behaviour, boredom, separation anxiety, illness, visual stimuli or teasing.

The noise of cats fighting during the night is reported less frequently but it is still a source of noise complaints. Confining cats inside their residence at night to prevent cat fights, noise, roaming and hunting is

recommended.

Noise complaints if not addressed by owners of animals can be dealt with by Council through the declaration of an animal as a nuisance (with subsequent penalty notice action then possible) under the Companion Animals Act or for more serious matters, under the Protection of the Environment Operations Act 1997 as noise pollution.

#### Goals

- to educate the community in an endeavour to reduce incidents of nuisance barking
- to raise awareness of the strategies to reduce dog and cat noise pollution
- to address community dog and cat noise complaints.

#### 4.2 Water and faeces pollution

Companion animal faeces are a significant environmental and public health issue. The pollution of backyards, footpaths, parks, reserves and beaches by animal faeces and the resulting pollution of waterways are of concern.

The failure of animal owners to properly dispose of their animal faeces is an offence and on the spot fines may be issued.

#### Goals

- educating and enforce pet owners to clean up after their pets and to dispose of the waste appropriately
- raise animal owners' awareness of the health and amenity issues of uncollected animal faeces.

- protection of threatened species
- mitigate impacts in environmental sensitive areas through education and improving companion animal owners understanding of the impacts of dogs and cats in these areas
- provide information and install appropriate signage to identify protected areas/nesting sites.

### 4.3 Impacts on biodiversity

The Bathurst Biodiversity Management Plan has identified several species of threatened and endangered native fauna including the Common Bandicoot, Spotted-tailed Quoll, the Feather-tailed Glider and many migratory birds including the Japanese Snipe, Sharp-tailed Sandpiper and others. It is vital that animal management strategies be implemented to assist with the protection of these and other species.

Cats in particular are very efficient hunters. The impacts of dogs and cats on our natural areas also go beyond direct predation on native animals.

#### Goals

- encourage cat confinement
- maintain a working relationship with stakeholders to ensure the



# Monitoring and review

Ongoing monitoring and review of animal management is required. This will ensure strategies and focus will remain relevant, sustainable and in-line with statutory obligations and community expectations.

## Goals

- to analyse statistics to indicate performance and consider alternative or future strategies
- to seek feedback, via customer service surveys, from customers and animal owners
- to network with other local government areas and animal welfare organisations.

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

POLICY COMMITTEE

5 DECEMBER 2018

<b>POLICY:</b>	NAMING OF COUNCIL FACILITIES
<b>DATE ADOPTED:</b>	Director Corporate Services & Finance's Report #1 Policy 5 December 2012 Council 6 February 2013 Minute Book No. 11477
<b>ORIGINAL ADOPTION:</b>	Director Engineering Services & Report #1 Policy 1 September 2010. Council 15 September 2010 Minute Book No. 10985
<b>FILE REFERENCE:</b>	04.00008
<b>OBJECTIVE:</b>	To provide Council with a set of guidelines for the naming of Council owned and managed public open spaces, including reserves, parks, public gardens, sporting fields / facilities and recreational areas and to allow for the recognition of both the European and Indigenous cultural heritage of the Bathurst Region.

---

The guidelines will ensure that the naming of all places is carried out in a consistent manner according to an established set of criteria.

This policy excludes the naming of geographical or topographical features which are covered by the Geographic Names Board and also excludes roads and streets which have their own set of guidelines.

Where existing Council owned public open space is not named, Council will apply this policy and associated guidelines. The policy will not be used to rename places already named, or names approved by Council, Committees or Community Boards by formal resolution.

It is intended that facilities would be named after individuals only in exceptional circumstances and that such naming would:

- Commemorate and recognize individuals, institutions or events that contributed significantly to the betterment of the Bathurst community.
- Demonstrated achievement at a high level.
- Portray the appropriate physical, historical or cultural character of the area/place concerned.
- Be consistent with the overall interest, values and expectation of the Bathurst community.
- Be consistent with the relevant legislation and Geographic Names Board Guidelines where applicable
- Be consistent with Council's guidelines for naming roads.
- Generally, the recommendation to name a Council facility after a person of good character will only be considered after the person is deceased. In exceptional circumstances a Council facility could be named after a person still living in



recognition of past contributions, but generally only when the association or link has ceased or is completed.

- Where practicable, the deceased person's next of kin or appropriate relative will be consulted before a deceased person's name is recommended for naming.
- Facilities should not be named for members of Council staff, Councillors, appointees to Committees of the Council or those formally associated with Council, as long as that formal relationship exists.
- The names of existing facilities would only be changed if exceptional circumstances warrant the name to be changed.
- If a facility that has been named is removed or replaced for any reason, or the nature of the facility changes, Council is not obliged to retain the name.
- Council will require sufficient information regarding the request to name the specific area/facility and such information will need to be corroborated by an independent source.
- Council may forward any request to name a specific area/facility to any other party (e.g. Bathurst District Sport and Recreation Council, local sporting organization, Geographical Names board, Bathurst District Historical Society, Local Aboriginal Land Council etc) for comment.

### **Approval**

Approval will be based on the merits of each application and on the guidelines as set in this policy. Proposals for the naming of facilities may come from a variety of sources including individuals, groups, clubs, committees and societies etc.

An initial review of the proposal will be made by Council Officers and an assessment of the proposal for its conformance with the criteria and procedure herein.

If assessed as conforming, the proposal will be advertised in Council's column in the local newspaper for a minimum of 2 weeks to allow for the community an opportunity to comment. Following this, the proposal will be put to Council for final consideration and approval.

Council will ensure the origin of the name will be clearly stated and recorded.

Once approved, the installation and type of signage will be coordinated by Bathurst Regional Council with the cost being borne by the applicant of the request or in exceptional circumstances by Council.

**DIRECTOR CULTURAL & COMMUNITY SERVICES' REPORT -  
ATTACHMENTS**

POLICY COMMITTEE

5 DECEMBER 2018

# Survey Responses

01 October 2018 - 14 November 2018

## Draft CCTV policy

# Your Say Bathurst Region

Project: Draft CBD CCTV Policy



VISITORS						
7						
CONTRIBUTORS			RESPONSES			
1			1			
1	0	0	1	0	0	
Registered	Unverified	Anonymous	Registered	Unverified	Anonymous	

**Respondent No:** 1**Login:****Email:****Responded At:** Nov 13, 2018 10:37:39 am**Last Seen:** Nov 12, 2018 22:59:06 pm**IP Address:**Q1. **Name**

Bob Triming

Q2. **Postal Address**Q3. **Email address**Q4. **Do you have any comments in regard to the Draft CCTV Policy?**

\* The proposed areas for surveillance should have been made available to the public so as comment could have been passed during the period available for submissions. \* The system should include at least two mobile type cameras for use at special events and randomly at other venues where problems are encountered and that are not covered by the permanent system. I refer to the mobile cameras on a central all inclusive pole that has solar based lights, speakers and camera from Spectur .com.au I have seen them in use at Floriade in Canberra. Would be of great benefit for race events and the New Year event at the Adventure Playground. Using this type of high visibility camera would provide a greater deterrent than a single temporary Wi-fi camera which is rather inconspicuous. \* Careful placement of permanent cameras especially around Machattie Park could see coverage of both park area for a limited distance as well as street & footpaths. \* High definition cameras combined with high quality recording equipment should override budget restrictions. The better the quality image but the greater chance of Police successful actions. \* For areas where a camera cannot be provided that may be a medium level security problem, signs could be erected saying "CCTV MAY be in use in this area". \* The current CCTV support for businesses should be continued to enable an ever increasing coverage of the city. Thought also needs to be given to areas outside the central CBD that could benefit.

Q5. **You can upload a document here.**

not answered



**CENTRAL BUSINESS DISTRICT  
(CBD) CLOSED CIRCUIT  
TELEVISION (CCTV) POLICY**

## **PART 1: INTRODUCTION**

This Policy underpins the introduction, ongoing management and operation of Closed Circuit Television (CCTV) within the Central Business District (CBD) of Bathurst. Standard Operating Procedures and Code of Practice will guide Council staff and Police in the day-to-day operation of the scheme and ensure alignment with the *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of CCTV in Public Places*.

This Policy will ensure the effective, appropriate and lawful use of CCTV by Council and the Police in public areas, designated workplaces and Bathurst Regional Council facilities across the CBD.

Establishing and operating a CCTV system can be complex, time-consuming, and costly, therefore it is necessary that appropriate policies and procedures are in place to ensure the CCTV system operates efficiently and effectively. This Policy, Standard Operating Procedures and Code of Practice will also increase public confidence that Council's CCTV system is appropriately controlled, administered and accountable.

This CBD CCTV scheme is aimed at the detection and conviction of offenders. Council and Police recognise that the presence of CCTV can have a deterrent effect on crime and antisocial behaviour within the CBD, whilst contributing to a greater sense of safety in the community. CCTV is being introduced as part of the broader community safety strategy within the Bathurst Local Government Area. The CCTV cameras will not be monitored by Council but will capture images that can be used to assist Police. Police may intermittently view live images provided by the CBD CCTV scheme.

### **1.1 Policy Objectives**

#### **To reduce the fear of crime as measured by:**

- Increased community perception of safety within the CBD

#### **To assist in the apprehension and prosecution of offenders as measured by:**

- Increase in the number of offenders identified
- Increase in the number of offenders apprehended

### **1.2 Scope of Policy**

This policy relates to CCTV and surveillance systems used and operated by Council and the Police, as well as the implementation of CCTV cameras in locations identified as higher risk crime areas within the CBD.

Although every effort will be made to ensure maximum effectiveness of the system it is not possible to guarantee that the system will detect every incident taking place within the area of coverage.

### 1.3 Definitions

<b>Closed Circuit Television (CCTV)</b>	A surveillance system in which a number of cameras are connected through a closed circuit. The footage taken by the cameras is sent to a television monitor or recorder. CCTV systems consist of cameras, monitors, recorders, interconnecting hardware and support infrastructure (the scheme).
<b>Council</b>	Bathurst Regional Council (the owner of the scheme).
<b>Passive monitoring</b>	Where CCTV monitors may be intermittently viewed.
<b>Police</b>	Authorised Police Officers from the Bathurst Police Station (part of the Chifley Police District).
<b>Retrospective review</b>	Where CCTV footage is reviewed after an incident.

### 1.4 Legislative Context

- Government Information (Public Access) Act 2009
- Privacy and Personal Information Protection Act 1998
- Privacy and Personal Information Regulation 2005
- Surveillance Devices Act 2007
- Workplace Surveillance Act 2005
- State Environmental Policy (Infrastructure) 2007

### 1.5 Related Documents

The following documents are operational documents which support the policy:

Standard Operating Procedures – this document will be based on the CBD CCTV Policy and ensure that the principles and purposes on which the CBD CCTV scheme is based on are adhered to. This procedure is intended to identify the correct operations, ownership and maintenance of the CBD CCTV scheme, and the usage of recordings captured in the process of investigating criminal activity. This process serves both Council staff (authorised) to access CCTV footage, and registered persons (authorised) by the police to request CCTV footage.

The Standard Operating Procedures will ensure:

- persons are informed about the collection and purpose for collection of the personal information in accordance with Section 10 of the PPIP Act, and
- that the information is protected by taking reasonable security safeguards against loss, unauthorised access and misuse in accordance with Section 12 of the PPIP Act.

These aspects are addressed in the Standard Operating Procedures to ensure compliance with the Privacy and Personal Information Regulation 2005.

CCTV Code of Practice – outlines the minimum standards of compliance under which Closed Circuit Television (CCTV) will be operated by Bathurst Regional Council. The Code of Practice will operate within applicable law and only for the purpose of which it is established, as well as with regards to the privacy and civil liberties of individual members of the public.

CCTV Memorandum of Understanding between Council and the Police – is intended to demonstrate a mutual understanding of the management and implementation of the CBD CCTV scheme. The Memorandum of Understanding acknowledges each parties obligations under the *Privacy and Personal Information Protection Act 1998 (NSW)*.

NSW Government Policy Statement and Guidelines for the Establishment and Implementation of Closed Circuit Television (CCTV) in Public Places – provides a policy framework and underlying principles to assist agencies considering CCTV as a possible response to local community safety concerns.

## **1.6 Responsibilities**

### Bathurst Regional Council:

Council is the owner of the public place CBD CCTV scheme. Council has responsibility for securing funding, responsibility to consult with and inform the community, and responsibility for design, management, running costs, evaluation and audit activities.

The CCTV system provided will not be monitored live by Council. Council will maintain all equipment and will be responsible for recording images that can be used to assist the Police. It is acknowledged that from time to time equipment will fail and while every endeavour will be made to ensure that all equipment is functioning at all times Council cannot guarantee this.

### NSW Police Force:

The Police are not responsible at this point in time for the funding of the CBD CCTV scheme, but have been involved in the assessment and planning phase. The Standard Operating Procedures for the scheme will incorporate protocols covering communication and liaison between Council and the Police. A CCTV monitor will be located within the Bathurst Police Station for passive monitoring only. The location and use of this monitor will be determined in accordance with the NSW guidelines for the monitoring of CCTV. The Police will also be provided with the ability to review stored footage and request Council to download required footage for evidentiary purposes.

The Police are responsible for providing to Council annually an analysis of crime statistics and data of arrest and successful prosecutions related to the CCTV coverage area.

### Private Sector:

Private sector agencies may contribute financially to the introduction of the CCTV system. This financial contribution will end the involvement of the private sector agency.

## **1.7 Review Procedures**

Staff will undertake annual reviews of the CBD CCTV scheme, including analysis of crime statistics and data.

The NSW Information and Privacy Commission may request to undertake spot audits from time to time and local councils should comply with such requests.

## **1.8 Reporting Requirements**

Annual analysis of crime statistics and evaluation against the CBD CCTV policy objectives will be reported to Council.



## PART 2: POLICY CONTENT

### 2.1 General Provisions

#### Guiding Principles

Council has made reference to and responded to the *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of CCTV in Public Places* in order to ensure best compliance with the implementation of the CBD CCTV scheme. The nine principles outlined in the *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of CCTV in Public Places* include issues relating to privacy, fairness, public confidence and support, managerial efficiency and effectiveness, and police involvement in public area CCTV. The principles are essential for the implementation of CCTV and include:

- **Integrated Approaches to Crime Prevention**  
**Principle:** The implementation of CCTV should be part of an integrated, multiagency approach to crime control and community safety.
- **The Ownership of Schemes and Its Accompanying Responsibilities**  
**Principle:** The ownership of public area CCTV schemes must be clear and publicly known and ensure appropriate public accountability.
- **Community Consultation**  
**Principle:** When considering setting up or significantly expanding a public area CCTV scheme, the relevant concerns of all parties potentially affected by the scheme should be taken into account through an effective community consultation strategy. Consultation will help to ensure that schemes meet local needs and circumstances, and that the operation of the scheme has the support of those affected by it.
- **Setting Clear Objectives**  
**Principle:** Clear scheme objectives should be set to guide the design, implementation, management and outcomes of public area CCTV. A clear statement of objectives will provide a basis for effective monitoring and evaluation of the scheme, and help to ensure that the use of CCTV is consistent with overall crime prevention objectives.
- **Police Involvement in Public Area CCTV Schemes**  
**Principle:** While the Police should not fund public area CCTV schemes, they should be closely involved in the assessment and planning phase, including risk analysis and evaluation. The Standard Operating Procedures for the scheme should incorporate protocols covering communication and liaison between the scheme operators and the Police.
- **Managing and Operating Schemes**  
**Principle:** CCTV schemes should be open and accountable and operate with due regard for the privacy and civil rights of individuals and the community. (Please refer to Privacy section below for full details).
- **Evaluation**  
**Principle:** Effective evaluation of schemes is essential in order to identify whether their formal objectives are being achieved. Evaluation frameworks should be developed at the planning stage of the scheme.

- **Complaints**  
**Principle:** Publicly accountable, impartial and fair schemes should have procedures for dealing with complaints.
- **Monitoring and Auditing**  
**Principle:** Audit is needed in order to provide an account of the operation of a scheme, by testing its compliance against relevant policy, legislation and procedures, and to be used as the basis of recommendations for improved practice.

## 2.2 Specific Provisions

### Disclosure

CCTV footage and records will only be used and disclosed in accordance with the primary purpose of collection. This CBD CCTV scheme is aimed at the detection and conviction of offenders, with footage to be provided to the Police for retrospective review. Access to and use of recorded material will only take place in compliance with a Police request in connection with an investigation of crime and nothing else.

In accordance with the *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of CCTV in Public Places*, reasonable steps will be taken to protect information gathered through public place CCTV from misuse or inappropriate disclosure.

### Disposal

Where footage has been provided to the Police, it is their responsibility to appropriately retain and destroy the record of the footage in accordance with their protocols.

### Privacy

The Privacy and Personal Information Protection Act 1998 covers Local Government authorities as public sector agencies, and as such needs to be addressed when considering the establishment and implementation of CCTV.

CCTV in public places need to balance the need for public safety against the right to privacy for members of the public. The CBD CCTV scheme needs to be operated with respect for people's privacy and their right to conduct or engage in lawful activities. The *NSW Government Policy Statement and Guidelines for the Establishment and Implementation of CCTV in Public Places* states:

*Continuing community support for the operation of CCTV schemes will depend upon the confidence people have that the scheme is providing the anticipated benefits. It is therefore essential that:*

- *the recording and retention of images should be undertaken fairly and lawfully;*
- *the purpose for which the information is being obtained is known;*
- *the information not be used for any other purpose than that proclaimed;*
- *people be aware that they may be subject to CCTV surveillance;*
- *the CCTV surveillance should only be used to identify crimes occurring within the CCTV area;*
- *the CCTV surveillance should never be used to monitor or track individuals who have not obviously been involved in a crime;*
- *the CCTV surveillance should only be used to identify crimes occurring within the CCTV area; and*

- *the owners of the scheme are known and accountable for its operation.*

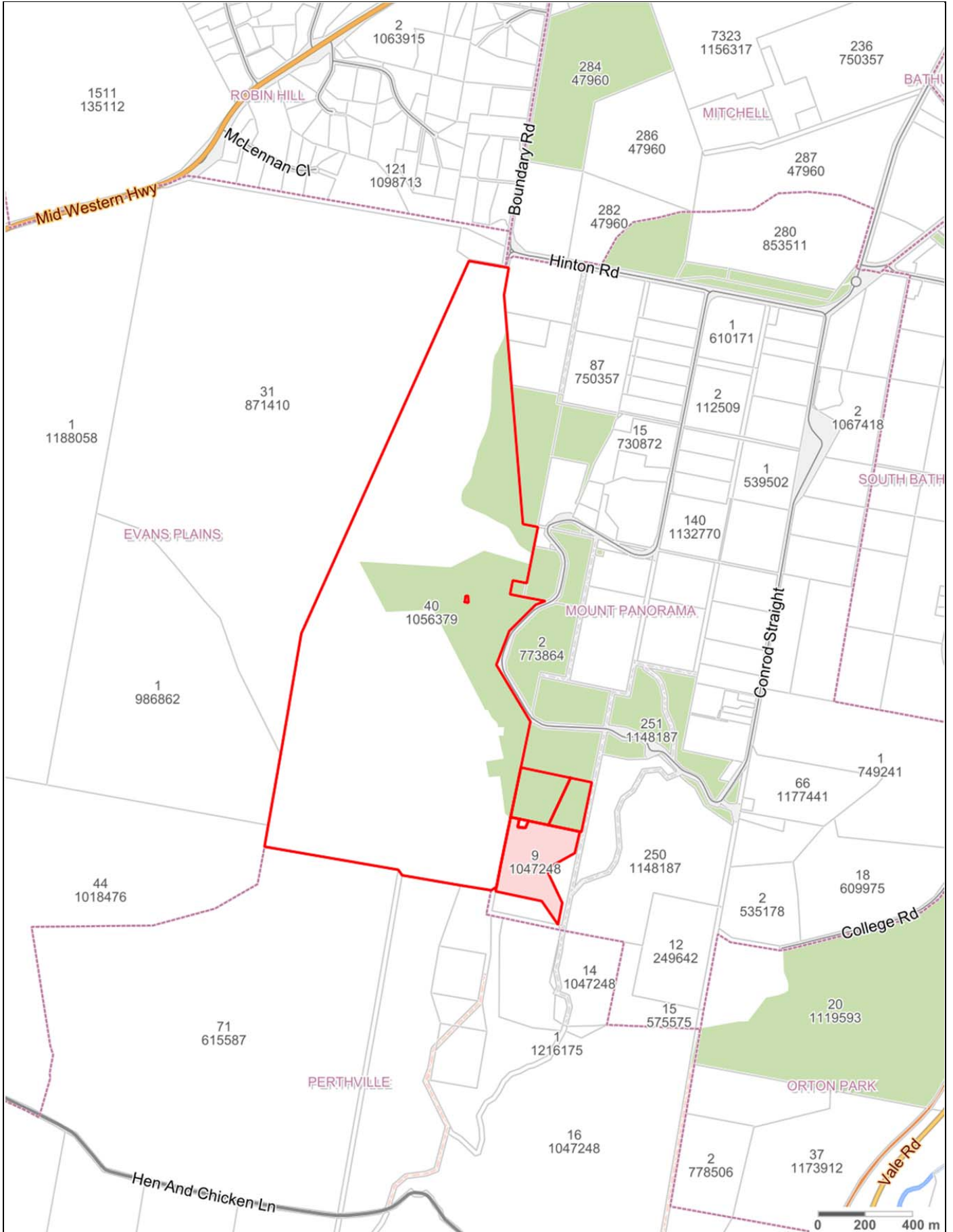
CCTV information and records are to be handled in accordance with the Privacy and Personal Information Protection (PPIP) Act 1998 and the Privacy and Personal Information Regulation 2005. Use and disclosure of CCTV footage and personal information must only be in accordance with privacy laws.

The Privacy and Personal Information Regulation 2005 exempts Councils from certain provisions of the PPIP Act relating to the use of CCTV cameras, specifically as follows:

- *Council is exempt from section 11 of the Act with respect to the collection of personal information by using a CCTV camera that Council has installed for the purpose of filming a public place, if the camera is positioned so no other land is filmed (unless it is not reasonably practicable to avoid filming the other land when filming the public place).*
- *Council is also exempt from section 18 of the Act with respect to the disclosure to the NSW Police Force of personal information by way of live transmission from such a CCTV camera.*

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

POLICY COMMITTEE



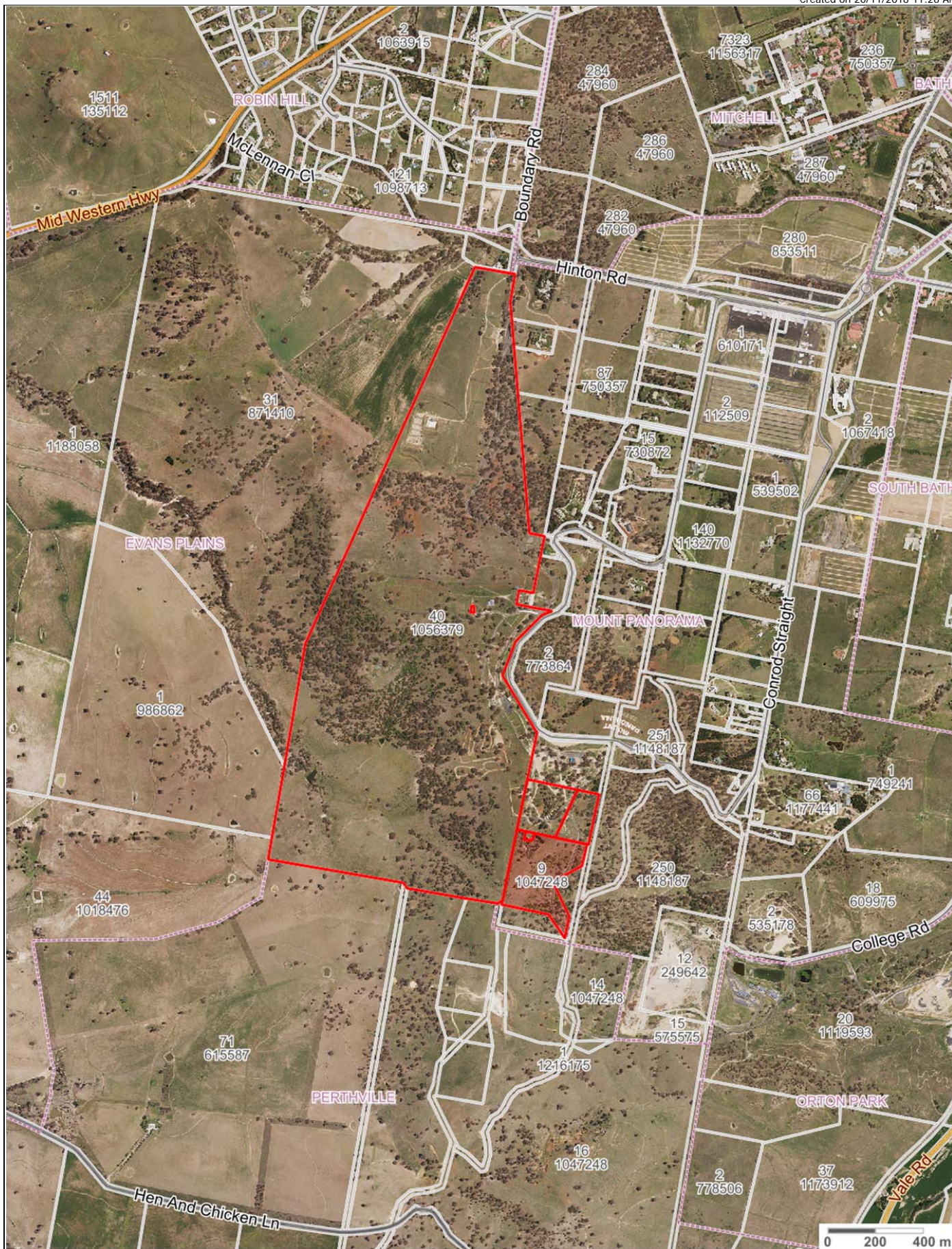
**Bathurst Regional Council**  
 PMB 17  
 158 Russell Street  
 BATHURST NSW 2795  
 Telephone: 02 6333 6111  
 Fax: 02 6331 7211  
 Email: [council@bathurst.nsw.gov.au](mailto:council@bathurst.nsw.gov.au)

**Important Notice!**

This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Bathurst Regional Council nor the LPI makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.  
 © The State of New South Wales (Land and Property Information), © Bathurst Regional Council.



**Drawn By:** DenyerK  
**Date:** 20/11/2018  
**Projection:** GDA94 / MGA zone 55  
**Map Scale:** 1:21040 @ A4



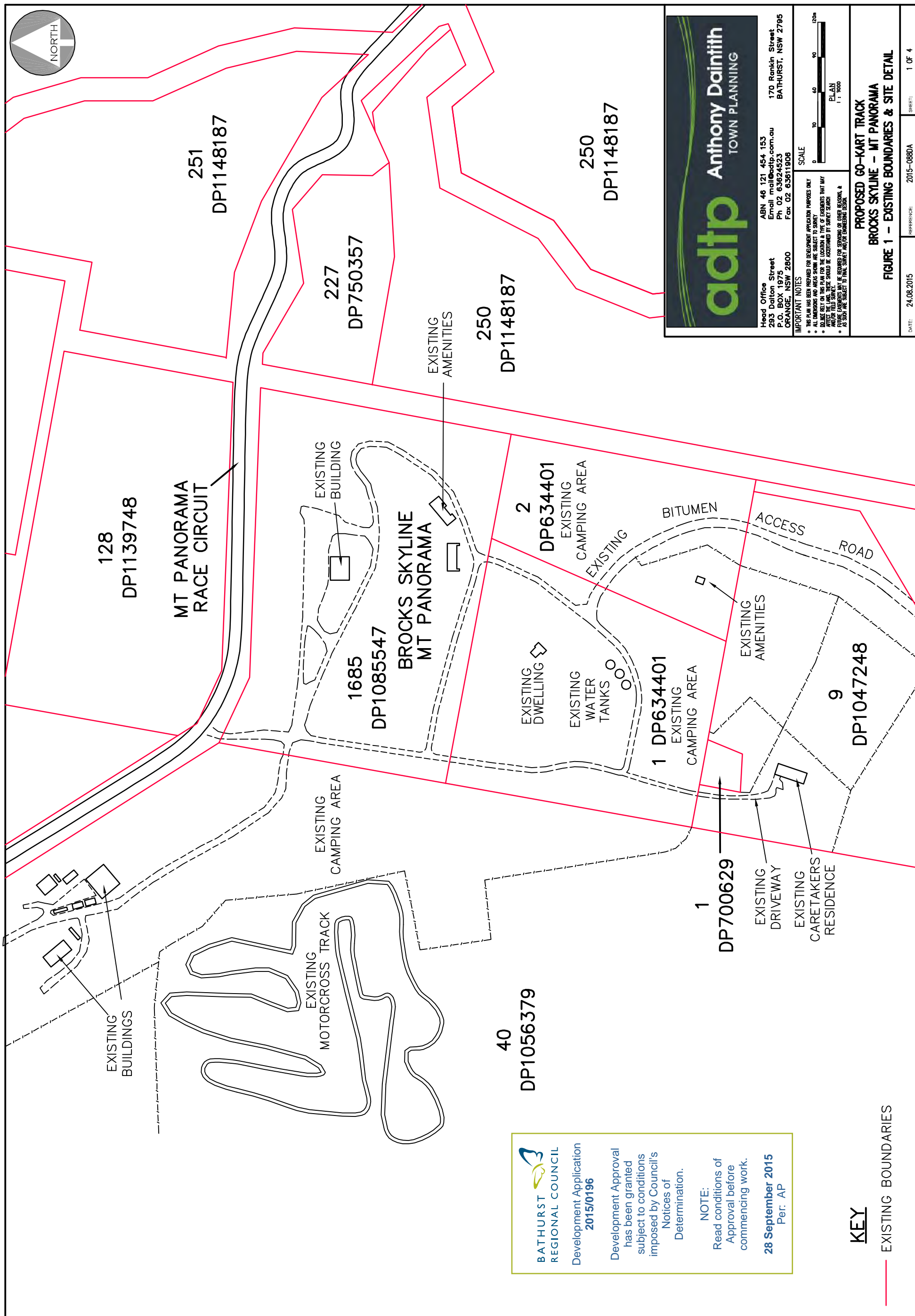
Bathurst Regional Council  
 PMB 17  
 158 Russell Street  
 BATHURST NSW 2795  
 Telephone: 02 6333 6111  
 Fax: 02 6331 7211  
 Email: [council@bathurst.nsw.gov.au](mailto:council@bathurst.nsw.gov.au)

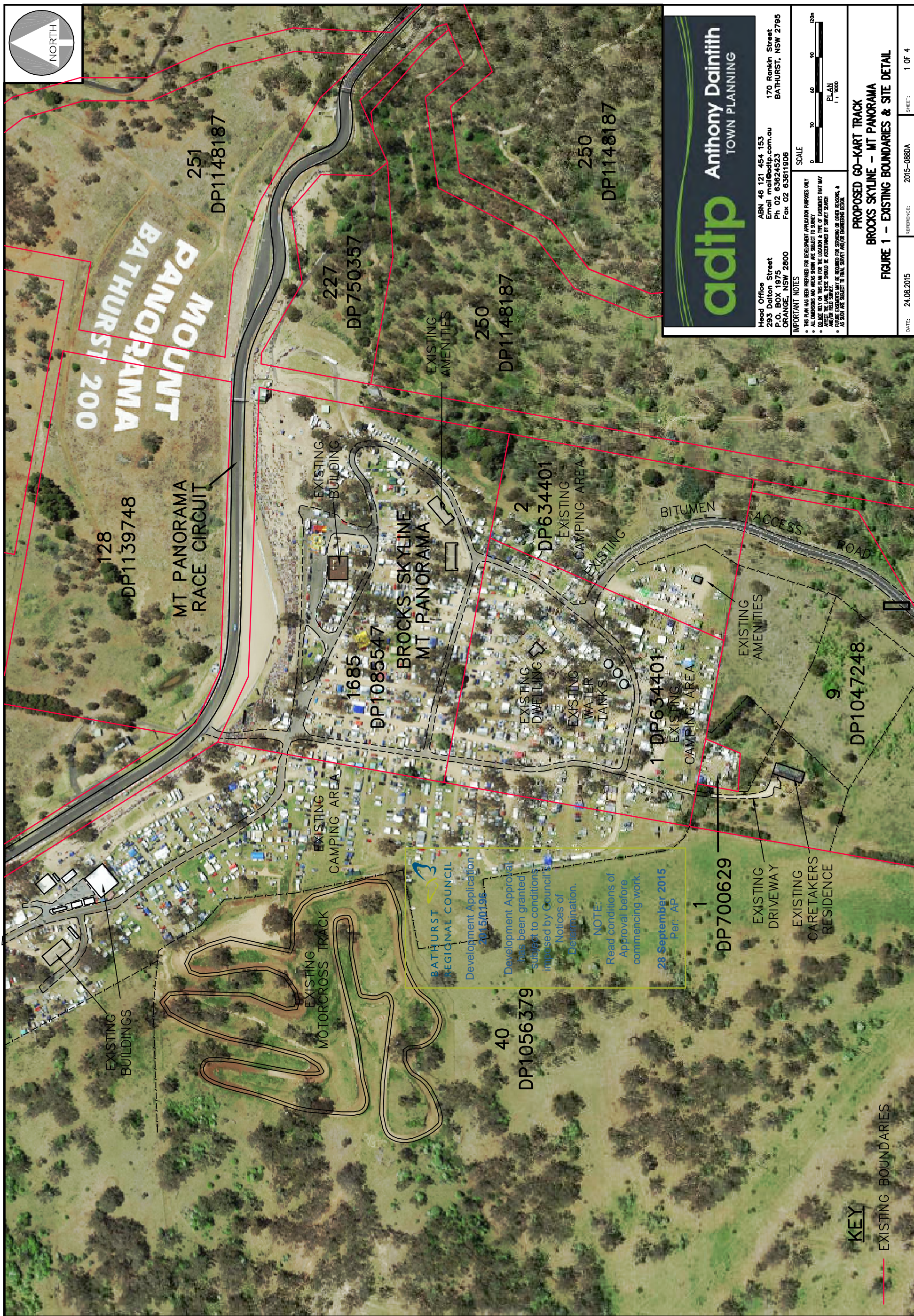
**Important Notice!**

This map is not a precise survey document. Accurate locations can only be determined by a survey on the ground. This information has been prepared for Council's internal purposes and for no other purpose. No statement is made about the accuracy or suitability of the information for use for any purpose (whether the purpose has been notified to Council or not). While every care is taken to ensure the accuracy of this data, neither the Bathurst Regional Council nor the LPI makes any representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and disclaims all responsibility and all liability (including without limitation, liability in negligence) for all expenses, losses, damages (including indirect or consequential damage) and costs which you might incur as a result of the data being inaccurate or incomplete in any way and for any reason.  
 © The State of New South Wales (Land and Property Information).  
 © Bathurst Regional Council.



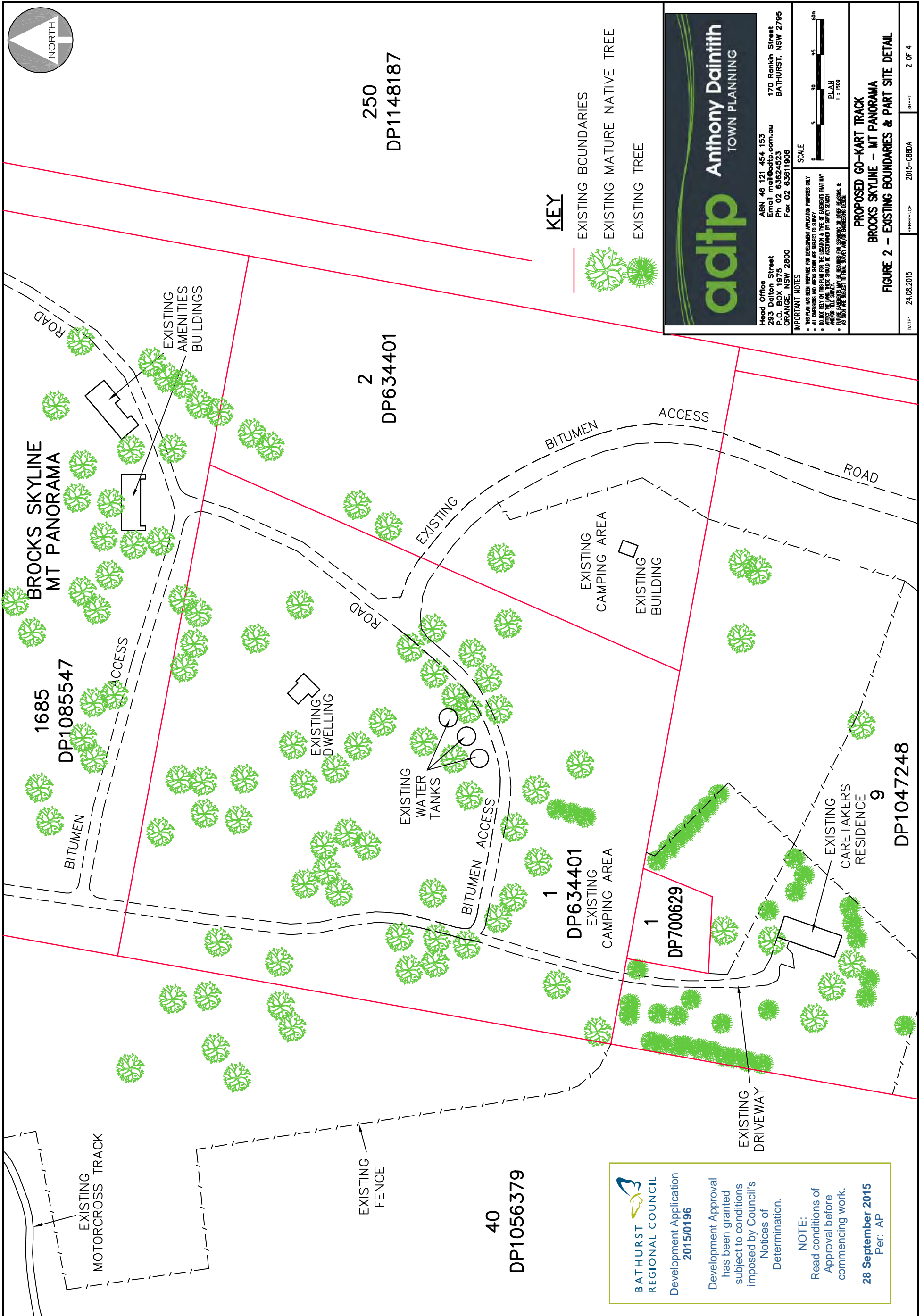
Drawn By: DenyerK  
 Date: 20/11/2018  
 Projection: GDA94 / MGA zone 55  
 Map Scale: 1:21040 @ A4





**COPY ONLY CHECK SCALE**





**KEY**

- EXISTING BOUNDARIES
- EXISTING MATURE NATIVE TREE
- EXISTING TREE

**adtp** Anthony Daintith  
TOWN PLANNING

Head Office  
293 Dutton Street  
P.O. BOX 1975  
ORANGE, NSW 2800

ABN 46 121 454 153  
Email: [adtp@adtp.com.au](mailto:adtp@adtp.com.au)  
Ph: 02 63624523  
Fax: 02 65611906

170 Rankin Street  
BATHURST, NSW 2795

**IMPORTANT NOTES**

- THIS PLAN HAS BEEN PREPARED FOR DEVELOPMENT APPLICATION PURPOSES ONLY
- ALL DIMENSIONS AND AREAS SHOWN ARE SUBJECT TO SURVEY
- DOWNSHIFT ON THIS PLAN FOR THE LOCATION & TYPE OF EXISTENTS THAT MAY AFFECT THE PROPOSED DEVELOPMENT
- ANY WORK SHOULD BE ACCORDING TO SURVEY DATA
- FUTURE EXISTENTS MAY BE REQUIRED FOR SERVICES OR OTHER REASONS, & AS SUCH ARE SUBJECT TO THAT SURVEY AND/OR ENGINEERING DESIGN.

SCALE  
0 15 30 45 60m  
PLAN  
1 : 1 500

**PROPOSED GO-KART TRACK  
BROCKS SKYLINE - MT PANORAMA**

**FIGURE 2 - EXISTING BOUNDARIES & PART SITE DETAIL**

DATE: 24.08.2015 REFERENCE: 2015-0880A SHEET: 2 OF 4

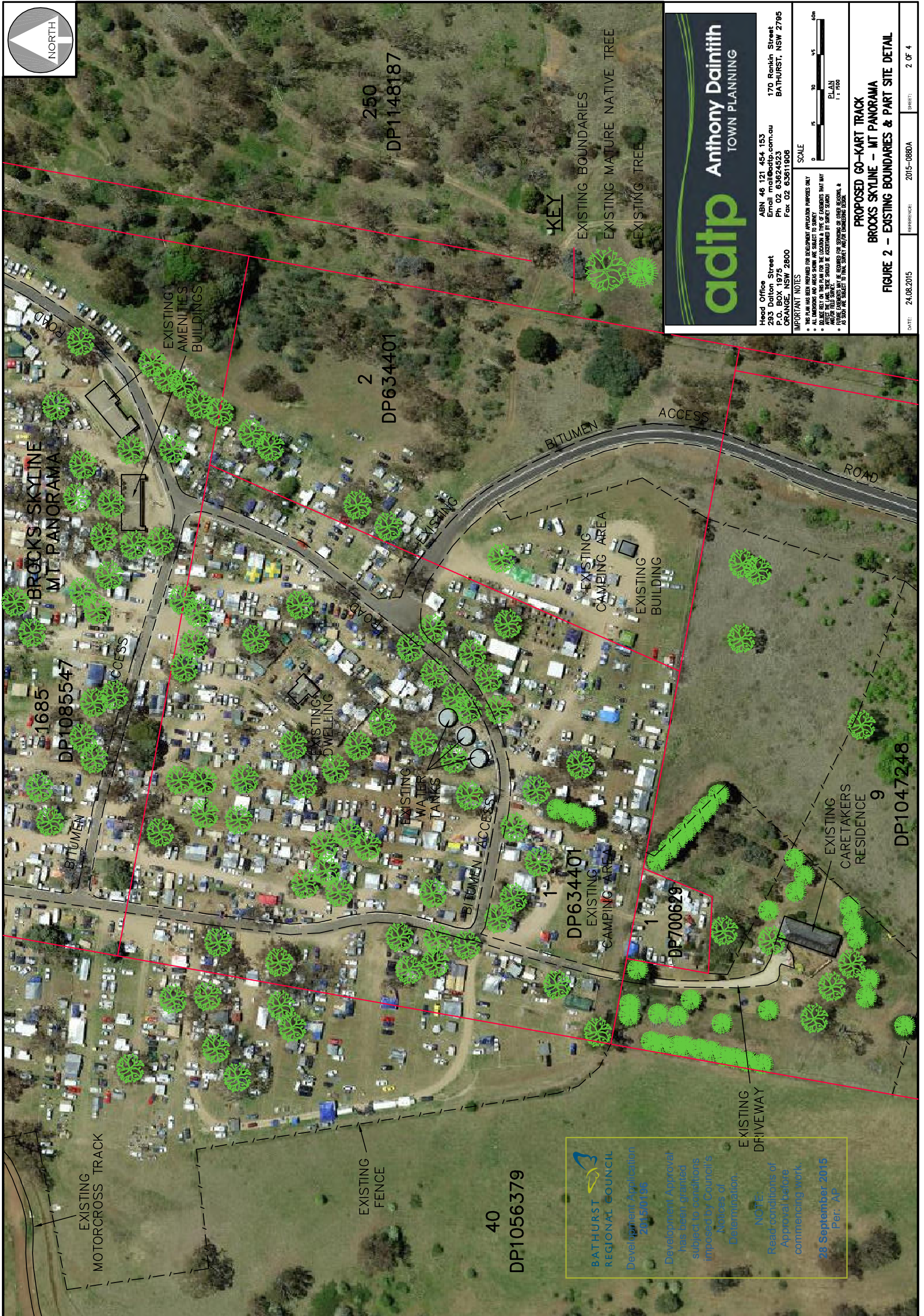
**BATHURST REGIONAL COUNCIL**  
Development Application  
**2015/0196**

Development Approval has been granted subject to conditions imposed by Council's Notices of Determination.

**NOTE:**  
Read conditions of Approval before commencing work.

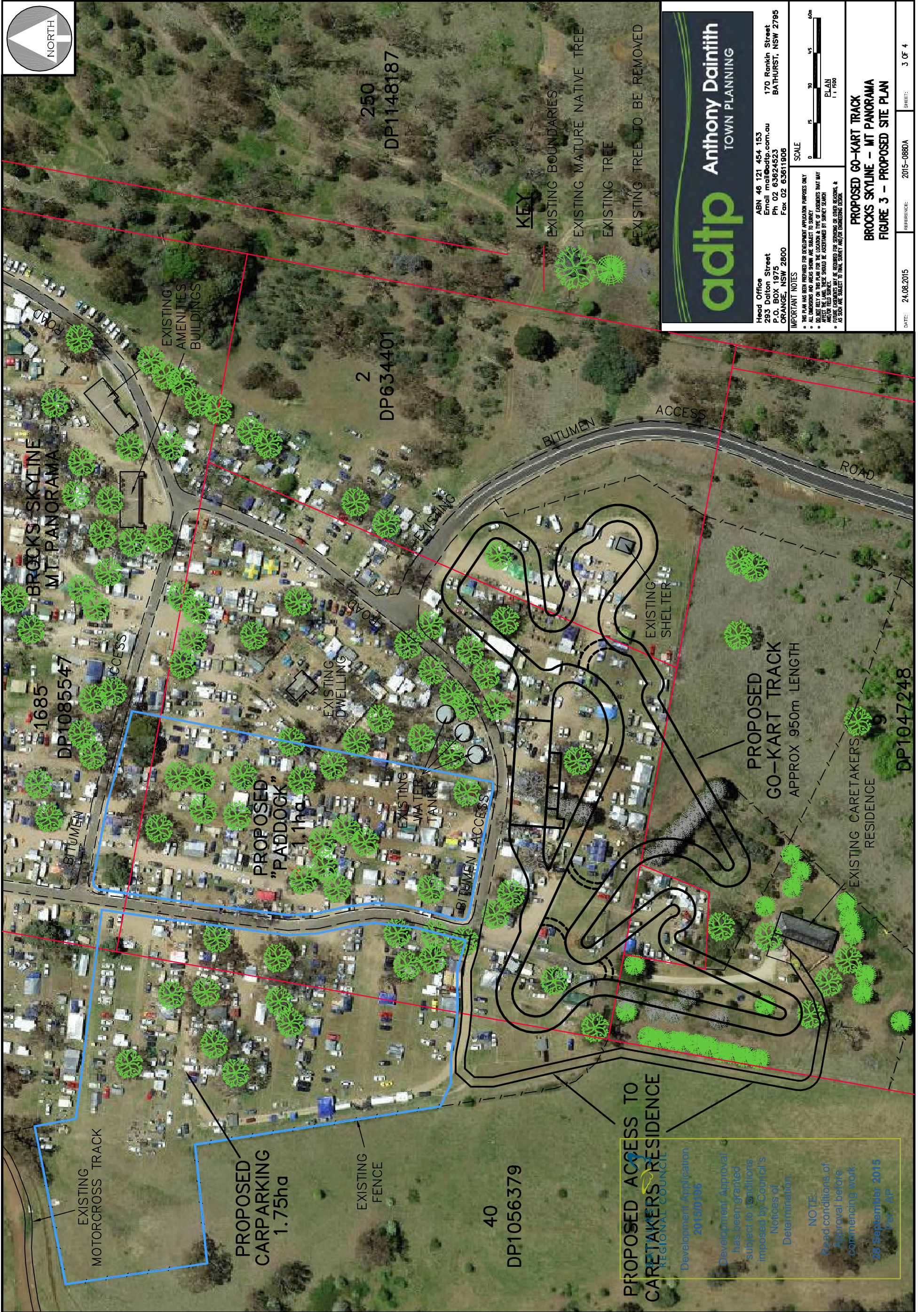
**28 September 2015**  
Per: AP

COPY ONLY CHECK SCALE



**COPY ONLY CHECK SCALE**





COPY ONLY CHECK SCALE







Civic Centre  
158 Russell Street  
Private Mail Bag 17  
Bathurst NSW 2795

Telephone 02 6333 6111  
Facsimile 02 6331 7211  
council@bathurst.nsw.gov.au  
www.bathurstregion.com.au

28 September 2015

**NOTICE TO APPLICANT OF DETERMINATION  
OF A DEVELOPMENT APPLICATION**

Bathurst Kart Club  
c/- Anthony Daintith Town Planning  
PO Box 1975  
ORANGE NSW 2800

being the applicant in respect of **Development Application No 2015/0196**.

Pursuant to section 81(1)(a) of the Environmental Planning and Assessment Act 1979, as amended, notice is hereby given of the determination by Council of Development Application No 2015/0196, relating to the land described as follows:

**LOT: 1 DP: 634401, LOT: 2 DP: 634401, LOT: 1 DP: 700629, LOT: 9 DP: 1047248,  
LOT: 40 DP: 1056379, BROCKS SKYLINE MOUNT PANORAMA**

The Development Application has been determined by GRANTING consent to the following development:

**RECREATION FACILITY - GO KART TRACK AND ASSOCIATED  
INFRASTRUCTURE**

Building Code of Australia building classification *n/a*.

***IMPORTANT NOTICE TO APPLICANT***

If this consent relates to a subdivision or to the erection of a building, one of the conditions listed below will require you to obtain a construction certificate prior to carrying out any work. **YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED THE CONSTRUCTION CERTIFICATE**, even if you made an application for a construction certificate at the same time as you lodged this development application. Due to changes in the law relating to planning and building approvals, Council is unable to issue the construction certificate with the development consent. If there are no conditions in this development consent which need to be met before Council issues the construction certificate, and if your plans comply fully with the Building Code of Australia, the construction certificate will be forwarded to you shortly.

This consent is issued subject to the following conditions and reasons:

Reference: DDWY:AP:DA/2015/0196  
Enquiries: Mr D J Dwyer 02 6333 6212  
006DD\_DA.doc

BATHURST REGION... FULL OF LIFE

Proud to be an evocity

2

Bathurst Kart Club  
28 September 2015

---

#### PRIOR TO ISSUE OF CONSTRUCTION CERTIFICATE

1. **The applicant is to submit three copies of engineering plans, specifications and calculations in relation to:**

- **the proposed track;**
- **drainage infrastructure; and**
- **water infrastructure.**

**Further, the works are to comply with Bathurst Regional Council's Guidelines for Engineering Works.**

REASON: Because it is in the public interest that the design of that (those) aspect(s) of the development comply with Council's Engineering Guidelines. Section 79C(1)(c) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

2. **The applicant is to submit to Council, for endorsement, a landscape plan prepared in accordance with Chapter 13 of the Bathurst Regional Development Control Plan 2014.**

**Council is to certify that the landscape plan is in accordance with Council's Development Control Plan prior to any work occurring on the site.**

**NOTE 1: Care should be taken to minimize tree removal wherever possible in the final design of the track. Those trees that have to be removed are to be clearly identified on a plan and the plan submitted with the landscape plan.**

**NOTE 2: The landscape plan is to include trees to replace those being removed at a ratio of 2:1.**

REASON: To ensure that landscaping will be provided on the subject land. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

3. **Unless the development is exempt under Council's Local Approvals Policy or Bathurst Regional Local Environmental Plan 2014 – Schedule 2, the applicant is to obtain a Construction Certificate pursuant to Section 109C of the Environmental Planning and Assessment Act 1979, as amended from either Council or an accredited certifying authority certifying that the proposed works are in accordance with Bathurst Regional Council's Guidelines for Engineering Works prior to any subdivision works commencing.**

**NOTE 1: No building, engineering or excavation work is to be carried out in relation to this development until the necessary Construction Certificate or certificates have been obtained.**

---

Reference: DDWY:AP:DA/2015/0196  
Enquiries: Mr D J Dwyer 02 6333 6212  
0006DD\_DA.doc



3

Bathurst Kart Club  
28 September 2015

---

**NOTE 2: YOU MUST NOT COMMENCE WORK UNTIL YOU HAVE RECEIVED THE CONSTRUCTION CERTIFICATE, even if you made an application for a Construction Certificate at the same time as you lodged this development application.**

**NOTE 3: It is the responsibility of the applicant to ensure that the development complies with the provision of the Building Code of Australia in the case of building work and the applicable Council Engineering Standards in the case of subdivision works. This may entail alterations to the proposal so that it complies with these standards.**

REASON: So that the design of the proposed work may be assessed in detail before construction commences and because it is in the public interest that the development comply with the appropriate construction standards. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

#### DURING CONSTRUCTION

4. The applicant is to arrange an inspection of the development works by Council's Engineering Department at the following stages of the development. This condition applies notwithstanding any private certification of the engineering works.

COLUMN 1	COLUMN 2
Drainage	<ul style="list-style-type: none"> <li>* After laying of pipes and prior to backfill;</li> <li>* Pits after rendering openings and installation of step irons.</li> </ul>
Water	<ul style="list-style-type: none"> <li>* After laying of mains and prior to backfill;</li> <li>* After laying of services and prior to backfill;</li> <li>* Pressure testing.</li> </ul>
Erosion and sediment control	<ul style="list-style-type: none"> <li>* Prior to the installation of erosion measures.</li> </ul>
All development and/or subdivision works	<ul style="list-style-type: none"> <li>* Practical completion.</li> </ul>

REASON: Because it is in the public interest that Council inspect the work at these stages of development. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

---

Reference: DDWY:AP:DA/2015/0196  
Enquiries: Mr D J Dwyer 02 6333 6212  
0006DD\_DA.doc

4

Bathurst Kart Club  
28 September 2015

---

5. **Building work involving the use of electric or pneumatic tools or other noisy operations shall be carried out only between 7.00 am and 8.00 pm on weekdays and 8.00 am and 8.00 pm on weekends and public holidays.**

REASON: So that building works do not have adverse effect on the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

6. **All building rubbish and debris, including that which can be wind blown, shall be contained on site in a suitable container at all times prior to disposal at Council's Waste Management Centre. The container shall be erected on the building site prior to work commencing.**

**Materials and sheds or machinery to be used in association with the construction of the building shall not be stored or stacked on Council's footpath, nature strip, reserve or roadway.**

**NOTE 1: No building rubbish or debris shall be placed or be permitted to be placed on any adjoining public reserve, footway, road or private land.**

REASON: To ensure that the building site and adjoining public places are maintained in a clean and tidy condition so as not to interfere with the amenity of the area. Section 79C (1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

7. **Erosion and sediment control measures are to be established prior to commencement of construction and maintained to prevent silt and sediment escaping the site or producing erosion. This work must be carried out and maintained in accordance with Council's Erosion and Sediment Control Guidelines for Building Site.**

**NOTE 1: All erosion and sediment control measures must be in place prior to earthworks commencing. Copies of the above guidelines are available from Council's Environmental, Planning & Building Services Department.**

REASON: To ensure the impact of the work on the environment in terms of soil erosion and sedimentation is minimised. Section 79C (1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

8. **The paving (in concrete) and permanent line marking of all vehicular manoeuvring and parking areas, in accordance with Bathurst Regional Council's Guidelines for Engineering Works.**

**NOTE 1: If other hard standing, dust free and weather proof surfaces are proposed instead of concrete, written approval is to be obtained from Council that the proposed alternative is acceptable.**

5

Bathurst Kart Club  
28 September 2015

---

REASON: To adequately provide for the safe, all-weather loading, unloading, manoeuvring and parking of vehicles within the development. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

9. **All stormwater runoff from the proposed development is to be collected on site and conveyed to a legal point of discharge in a manner consistent with AS 3500 and Bathurst Regional Council's Guidelines for Engineering Works.**

REASON: To provide for the drainage of storm water and minimise the risk of flood damage to adjoining properties. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

10. **The developer is to relocate, if necessary, at the developer's cost any utility services.**

REASON: Because the circumstances are such that the services be relocated. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

11. **During and after construction, minimum distances from powerlines are to be maintained.**

REASON: So that safe clearances are maintained from electrical powerlines, and because of representations to this effect from Essential Energy. Section 79C(1)(b) and (d) of the Environmental Planning and Assessment Act 1979, as amended.

12. **All plumbing and drainage work shall be carried out by a licensed plumber and drainer and to the requirements of AS/NZS 3500 and the Plumbing Code of Australia.**

REASON: To ensure that all plumbing and drainage work is carried out in accordance with the requirements of the Local Government (Approvals) Regulation, 1999. Section 78A(4) of the Environmental Planning and Assessment Act 1979, as amended.

13. **The developer is to arrange for the relocation of all water mains and associated services clear of the proposed development. All such works are to be undertaken at full cost to the developer.**

REASON: To ensure that the water infrastructure is not damaged by the construction or operation of the proposed development and that it is accessible at all times for maintenance purposes. Section 79C(1)(c) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

---

Reference: DDWY:AP:DA/2015/0196  
Enquiries: Mr D J Dwyer 02 6333 6212  
0005DD\_DA.doc

6

Bathurst Kart Club  
28 September 2015

---

#### PRIOR TO OCCUPATION/SUBDIVISION CERTIFICATE

14. **The applicant is to submit to Council one set of electronic files in both Portable Document Format (.pdf) and in CAD Drawing (.dwg) format (MGA co-ordinates, with each of the services on a separate layer eg separate out water, sewer, storm water to their own layers) and one set of paper copies of the works as executed plans for the drainage infrastructure and water infrastructure.**

**Each sheet is to include a bar scale or scales adjacent to the title block showing the scale (the works as executed plan is to be scaled at 1:500) and each sheet is to be properly signed and dated by the person responsible for the carrying out of those works. Further, the works are to comply with Bathurst Regional Council's Guidelines for Engineering Works.**

REASON: So that Council may ensure that the construction is in accordance with Council's requirements, and so that a permanent record of the design as constructed may be held by Council, to assist in future maintenance, or for the information of the emergency services. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

#### USE OF THE SITE

15. **The facility must only operate between the hours of 9.00am and 5.00pm on any day (practice days and race event days).**

REASON: So that the development does not reduce the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

16. **Within three months of the facility becoming operational noise measurements are to be taken on a race day at the nearest affected residences and the results submitted to Council.**

REASON: To ensure that the development does not reduce the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

17. **The number of go-karts on the track at the same time is not to exceed 5 on a practice day and 32 on a race event day.**

REASON: So that the development does not reduce the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

18. **Noise levels from the operation of the go-kart track are to comply with the following noise criteria:**

---

Reference: DDWY:AP:DA/2015/0196  
Enquiries: Mr D J Dwyer 02 6333 6212  
0006DD\_DA.doc

7

Bathurst Kart Club  
28 September 2015

---

- a. **The maximum noise levels during race event days are to be as follows:**

Address	Maximum dBA (L <sub>Aeq</sub> (1hr))
404 Conrod Straight	39
402 Conrod Straight	38
428 Conrod Straight	37
280 Hen & Chicken Lane	35
All other residential properties	36

- b. **The maximum noise levels at all other times (i.e. practice days) are to be as follows:**

Address	Maximum dBA (L <sub>Aeq</sub> (1hr))
All residential properties	36
280 Hen & Chicken Lane	35

REASON: So that the development does not reduce the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

19. **The facility must not be operated during full track closure motor racing events on the Mount Panorama Racing Circuit, when the Motor Cross track is in use or when there are partial track closures for motor sport events on the Mount Panorama Racing Circuit.**

REASON: So that the development does not reduce the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

20. **No more than 18 individual race days are to be held in a calendar year.**

REASON: So that the development does not reduce the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

21. **The premises are to be maintained in a clean and tidy condition at all times.**

REASON: So that the development does not reduce the amenity of the area. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

22. **Garbage receptacles for the disposal of litter shall be installed, maintained and regularly emptied.**

REASON: So that the development does not reduce the amenity of the area by reason of an accumulation of litter. Section 79C(1)(b) of the Environmental Planning and Assessment Act 1979, as amended.

---

Reference: DDWY:AP:DA/2015/0196  
Enquiries: Mr D J Dwyer 02 6333 6212  
0006DD\_DA.doc

8

Bathurst Kart Club  
28 September 2015

---

23. **All exterior lighting associated with the development shall be designed and installed so that no obtrusive light will be cast onto any adjoining property.**

**NOTE 1: Compliance with Australian Standard AS4282 "Control of the Obtrusive Effects of Outdoor Lighting" will satisfy this condition.**

REASON: To prevent the proposed development having a detrimental effect on the developments existing on adjoining land. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

#### **PRESCRIBED CONDITIONS**

*The following conditions are known as "Prescribed Conditions" and are required to be imposed as part of any development consent whether or not they are relevant to the development approved under this consent. Please do not hesitate to contact staff in Council's Planning and Development Department who will be happy to advise you as to whether or not the conditions are relevant.*

24. **All building work must be carried out in accordance with the requirements of the Building Code of Australia (as in force on the date the application for the relevant Construction Certificate or complying development certificate was made).**

REASON: So that the development complies with the requirements imposed under Clause 98 of the Environmental Planning and Assessment Regulations 2000, as amended. Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

25. **Building work (within the meaning of the Home Building Act 1989) must not be carried out unless the principal certifying authority for the development:**

- a) **in the case of work done by a licensee under the Act:**
  - i) **has been informed in writing of the licensee's name and contractor license number, and**
  - ii) **is satisfied that the licensee has complied with the requirements of Part 6 of that Act, OR**
- b) **in the case of work to be done by any other person:**
  - i) **has been informed in writing of the person's name and owner-builder permit number, or**

---

Reference: DDWY:AP:DA/2015/0196  
Enquiries: Mr D J Dwyer 02 6333 6212  
0006DD\_DA.doc

9

Bathurst Kart Club  
28 September 2015

---

- ii) **has been given a declaration, signed by the owner of the land, that states that the reasonable market cost of the labour and materials involved in the work is less than the amount prescribed for the purposes of the definition of owner-builder work in section 29 of the Act,**

**and is given appropriate information and declarations under paragraphs a) and b) whenever arrangements for the doing of the work are changed in such a manner as to render out of date any information or declaration previously given under either a) or b).**

**NOTE 1: A certificate issued by an approved insurer under Part 6 of the Home Building Act 1989 that states that the person is the holder of an insurance policy is sufficient evidence to satisfy this condition.**

REASON: So that the development complies with the requirements of clause 98 of the Environmental Planning and Assessment Act Regulations 2000. Section 80A(11) of the Environmental Planning and Assessment Act 1979, as amended.

26. **For development that involves any building work, subdivision work or demolition works:**
- a) **A sign must be erected in a prominent position:**
    - i) **showing the name, address and telephone number of the principal certifying authority for the work, and**
    - ii) **showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and**
    - iii) **stating that unauthorised entry to the work site is prohibited.**
  - b) **Any such sign is to be maintained while the work is being carried out, but must be removed when the work has been completed.**
  - c) **This condition does not apply in relation to work that is carried out inside an existing building that does not affect the external walls of the building.**
  - d) **This condition does not apply in relation to Crown building work that is certified, in accordance with section 109R of the Act, to comply with the technical provisions of the State's building laws.**

REASON: Because it is in the public interest that the persons responsible for the site can be contacted. Section 79C(1)(e) of the Environmental Planning and Assessment Act 1979, as amended.

---

Reference: DDWY:AP:DA/2015/0196  
Enquiries: Mr D J Dwyer 02 6333 6212  
0006DD\_DA.doc

10

Bathurst Kart Club  
28 September 2015

---

27. **The commitments listed in any relevant BASIX Certificate for this development are to be fulfilled in accordance with the BASIX Certificate Report, Development Consent and the approved plans and specifications.**

REASON: So that the development complies with the requirements imposed under Clause 97A of the Environmental Planning and Assessment Regulations 2000, as amended. Section 80A (11) of the Environmental Planning and Assessment Act 1979, as amended.

28. **If the development involves an excavation that extends below the level of the base of the footings of a building, structure or work (including any structure or work within a road or rail corridor) on adjoining land, the person having the benefit of the development consent must, at the person's own expense:**
- a) **protect and support the building, structure or work from possible damage from the excavation; and**
  - b) **where necessary, underpin the building, structure or work to prevent any such damage.**

**The condition does not apply if the person having the benefit of the development consent owns the adjoining land or the owner of the adjoining land has given consent in writing to that condition not applying.**

REASON: Because it is in the public interest that all building elements are able to withstand the combination of loads and other actions to which it may be subjected. Section 79C(1)(b) and (e) of the Environmental Planning and Assessment Act 1979, as amended.

**Endorsement date of determination and operative date:** 28 September 2015

**NOTES:**

1. **Lapsing of consent.** Unless a shorter period is specified in this notice, this consent will lapse if the development is not substantially commenced within five years of the date endorsed on this notice.
2. **Right of Review:** If you are dissatisfied with this determination, section 82A of the Environmental Planning and Assessment Act 1979, as amended, gives you the right to request the Council to review its determination. Such a request must be accompanied by the fee prescribed in Council's Revenue Policy.

For Development Applications lodged prior to 28 February 2011 the review must be undertaken within 12 months of the date endorsed on this notice.

For Development Applications lodged after 28 February 2011 the review must be undertaken within 6 months of the date endorsed on this notice.

---

Reference: DDWY:AP:DA/2015/0196  
Enquiries: Mr D J Dwyer 02 6333 6212  
0006DD\_DA.doc



11

Bathurst Kart Club  
28 September 2015

---

3. **Right of appeal:** If you are dissatisfied with this determination, section 97 of the Environmental Planning and Assessment Act 1979, as amended, gives you the right of appeal to the Land and Environment Court.

For Development Applications lodged prior to 28 February 2011 the appeal must be lodged within 12 months of the date endorsed on this notice.

For Development Applications lodged after 28 February 2011 the appeal must be lodged within 6 months of the date endorsed on this notice.

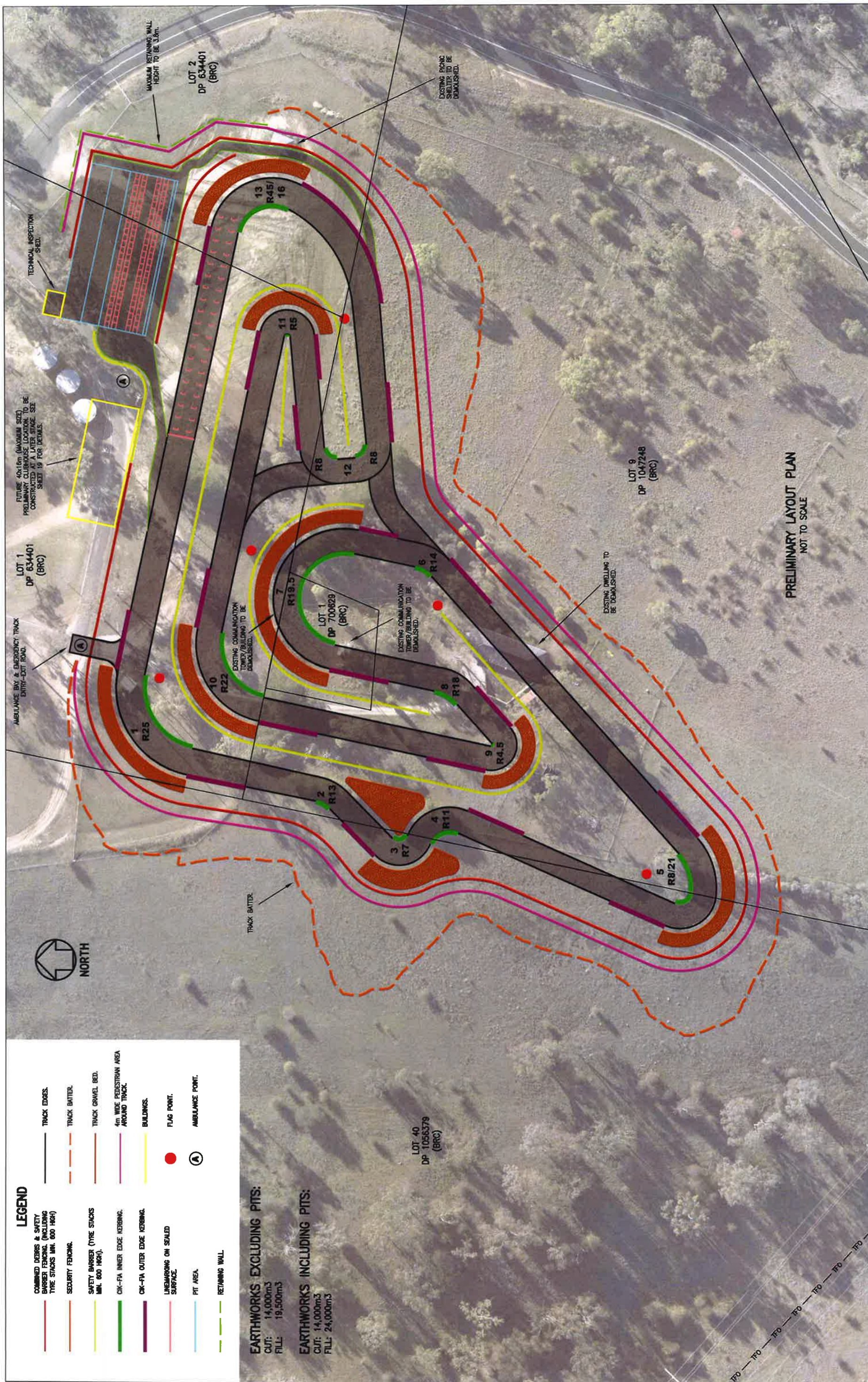
4. See **attached** sheet for explanatory notes.
5. All monetary conditions are reviewed annually, and may change as of 1 July each year.



R Denyer  
**ACTING DIRECTOR**  
**ENVIRONMENTAL, PLANNING & BUILDING SERVICES**

---

Reference: DDWY:AP:DA/2015/0196  
Enquiries: Mr D J Dwyer 02 6333 6212  
0006DD\_DA.doc



**LEGEND**

	COMBINED DEBRIS & SAFETY BARRIER FENCING (INCLUDING TYRE STACKS MIN. 600 HIGH)		TRACK EDGES
	SECURITY FENCING		TRACK BATTER
	SAFETY BARRIER (TYRE STACKS MIN. 600 HIGH)		TRACK GRAVEL BED
	CK-FIA INNER EDGE KERBING		4m WIDE PEDESTRIAN AREA AROUND TRACK
	CK-FIA OUTER EDGE KERBING		BUILDINGS
	LANDMARKING ON SEALED SURFACE		FLAG POINT
	PIT AREA		AMBULANCE POINT
	RETAINING WALL		

**EARTHWORKS EXCLUDING PITS:**  
 CUT: 14,000m<sup>3</sup>  
 FILL: 19,500m<sup>3</sup>

**EARTHWORKS INCLUDING PITS:**  
 CUT: 14,000m<sup>3</sup>  
 FILL: 24,000m<sup>3</sup>

PRELIMINARY LAYOUT PLAN  
 NOT TO SCALE

CONSULTANT	REV	DESCRIPTION	INITIALS	DATE	DATE SCALES (A1)	1:100	1:200	1:500	1:750	1:1000
	A	ISSUED FOR APPROVAL	MC	18-10-18	0 0.1 0.2 0.3 0.4 0.5 Metres	0 1 2 3 4 5	0 1 2 3 4 5 10 15 20 25	0 5 10 15 20 25 30 37.5	0 10 20 30 40 50	0 10 20 30 40 50
CHECKED	REV	DESCRIPTION	INITIALS	DATE	DATE SCALES (A1)	1:100	1:200	1:500	1:750	1:1000
		APPROVED			0 0.2 0.4 0.6 0.8 1.0	0 1 2 3 4 5	0 5 10 15 20 25 30 37.5	0 10 20 30 40 50	0 10 20 30 40 50	0 10 20 30 40 50
PROJECT	McPHILLAMY PARK, MOUNT PANORAMA									
DESCRIPTION	PRELIMINARY GO KART TRACK PLANS									
JOB No.	000-000									
DWG No.	ENT11687									
SHEET No.	01									
REV.	A									
CONTRACTOR	BATHURST REGIONAL COUNCIL									
MANAGER	TECHNICAL SERVICES MANAGER									
DATE	18-10-18									
DATUM	AHD									
CHECKED	DIRECTOR ENGINEERING SERVICES									
SURVEYED	MC									
DRAWN	MC									
DESIGN	MC									



PROJECT	McPHILLAMY PARK, MOUNT PANORAMA PRELIMINARY GO KART TRACK PLANS
DESCRIPTION	PRELIMINARY TRACK CHAINAGE PLAN
JOB No.	000-000
DWG No.	ENT1097
SHEET No.	02
REV.	A

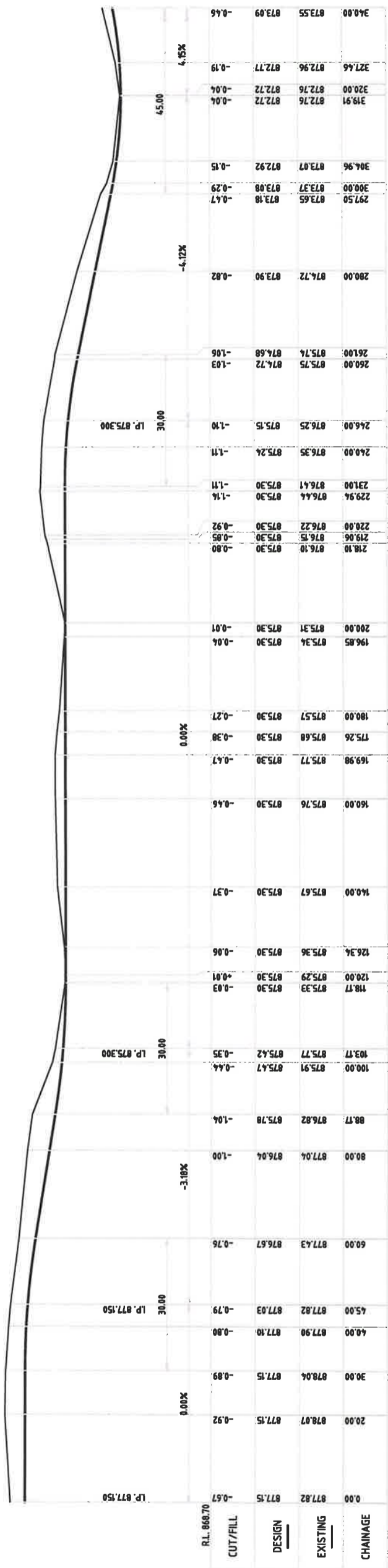
**BATHURST  
REGIONAL COUNCIL**

CHECKED	TECHNICAL SERVICES MANAGER
DRAWN	MC
DESIGN	MC
DATE	18-10-18
DATUM	AHD

DATE SCALES (A1)	1:10	0 0.1 0.2 0.3 0.4 0.5 Metres
	1:20	0 0.2 0.4 0.6 0.8 1.0
	1:50	0 0.5 1.0 1.5 2.0 2.5
	1:75	0 0.75 1.5 2.25 3.0 3.75
	1:100	0 1 2 3 4 5

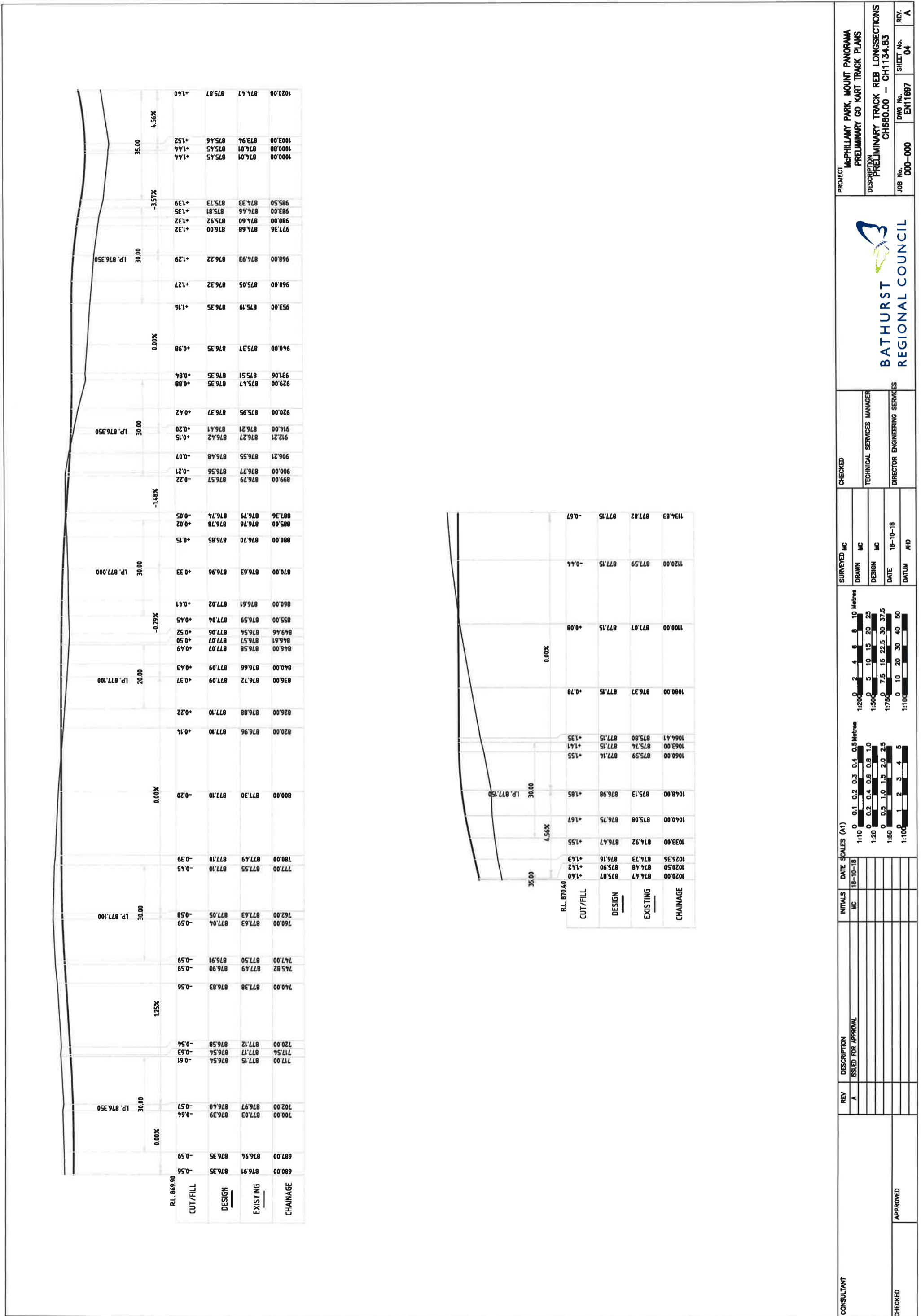
INITIALS	MC
ISSUED FOR APPROVAL	
APPROVED	

CONSUANT	
CHECKED	APPROVED

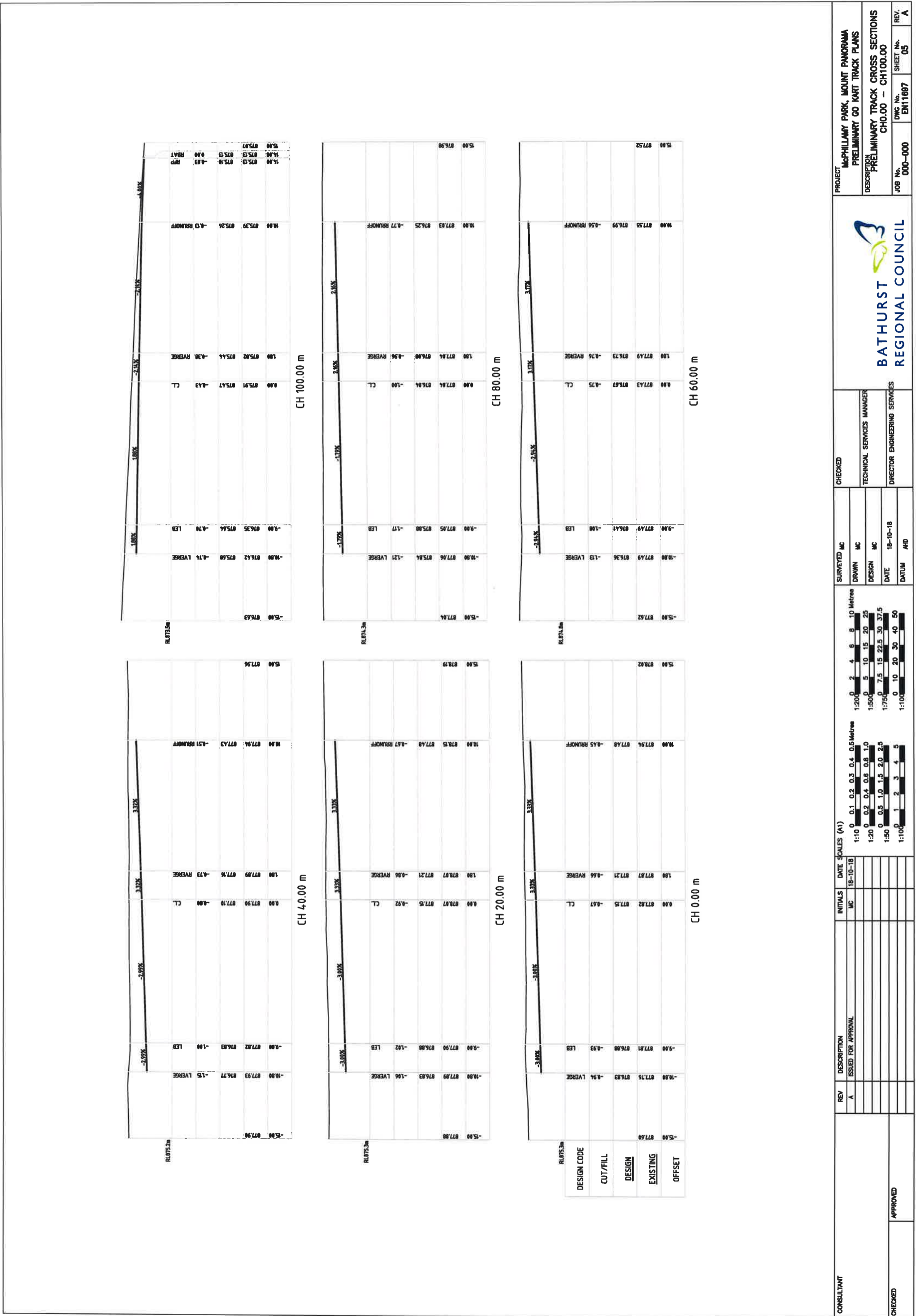


LONGSECTION - Track REB CH340.000 - CH680.000  
 SCALES: HORIZONTAL - 1:500 VERTICAL - 1:100

CONSULTANT	REV	DESCRIPTION	INITIALS	DATE	DATE SCALES (M)		DATE SCALES (FT)	
					1:100	1:100	1:100	1:100
CHECKED	A	ISSUED FOR APPROVAL	MC	18-10-18	1:200		1:500	
					0	0	0	0
APPROVED	A	APPROVED	MC	18-10-18	1:500		1:750	
					0	0	0	0
CHECKED	A	APPROVED	MC	18-10-18	1:750		1:1000	
					0	0	0	0
PROJECT: McPHILLAMY PARK, MOUNT PANORAMA PRELIMINARY GO KART TRACK PLANS				CHECKED: TECHNICAL SERVICES MANAGER DIRECTOR ENGINEERING SERVICES				
DESCRIPTION: PRELIMINARY TRACK REB LONGSECTIONS CH0.00 - 680.00				JOB No. 000-000 DWG No. EN11897 SHEET No. 03 REV. A				
BATHURST REGIONAL COUNCIL				SURVEYED MC DRAWN MC DESIGN MC DATE 18-10-18 DATUM AHD				



PROJECT		McPHILLAMY PARK, MOUNT PANORAMA	
DESCRIPTION		PRELIMINARY GO KART TRACK PLANS	
JOB No.		000-000	
DWG No.		ENT1897	
SHEET No.		04	
REV.		A	
CONSULTANT		BATHURST REGIONAL COUNCIL	
CHECKED		DIRECTOR ENGINEERING SERVICES	
SURVEYED MC		DRAWN MC	
DESIGN MC		DATE 18-10-18	
DATE 18-10-18		DWTM AHD	
DATE SCALES (A1)		1:100 0 1 2 3 4 5	
1:100 0 0.1 0.2 0.3 0.4 0.5 Metres		1:200 0 1 2 3 4 5 10 Metres	
1:200 0 0.2 0.4 0.6 0.8 1.0		1:500 0 5 10 15 20 25	
1:500 0 0.5 1.0 1.5 2.0 2.5		1:750 0 7.5 15 22.5 30 37.5	
1:1000 0 1 2 3 4 5		1:1000 0 10 20 30 40 50	
INITIALS		DATE 18-10-18	
MC			
DESCRIPTION		ISSUED FOR APPROVAL	
REV		A	
APPROVED			



**BATHURST REGIONAL COUNCIL**

PROJECT: McPHILLAMY PARK, MOUNT PANORAMA  
 PRELIMINARY GO KART TRACK PLANS

DESCRIPTION: PRELIMINARY TRACK CROSS SECTIONS  
 CH0.00 - CH100.00

JOB No. 000-000    DWG No. ENT1697    SHEET No. 05    REV. A

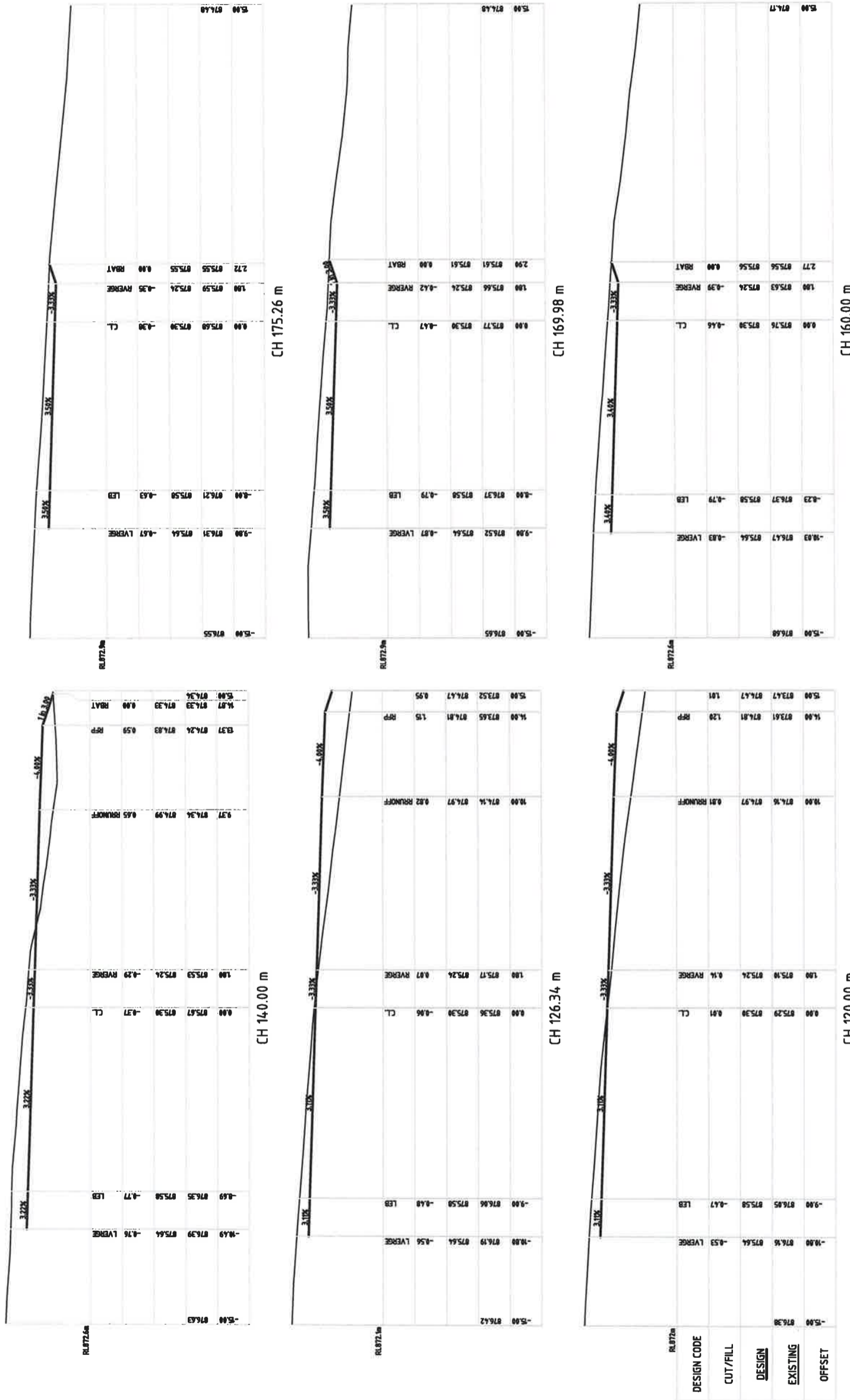
CHECKED: TECHNICAL SERVICES MANAGER  
 DIRECTOR ENGINEERING SERVICES

SURVEYED MC: DRAWN MC: DESIGN MC: DATE: 18-10-18 DATUM: AHD

DATE SCALES (A1):  
 1:10 0 0.1 0.2 0.3 0.4 0.5 Metres  
 1:20 0 0.2 0.4 0.6 0.8 1.0  
 1:50 0 0.5 1.0 1.5 2.0 2.5  
 1:75 0 0.75 1.5 2.25 3.0 3.75  
 1:100 0 1 2 3 4 5

REV	DESCRIPTION	INITIALS	DATE
A	ISSUED FOR APPROVAL	MC	18-10-18

CONSULTANT: APPROVED



PROJECT	McPHILLAMY PARK, MOUNT PANORAMA PRELIMINARY GO KART TRACK PLANS
DESCRIPTION	PRELIMINARY TRACK CROSS SECTIONS CH120.00 - CH175.26
JOB No.	000-000
DWG No.	ENT1097
SHEET No.	06
REV.	A

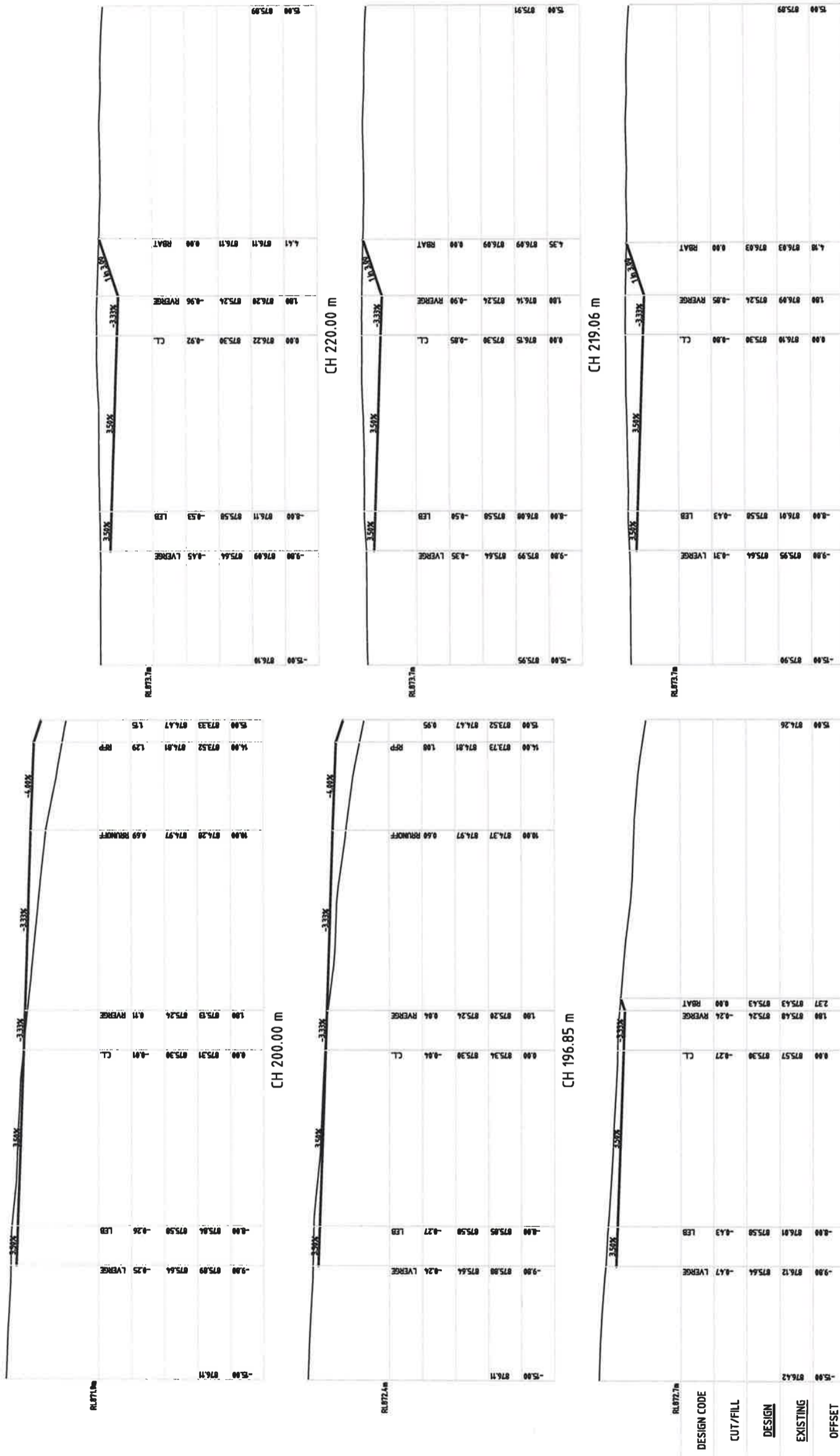


CHECKED	TECHNICAL SERVICES MANAGER
DIRECTOR ENGINEERING SERVICES	
SURVEYED MC	DRAWN MC
DESIGN MC	DATE 18-10-18
DATUM AHD	

DATE SCALES (A1)	1:10 0 0.1 0.2 0.3 0.4 0.5 Metres
	1:20 0 0.2 0.4 0.6 0.8 1.0
	1:50 0 0.5 1.0 1.5 2.0 2.5
	1:75 0 0.75 1.5 2.25 3.0 3.75
	1:100 0 1 2 3 4 5

INITIALS	MC
DATE	18-10-18
DESCRIPTION	ISSUED FOR APPROVAL
REV	A

CONCULTANT	
CHECKED	APPROVED



**BATHURST REGIONAL COUNCIL**

PROJECT: McPHILLAMY PARK, MOUNT PANORAMA  
 PRELIMINARY GO KART TRACK PLANS  
 DESCRIPTION: PRELIMINARY TRACK CROSS SECTIONS  
 CH18.00 - CH220.00

JOB No. 000-000  
 DWG No. EN11697  
 SHEET No. 07  
 REV. A

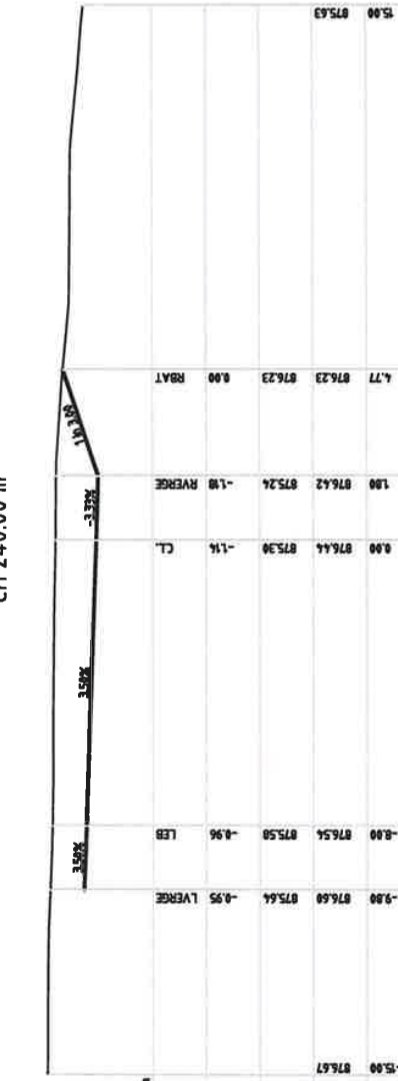
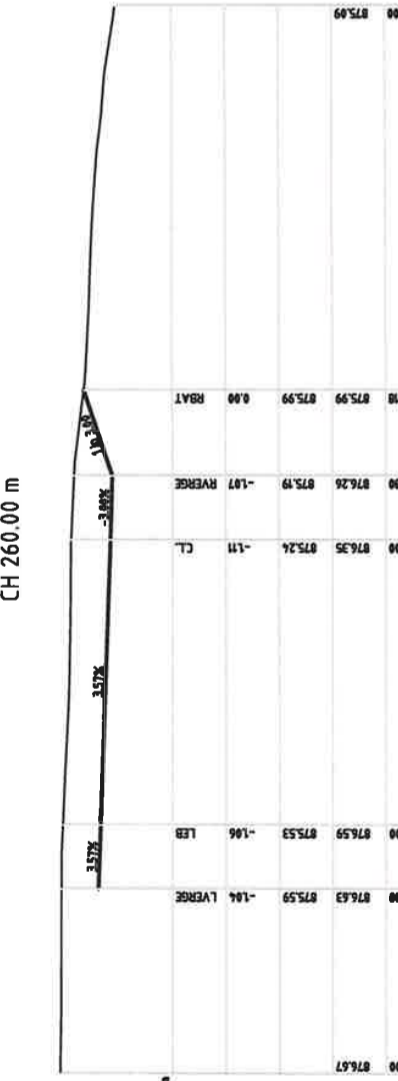
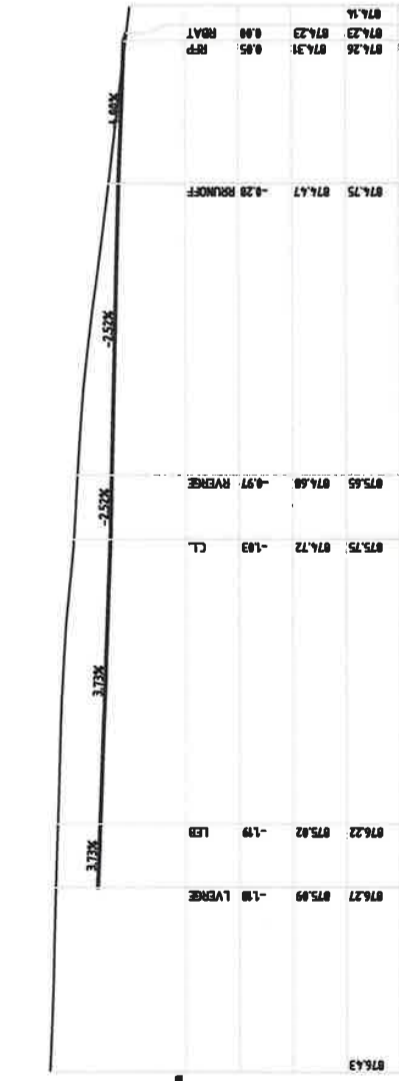
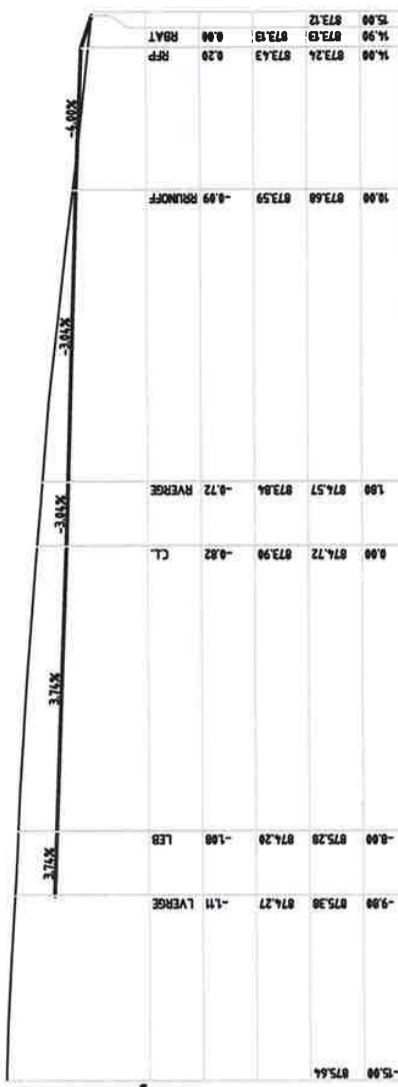
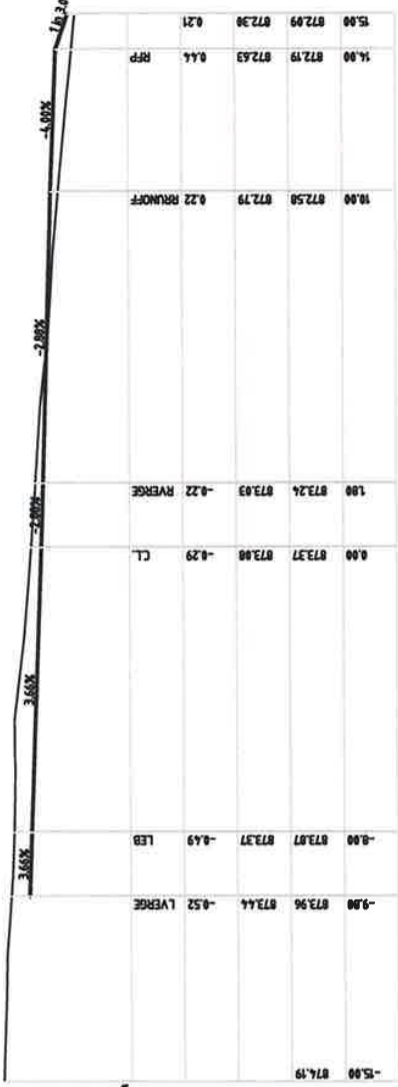
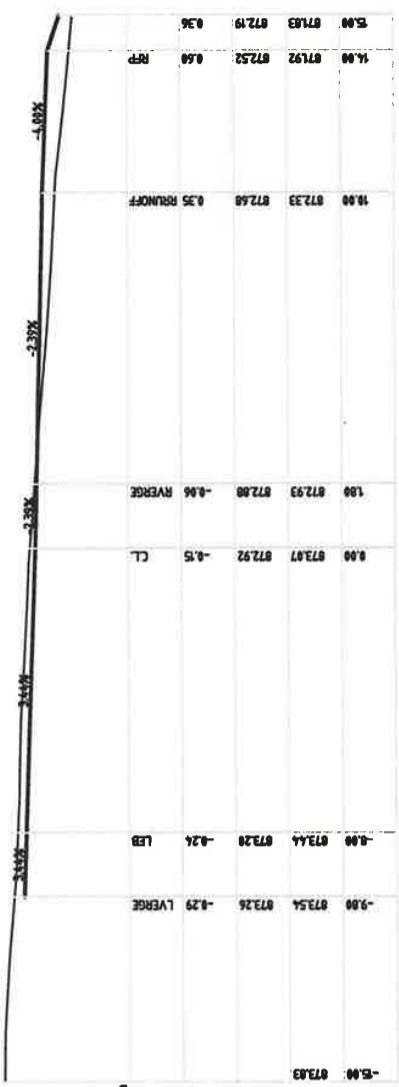
CHECKED: TECHNICAL SERVICES MANAGER  
 DIRECTOR ENGINEERING SERVICES

SURVEYED: MC  
 DRAWN: MC  
 DESIGN: MC  
 DATE: 18-10-18  
 DATUM: AHD

DATE SCALES (M):  
 1:10 0 0.1 0.2 0.3 0.4 0.5 Metres  
 1:20 0 0.2 0.4 0.6 0.8 1.0 Metres  
 1:50 0 0.5 1.0 1.5 2.0 2.5 Metres  
 1:100 0 1 2 3 4 5 Metres

CONSULTANT: APPROVED





RL873.3m

CH 304.96 m

RL876.4m

CH 300.00 m

RL871.6m

CH 280.00 m

RL873.5m

CH 260.00 m

RL873.5m

CH 240.00 m

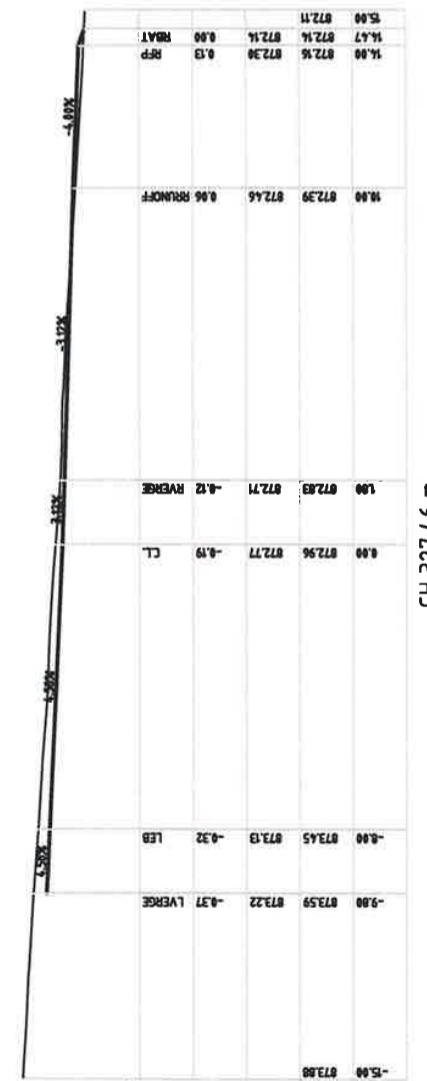
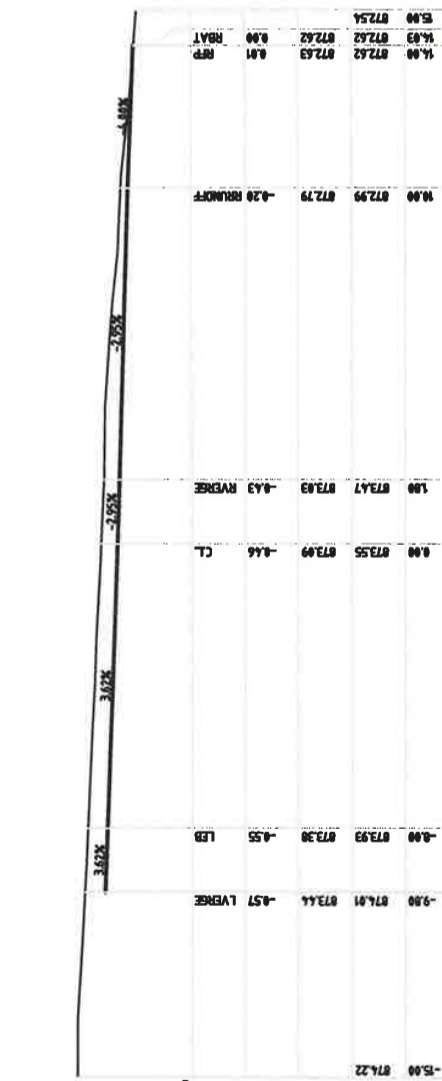
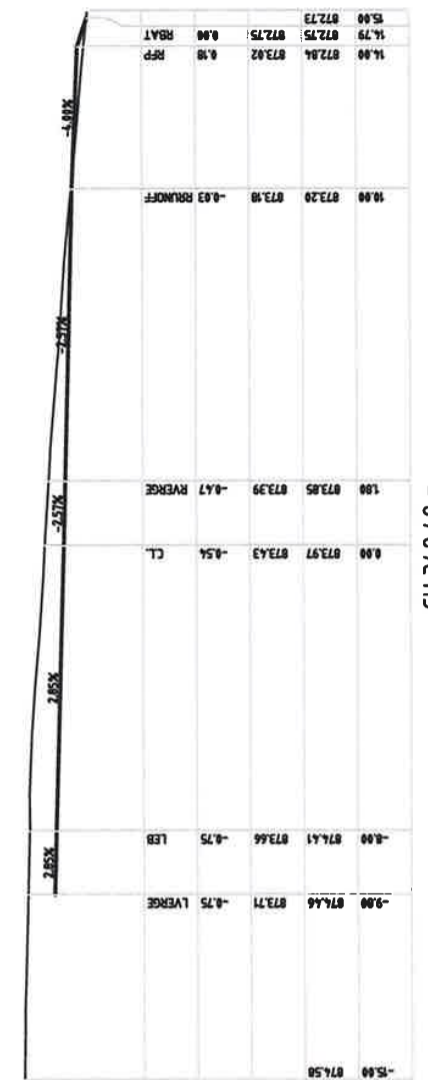
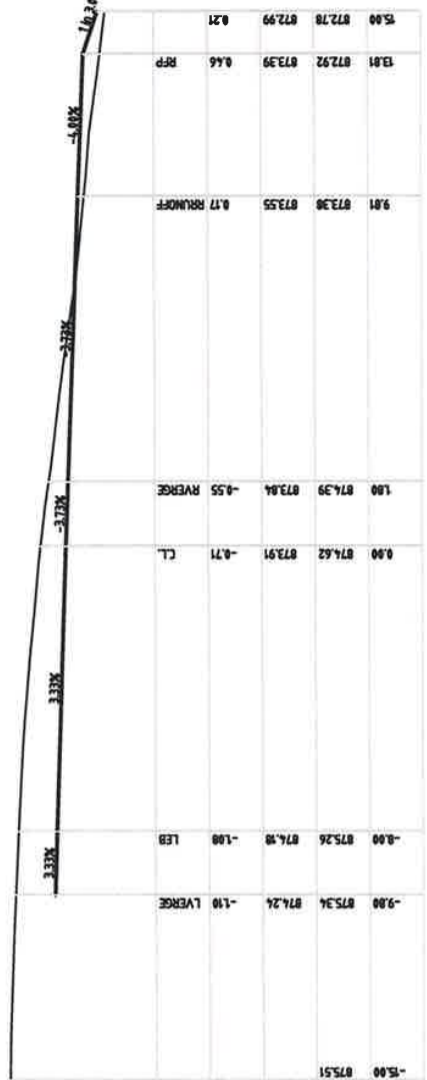
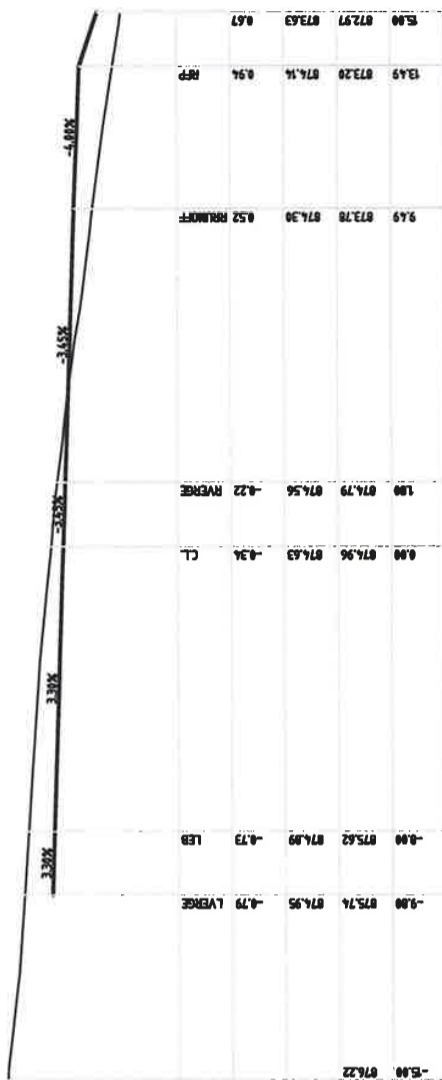
RL873.7m

CH 229.94 m

- DESIGN CODE
- CUT/FILL
- DESIGN
- EXISTING
- OFFSET

CONSULTANT	REVISIONS	DATE	INITIALS	DESCRIPTION
	A	18-10-18	MC	ISSUED FOR APPROVAL
CHECKED	APPROVED			
PROJECT	McPHILLAMY PARK, MOUNT PANORAMA PRELIMINARY GO KART TRACK PLANS			
DESCRIPTION	PRELIMINARY TRACK CROSS SECTIONS CH229.94 - CH304.96			
JOB No.	DWG No.	SHEET No.	REV.	
000-000	ENT1897	08	A	
CHECKED	TECHNICAL SERVICES MANAGER	DESIGNED	DATE	DATUM
	DIRECTOR ENGINEERING SERVICES	18-10-18	AHD	
DATE SCALES (A1)		1:10 0 0.1 0.2 0.3 0.4 0.5 Metres		
		1:20 0 0.2 0.4 0.6 0.8 1.0 Metres		
		1:50 0 0.5 1.0 1.5 2.0 2.5 Metres		
		1:75 0 0.75 1.5 2.25 3.0 3.75 Metres		
		1:100 0 1 2 3 4 5 Metres		





DESIGN CODE	
CUT/FILL	
DESIGN	
EXISTING	
OFFSET	

**PROJECT**  
MCPHILLARY PARK, MOUNT PANORAMA  
PRELIMINARY GO KART TRACK PLANS

**DESCRIPTION**  
PRELIMINARY TRACK CROSS SECTIONS  
CH320.00 - CH380.00

**JOB No.** 000-000  
**DWG No.** EN11897  
**SHEET No.** 09  
**REV.** A

**BATHURST REGIONAL COUNCIL**

**CHECKED**  
TECHNICAL SERVICES MANAGER

**DIRECTOR ENGINEERING SERVICES**

**SURVEYED MC**  
DRAWN MC  
DESIGN MC  
DATE 18-10-18  
DATUM AHD

**DATE SCALES (A1)**

1:10 0 0.1 0.2 0.3 0.4 0.5 metres  
1:20 0 0.2 0.4 0.6 0.8 1.0 metres  
1:50 0 0.5 1.0 1.5 2.0 2.5 metres  
1:100 0 1 2 3 4 5 metres

**INITIALS** MC  
**DATE** 18-10-18

**CONCURRENCE**

ISSUED FOR APPROVAL

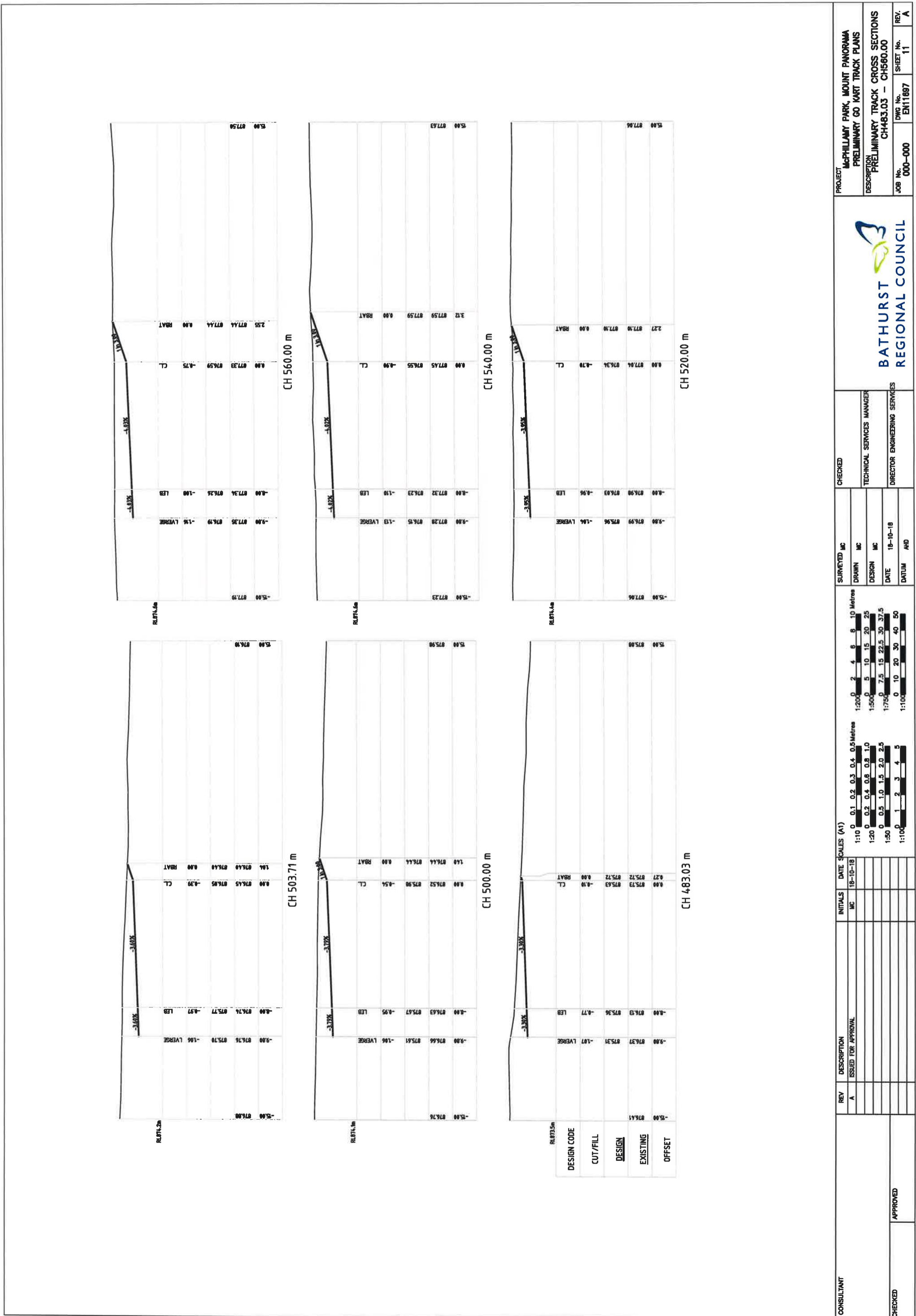
**REVISIONS**

REV	DESCRIPTION
A	ISSUED FOR APPROVAL

**CHECKED**

**APPROVED**





**BATHURST REGIONAL COUNCIL**

PROJECT: McPHILLIMY PARK, MOUNT PANORAMA  
 PRELIMINARY GO KART TRACK PLANS  
 DESCRIPTION: PRELIMINARY TRACK CROSS SECTIONS  
 CH483.03 - CH560.00

JOB No. 000-000  
 DWG No. EN11897  
 SHEET No. 11  
 REV. A

CONSULTANT: [Blank]

REVISIONS:

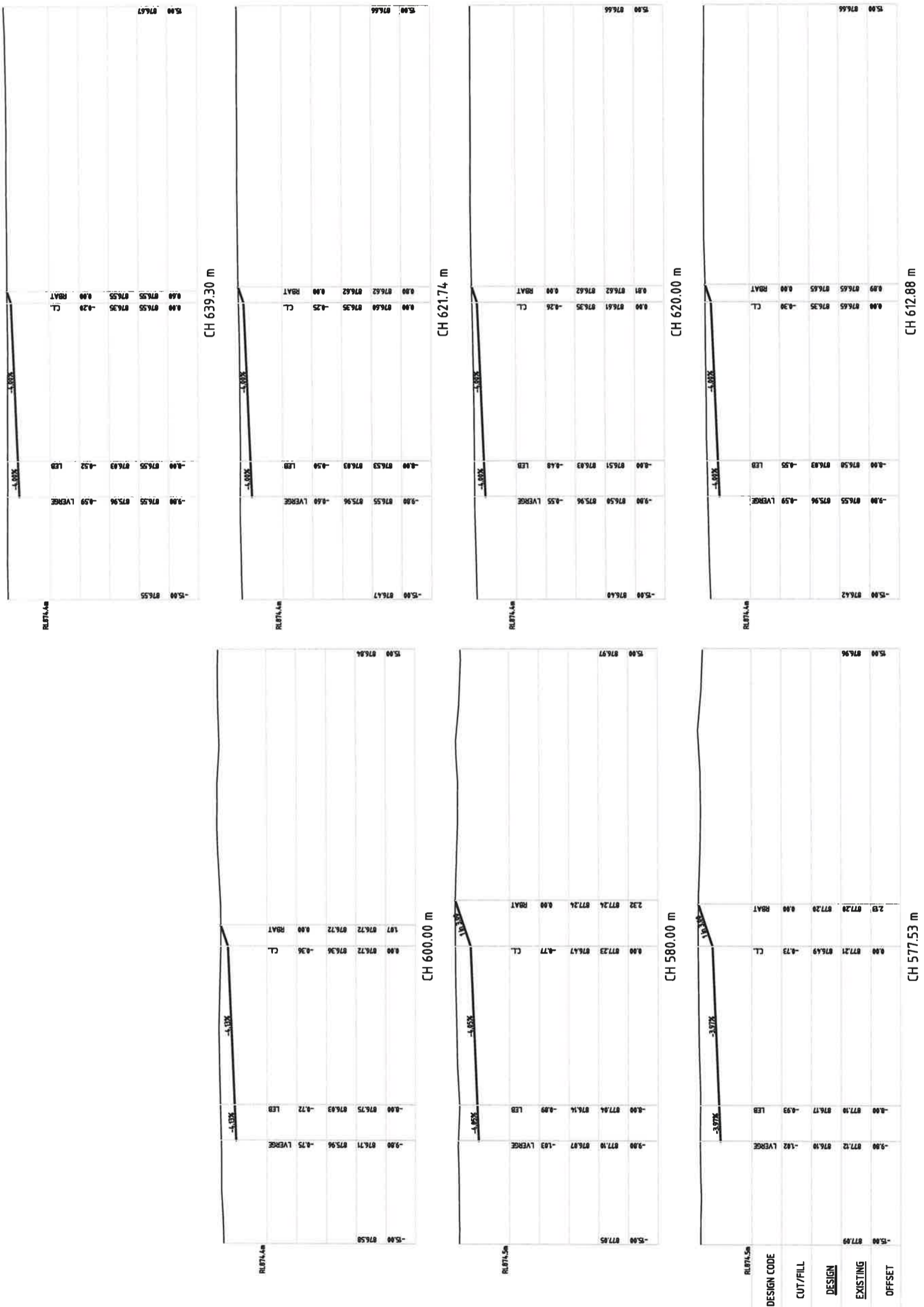
REV	DESCRIPTION	INITIALS	DATE
A	ISSUED FOR APPROVAL	MC	18-10-18

DATE SCALES (A1):  
 1:10 0 0.1 0.2 0.3 0.4 0.5 Metres  
 1:20 0 0.2 0.4 0.6 0.8 1.0  
 1:50 0 0.5 1.0 1.5 2.0 2.5  
 1:75 0 0.75 1.5 2.25 3.0 3.75  
 1:100 0 1 2 3 4 5

CHECKED: APPROVED

SURVEYED MC  
 DRAWN MC  
 DESIGN MC  
 DATE 18-10-18  
 DATUM AHD

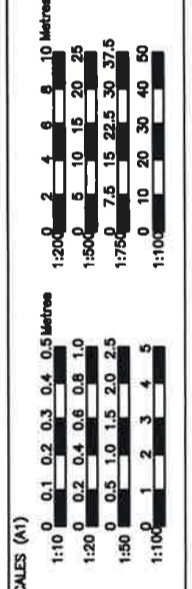
CHECKED: TECHNICAL SERVICES MANAGER  
 DIRECTOR ENGINEERING SERVICES



PROJECT: McPHILLAMY PARK, MOUNT PANORAMA  
 PRELIMINARY GO KART TRACK PLANS  
 DESCRIPTION: PRELIMINARY TRACK CROSS SECTIONS  
 CH577.53 - CH639.30  
 JOB No. 000-000  
 DWG No. ENT1687  
 SHEET No. 12  
 REV. A



CHECKED: TECHNICAL SERVICES MANAGER  
 SURVEYED: MC  
 DRAWN: MC  
 DESIGN: MC  
 DATE: 18-10-18  
 DATUM: AHD

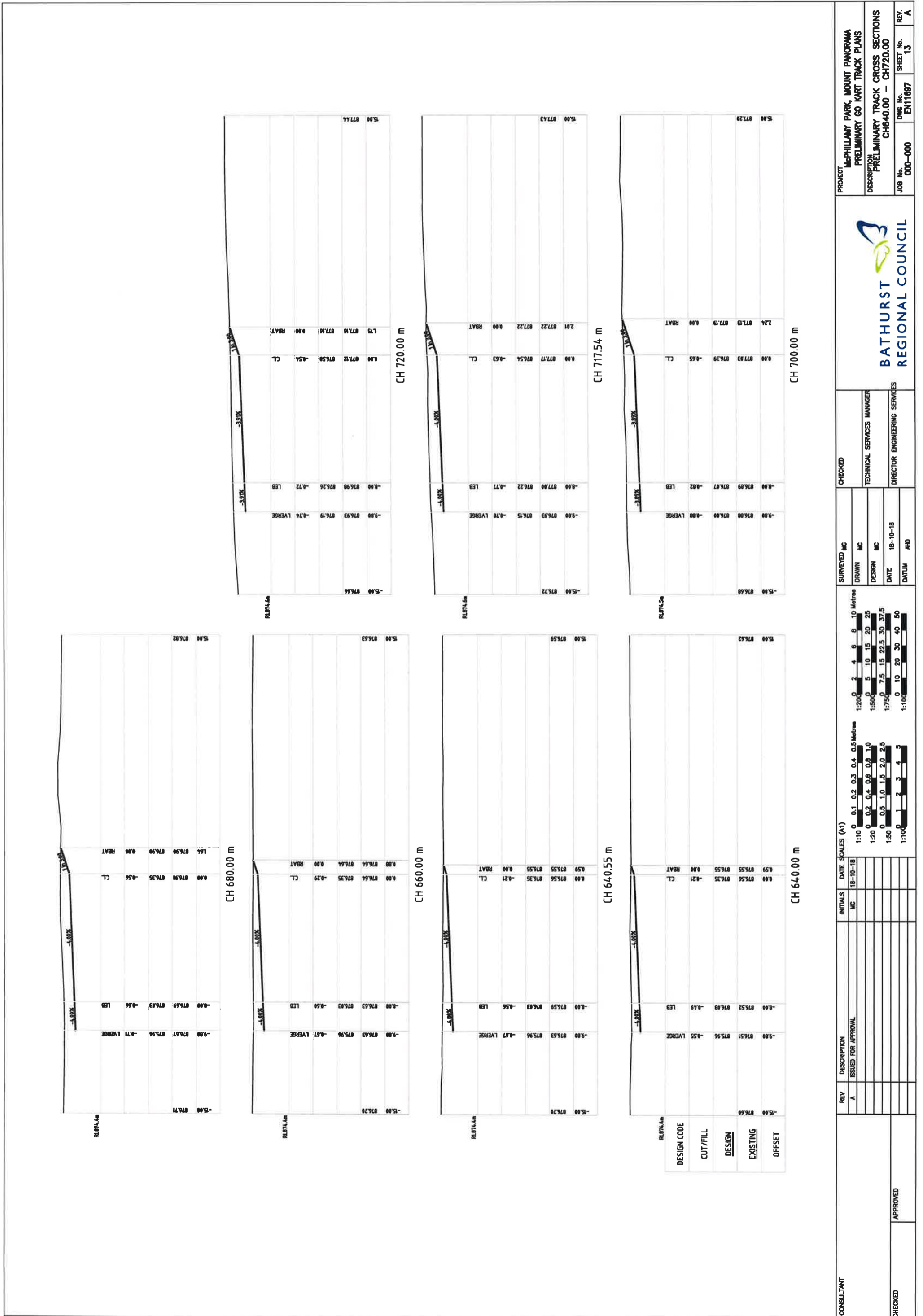


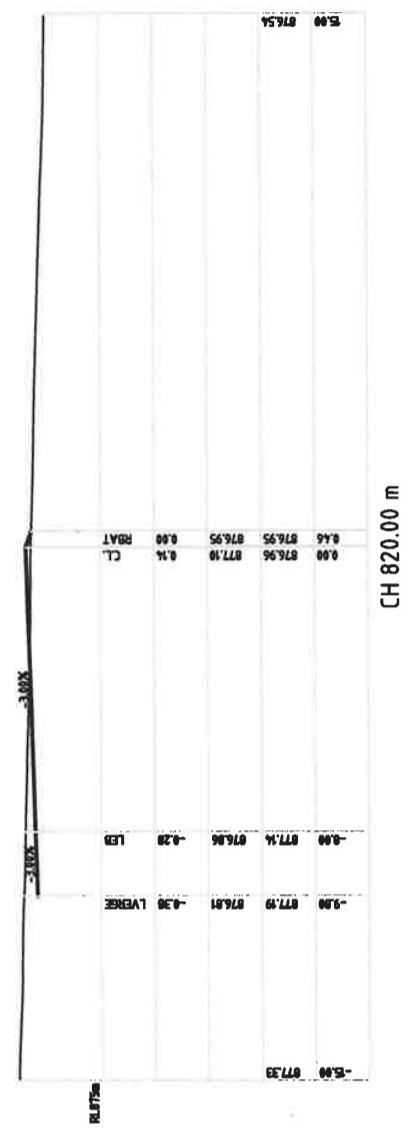
INITIALS: MC  
 DATE: 18-10-18

REV	DESCRIPTION	ISSUED FOR APPROVAL
A	ISSUED FOR APPROVAL	

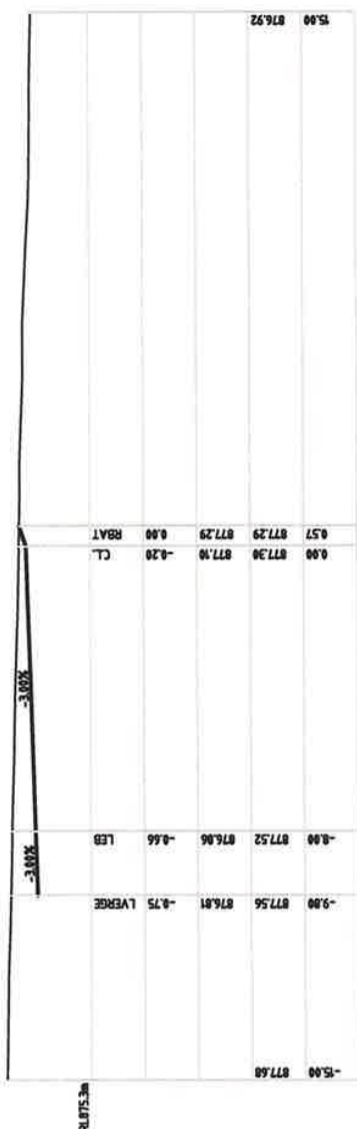
CONSULTANT: APPROVED

DESIGN CODE	
CUT/FILL	
DESIGN	
EXISTING	
OFFSET	

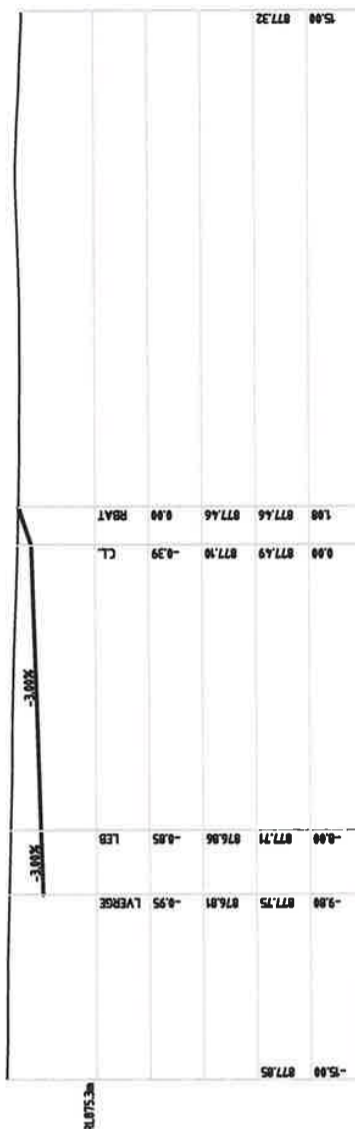




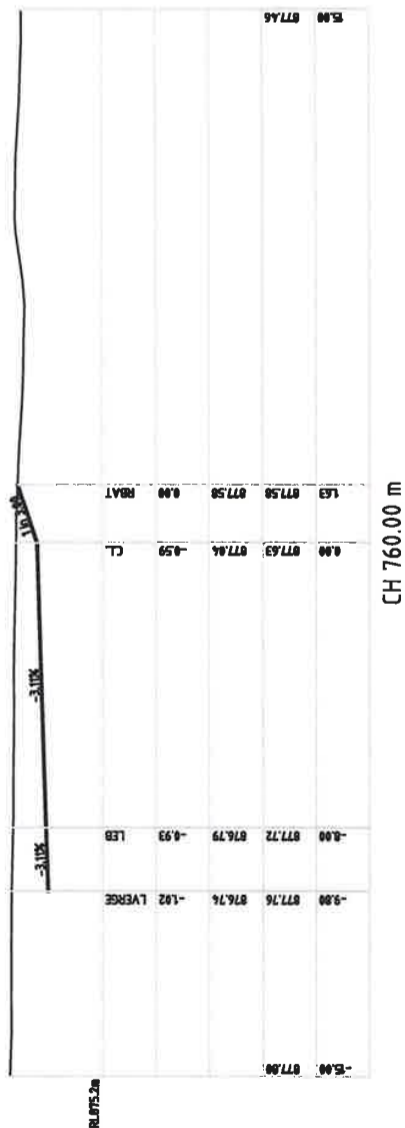
CH 820.00 m



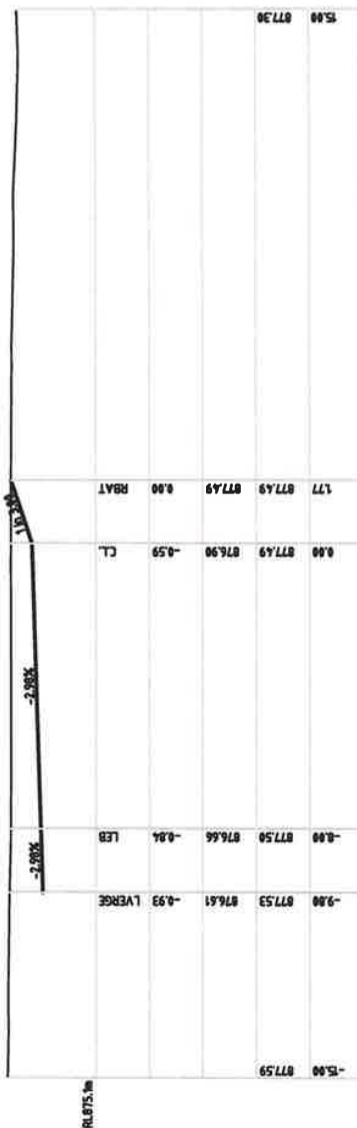
CH 800.00 m



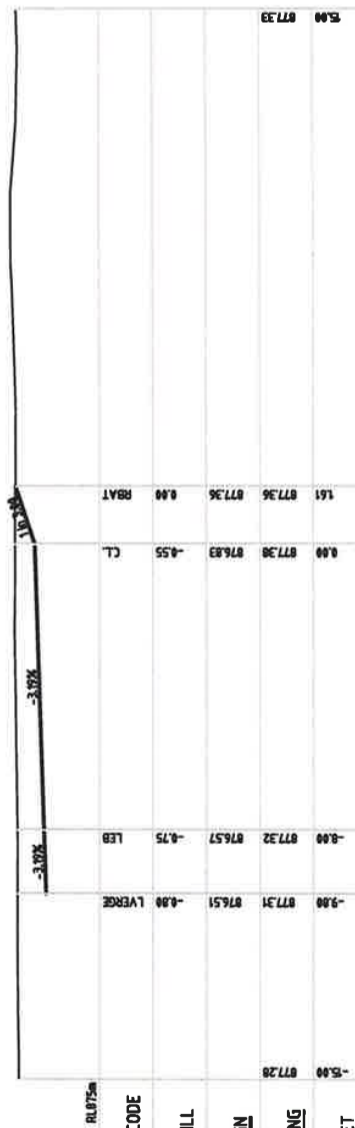
CH 780.00 m



CH 760.00 m




CH 745.82 m



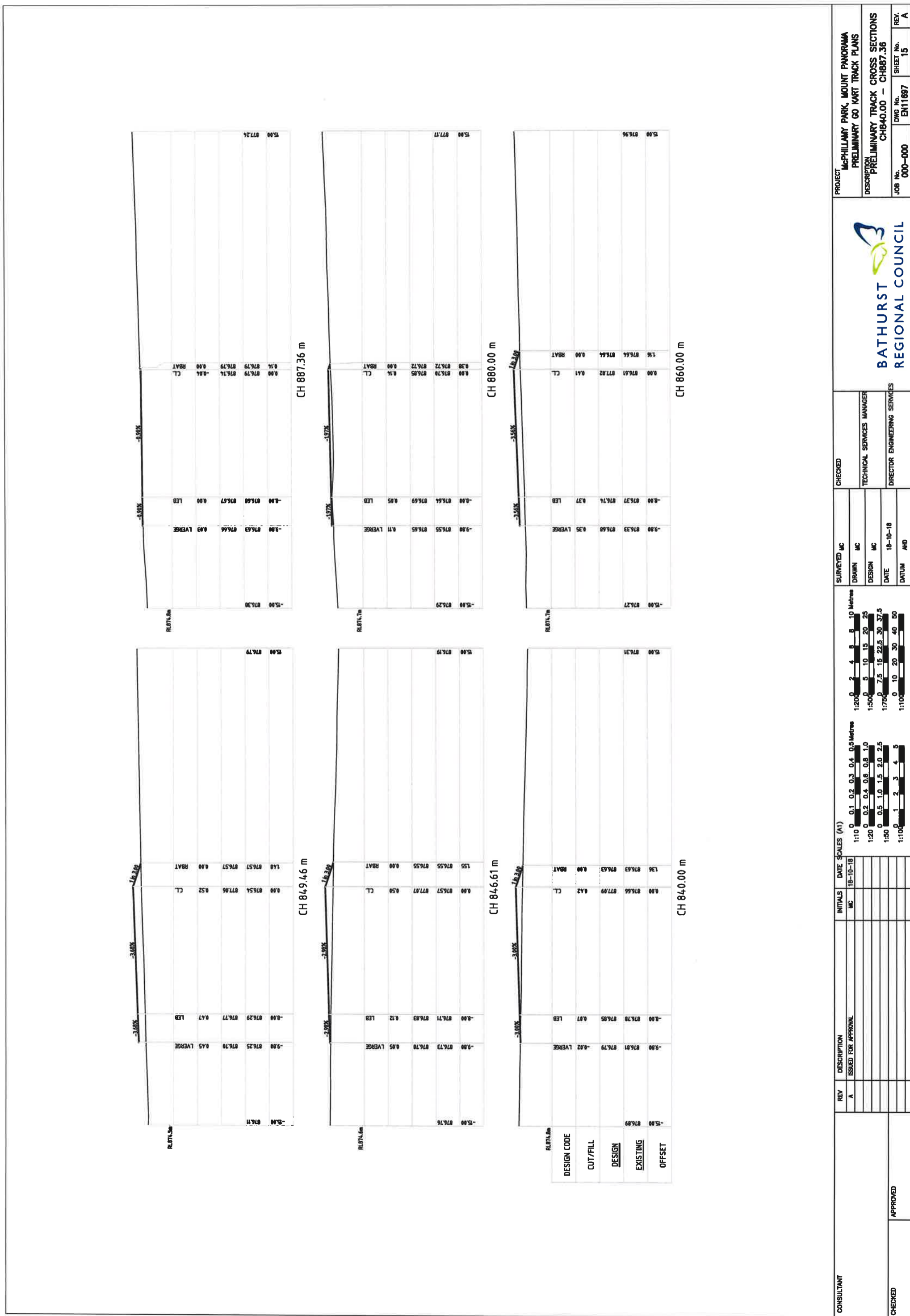
CH 740.00 m

DESIGN CODE	
CUT/FILL	
DESIGN	
EXISTING	
OFFSET	



**BATHURST REGIONAL COUNCIL**

<b>PROJECT</b> McPHILLAMY PARK, MOUNT PANORAMA PRELIMINARY GO KART TRACK PLANS	<b>CHECKED</b> TECHNICAL SERVICES MANAGER	<b>SURVEYED MC</b> DRAWN MC	<b>INITIALS</b> MC	<b>DATE SCALES (A1)</b> 18-10-18
<b>DESCRIPTION</b> PRELIMINARY TRACK CROSS SECTIONS CH740.00 - CH820.00	<b>DIRECTOR ENGINEERING SERVICES</b>	<b>DESIGN MC</b>	<b>DATE</b> 18-10-18	<b>1:200</b> 0 1 2 3 4 5 6 7 8 9 10 Metres <b>1:500</b> 0 5 10 15 20 25 <b>1:750</b> 0 7.5 15 22.5 30 37.5 <b>1:1000</b> 0 10 20 30 40 50
<b>JOB No.</b> 000-000	<b>DWG No.</b> EN11697	<b>DATE</b> 18-10-18	<b>DATE</b> 18-10-18	<b>1:100</b> 0 1 2 3 4 5
<b>REV.</b> 14	<b>SHEET No.</b> 14	<b>REV.</b> A	<b>APPROVED</b>	



**BATHURST REGIONAL COUNCIL**

PROJECT: McPHILLIMY PARK, MOUNT PANORAMA  
 PRELIMINARY GO KART TRACK PLANS

DESCRIPTION: PRELIMINARY TRACK CROSS SECTIONS  
 CHB40.00 - CH887.36

JOB No. 000-000  
 DWG No. EN11897  
 SHEET No. 15  
 REV. A

CONSULTANT: [ ]  
 CHECKED: [ ] APPROVED: [ ]

REVISIONS:

REV	DESCRIPTION	INITIALS	DATE	SCALE (A1)
A	ISSUED FOR APPROVAL	MC	18-10-18	

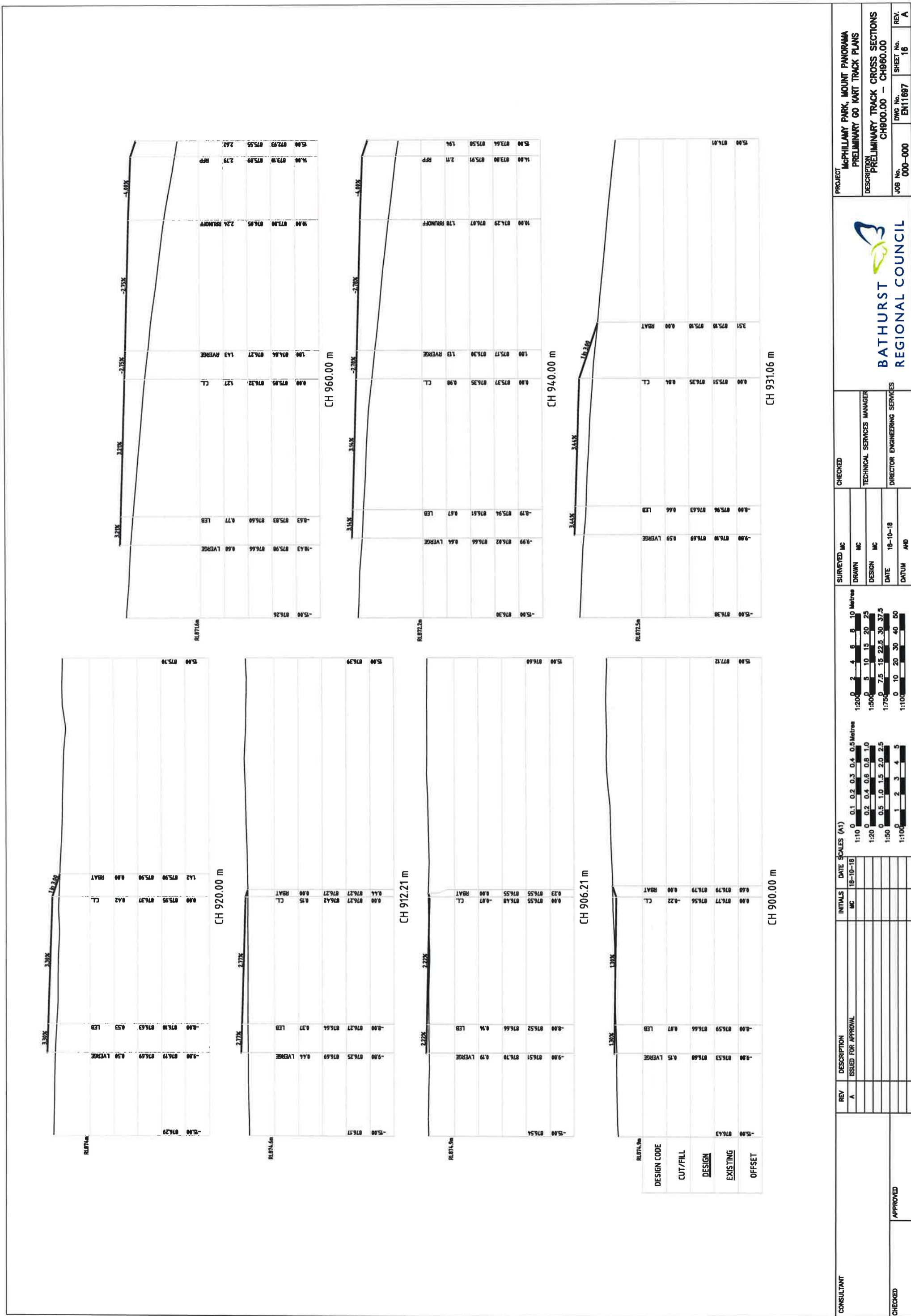
DATE SCALES (A1):  
 1:10 0 0.1 0.2 0.3 0.4 0.5 Metres  
 1:20 0 0.2 0.4 0.6 0.8 1.0  
 1:50 0 0.5 1.0 1.5 2.0 2.5  
 1:75 0 0.75 1.5 2.25 3.0 3.75  
 1:100 0 1 2 3 4 5

DATE: 18-10-18  
 DATUM: AHD

CHECKED: TECHNICAL SERVICES MANAGER  
 DIRECTOR ENGINEERING SERVICES

SURVEYED BY: [ ]  
 DRAWN BY: [ ]  
 DESIGN BY: [ ]  
 DATE: 18-10-18  
 DATUM: AHD





PROJECT	McPHILLAMY PARK, MOUNT PANORAMA
DESCRIPTION	PRELIMINARY GO KART TRACK PLANS
DESCRIPTION	PRELIMINARY TRACK CROSS SECTIONS
DESCRIPTION	CH900.00 - CH960.00
JOB No.	000-000
DWG No.	EN11697
SHEET No.	16
REV.	A



CHECKED	TECHNICAL SERVICES MANAGER
SURVEYED BY	MC
DATE	18-10-18
DATUM	AHD

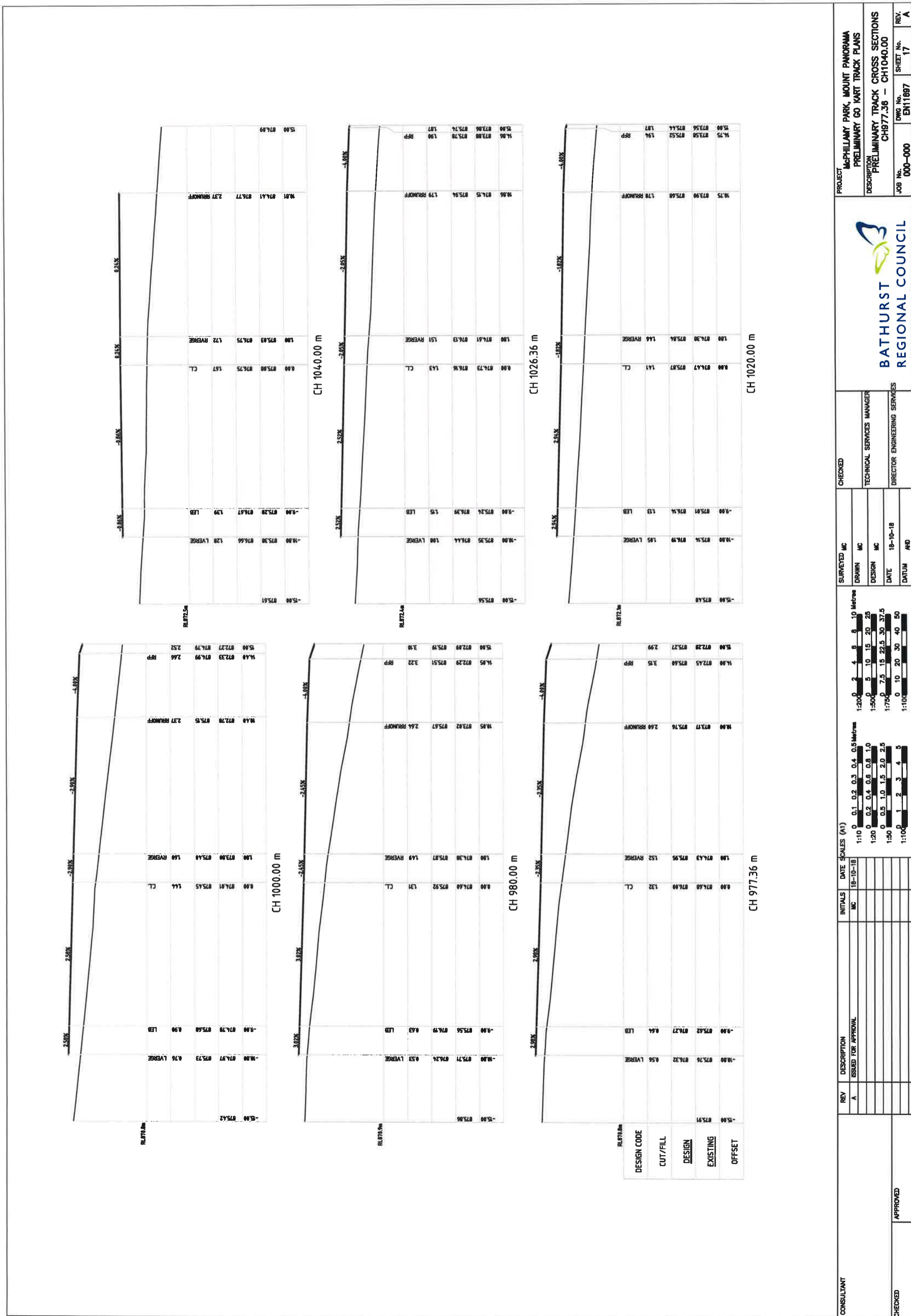
1:200	0 1 2 3 4 5 6 7 8 9 10
1:500	0 5 10 15 20 25
1:750	0 7.5 15 22.5 30 37.5
1:100	0 1 2 3 4 5

1:10	0 0.1 0.2 0.3 0.4 0.5
1:20	0 0.2 0.4 0.6 0.8 1.0
1:50	0 0.5 1.0 1.5 2.0 2.5
1:100	0 1 2 3 4 5

INITIALS	MC
DATE	18-10-18

REV	A
DESCRIPTION	ISSUED FOR APPROVAL

CONSUANT	
CHECKED	APPROVED



**BATHURST REGIONAL COUNCIL**

PROJECT: McPHILLAMY PARK, MOUNT PANORAMA  
PRELIMINARY GO KART TRACK PLANS

DESCRIPTION: PRELIMINARY TRACK CROSS SECTIONS  
CH877.36 - CH1040.00

JOB No. 000-000    DWG No. EN11697    SHEET No. 17    REV. A

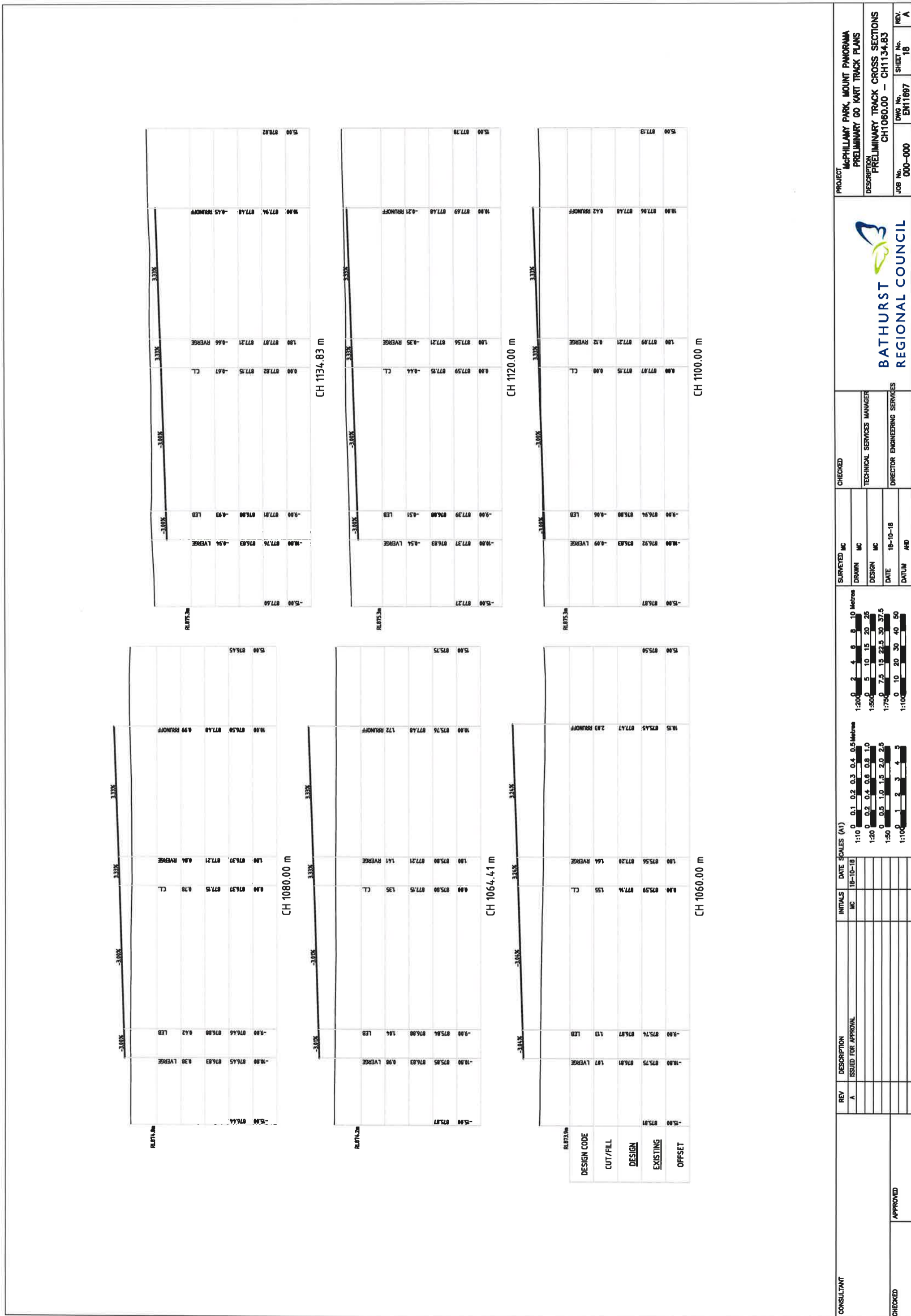
CONTRIBUTOR	DATE	DESCRIPTION
IC	18-10-18	ISSUED FOR APPROVAL

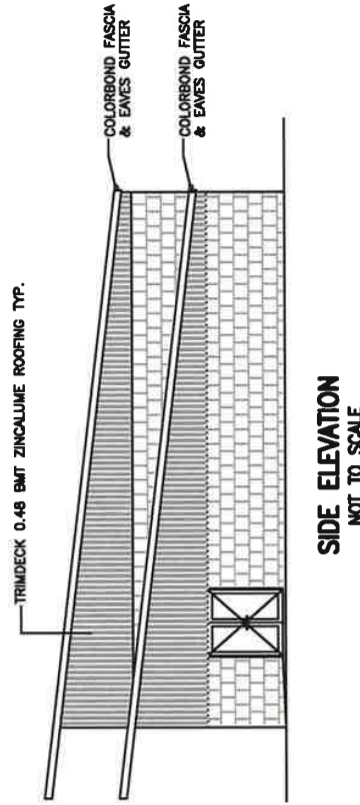
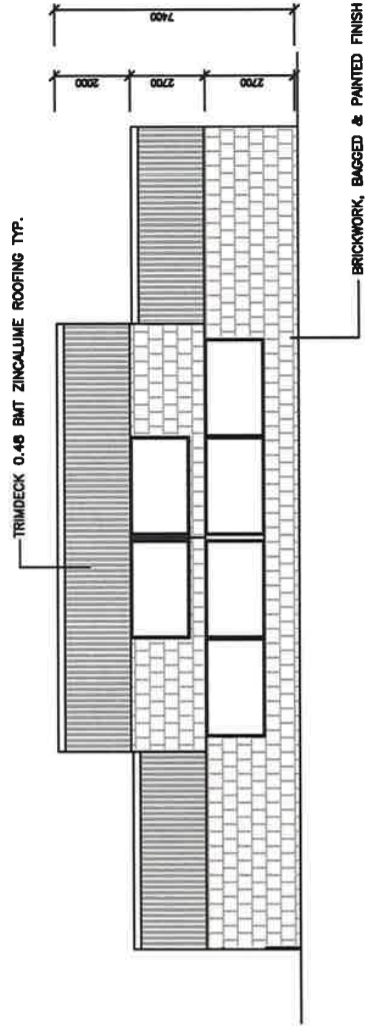
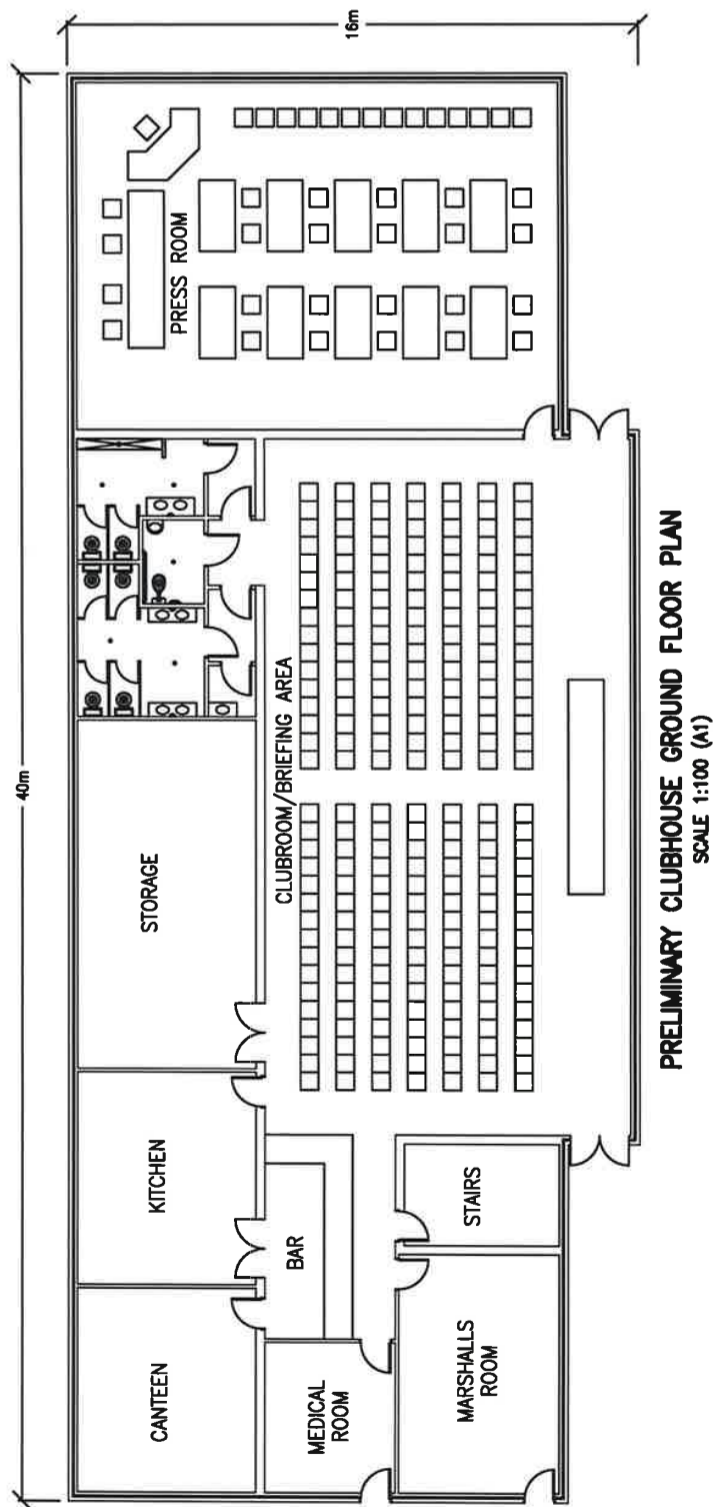
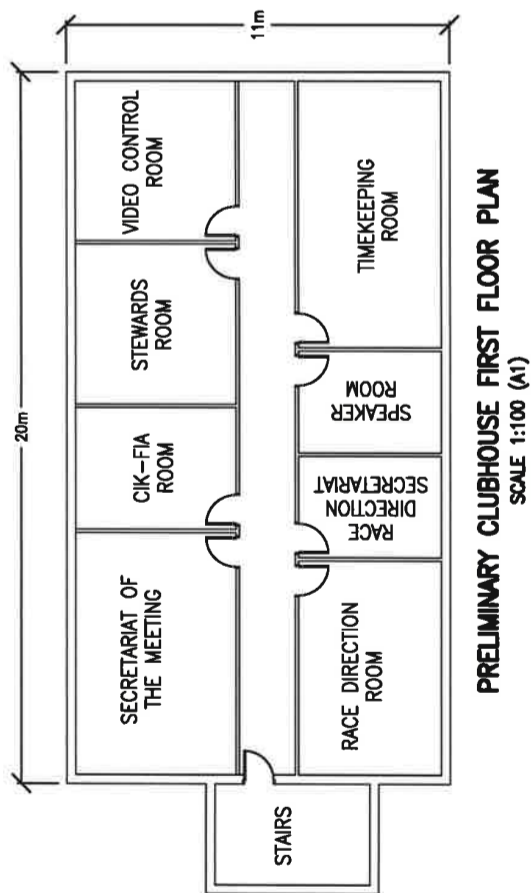
DATE SCALES (M):  
 1:100 0 0.1 0.2 0.3 0.4 0.5 Metres  
 1:200 0 0.2 0.4 0.6 0.8 1.0  
 1:500 0 0.5 1.0 1.5 2.0 2.5  
 1:1000 0 1 2 3 4 5

DATE SCALES (M):  
 1:200 0 2 4 6 8 10 Metres  
 1:500 0 5 10 15 20  
 1:750 0 7.5 15 22.5 30 37.5  
 1:1000 0 10 20 30 40 50

DESIGN CODE  
 CUT/FILL  
 DESIGN  
 EXISTING  
 OFFSET

APPROVED





CONSULTANT	REV	DESCRIPTION	INITIALS	DATE	DATE SCALES (A1)	1:100	1:200	1:500	1:750	1:1000	
	A	ISSUED FOR APPROVAL	MC	18-10-18	0 0.1 0.2 0.3 0.4 0.5 Metres	0 1 2 3 4 5	0 0.2 0.4 0.6 0.8 1.0	0 0.5 1.0 1.5 2.0 2.5	0 1 2 3 4 5	0 10 20 30 40 50	
CHECKED	APPROVED										
PROJECT	McPHILLAMY PARK, MOUNT PANORAMA										
DESCRIPTION	PRELIMINARY GO KART TRACK PLANS										
DETAILS	PRELIMINARY CLUBHOUSE										
JOB No.	000-000	DWG No.	EN11687	SHEET No.	19	REV.	A				
CHECKED	TECHNICAL SERVICES MANAGER										
SURVEYED	MC										
DRAWN	MC										
DESIGN	MC										
DATE	18-10-18										
DATUM	AHD										





## Statement of Environmental Effects

in accordance with the  
Environmental Planning and Assessment Act 1979

---

Prepared by:

**Bathurst Regional Council**

Development:

**Bathurst Go Kart Track  
Mount Panorama**

Location:

**Brock Skyline, Mount Panorama**

Lot 1 DP:634401

Lot 2 DP:633401

Lot 9 DP:1047248

Lot 1 DP:700629

Lot 40 DP:1056379

**Revision 1.2**

**October 2018**



## Contents

### **1.0 Introduction**

Background  
Scope and structure

### **2.0 The site and its contexts**

Property description  
Site analysis

### **3.0 The development proposal**

Development proposal  
General description of the proposal

### **4.0 Assessment**

Adjoining development  
Surrounding development  
Provisions of services  
Noise  
Environment  
Heritage

### **5.0 Statutory and Planning Policy**

Statutory considerations  
Bathurst Regional Council Local Environmental Plan 2014  
State Environmental Planning Policy (Infrastructure) 2007  
Bathurst Regional Development Control Plan 2014

### **6.0 Conclusion**

Project Justification

## Reports

1. Concept Design
2. Aboriginal Cultural Heritage Assessment Report (Confidential)
3. Acoustic Assessment
4. Flora and Fauna Assessment

## References

Bathurst Regional Development Control Plan 2014

Bathurst Regional Council Local Environment Plan 2014

State Environmental Planning Policy (Infrastructure) 2007



## 1.0 Introduction

### Background

- 1.1 The development application form and land owner authorities are included under a separate cover.
- 1.2 This Statement of Environmental Effects has been prepared by Bathurst Regional Council' Engineering Section to accompany a Development Application for the Development of Bathurst Go Kart Club, Mount Panorama.
- 1.3 The Application seeks consent to develop a new go kart track, parking, and club house on part of;
- Lot 1 DP:634401 Zoned SP3 Tourist = 14,862.23m<sup>2</sup>  
 Lot 2 DP:633401 Zoned SP3 Tourist = 5,657.86m<sup>2</sup>  
 Lot 9 DP:1047248 Zoned SP3 Tourist = 56,356.21m<sup>2</sup>  
 Lot 1 DP:700629 Zoned RU2 Rural Landscape = 1,202.97m<sup>2</sup>  
 Lot 40 DP:1056379 Zoned SP3 Tourist = 14,496.50m<sup>2</sup>
- 1.4 The development is consistent with the objectives of the Zone SP3 Tourist and RU2;

**SP3 Tourist Section 3** permitted with consent.

#### Permitted with consent

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.

#### 2. Permitted without consent

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

#### 4. Prohibited

Amusement centres; Cemeteries; Centre-based child care facilities; 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

**RU2 Rural Landscape Section 3** permitted with consent

#### 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

**2 Permitted without consent**

Environmental protection works; Extensive agriculture; Home-based child care; Home businesses; Home occupations; Intensive plant agriculture; Roads

**4 Prohibited**

Amusement centres; Cemeteries; Centre-based child care facilities; 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

**Scope and structure**

- 1.5 Section 2 of this Report describes the physical characteristics of the site and its planning context.
- 1.6 Section 3 and 4 describes in detail the proposed development
- 1.7 Section 5 provides an examination of the relevant statutory and policy planning relating to the site and the extent to which the proposed development has regard to the provisions of Section 4.15 (1) (a) of the Environmental Planning and Assessment Act 1979.
- 1.8 The plans of the proposed development are attached including other various studies and technical reports included in this document.

## 2.0 The site and its contexts

This section identifies the subject site and describes its environmental planning context.

### Property Description

- 2.1 The site is located at McPhillamy Park, 310 Brocks Skyline Mount Panorama NSW 2795.

### Development Site

- 2.2 The **Development Site** is described as Operational land to provide open space, tourism and recreational opportunities and for the purpose of motor racing and associated activities.
- 2.3 The **Development Site** (the site) is located within the Mount Panorama Precinct off Brocks Skyline.
- 2.4 The development will adjoin;
- To the east;
- Lot 3 DP: 700629 Identified as SP3 Tourist - Sir Joseph Banks Nature Reserve and Lot 250 DP: 1148187 identified as RU2 Rural Landscape – Aboriginal Local Land Council
- To the north, Lot 1685 DP: 1085547 identified as SP3 Tourist - McPhillamy Park
- To the south, Lot 10 DP: 1047248 identified as RU2 Rural Landscape
- 2.5 The existing internal roads via McPhillamy Park, Brocks Skyline will provide the site with road access Lot 1685 DP:1085547.

### Site Analysis

#### Site Location and Description

- 2.6 The site is located within the Mount Panorama precinct of Bathurst Regional Council. An map of the site is depicted in figure 1.
- 2.7 The topography description
- The proposed site has a south easterly aspect with an elevation of 870 metres.

#### Existing Improvements

- 2.8 The site is largely unimproved open space with a natural vegetated environment.
- 2.9 The Site adjoins properties as identified in 2.4

## Land use Zone

2.10 Land affected by the Development is zoned SP3 Tourist and RU2 Rural Landscape

2.11 The Local Environmental Plan (LEP) 2014 has identified the land SP3 Tourist and RU2 Rural Landscape, and proposed to be used for;

### Zone SP3 Tourist

#### 1 Objectives of

- 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.

### 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.

## Heritage

2.12 Extent Heritage was engaged by Council in 2016 to undertake an Aboriginal Heritage Due Diligence assessment for the proposed development. The assessment included consultation with representatives of Bathurst Local Aboriginal Land Council, Bathurst Wiradyuri and Aboriginal Community Elders, and Wiradjuri Traditional Owners Central West Aboriginal Corporation.

Whilst the assessment found that Aboriginal objects were unlikely to be present within the area at McPhillamy Park, the assessment identified potential cultural and intangible values to the Aboriginal community.

As a result, Extent Heritage has been commissioned by Bathurst Regional Council (the proponent), to prepare an Aboriginal Cultural Heritage Assessment Report (ACHAR) for the proposed Go-Kart Track, McPhillamy Park, Mount Panorama Wahluu, NSW (hereafter the 'study area').

**Note:** Due to sensitivity of information the Aboriginal Cultural Heritage Assessment Report is not for Public release.



Figure 1: Ariel map view of Site.

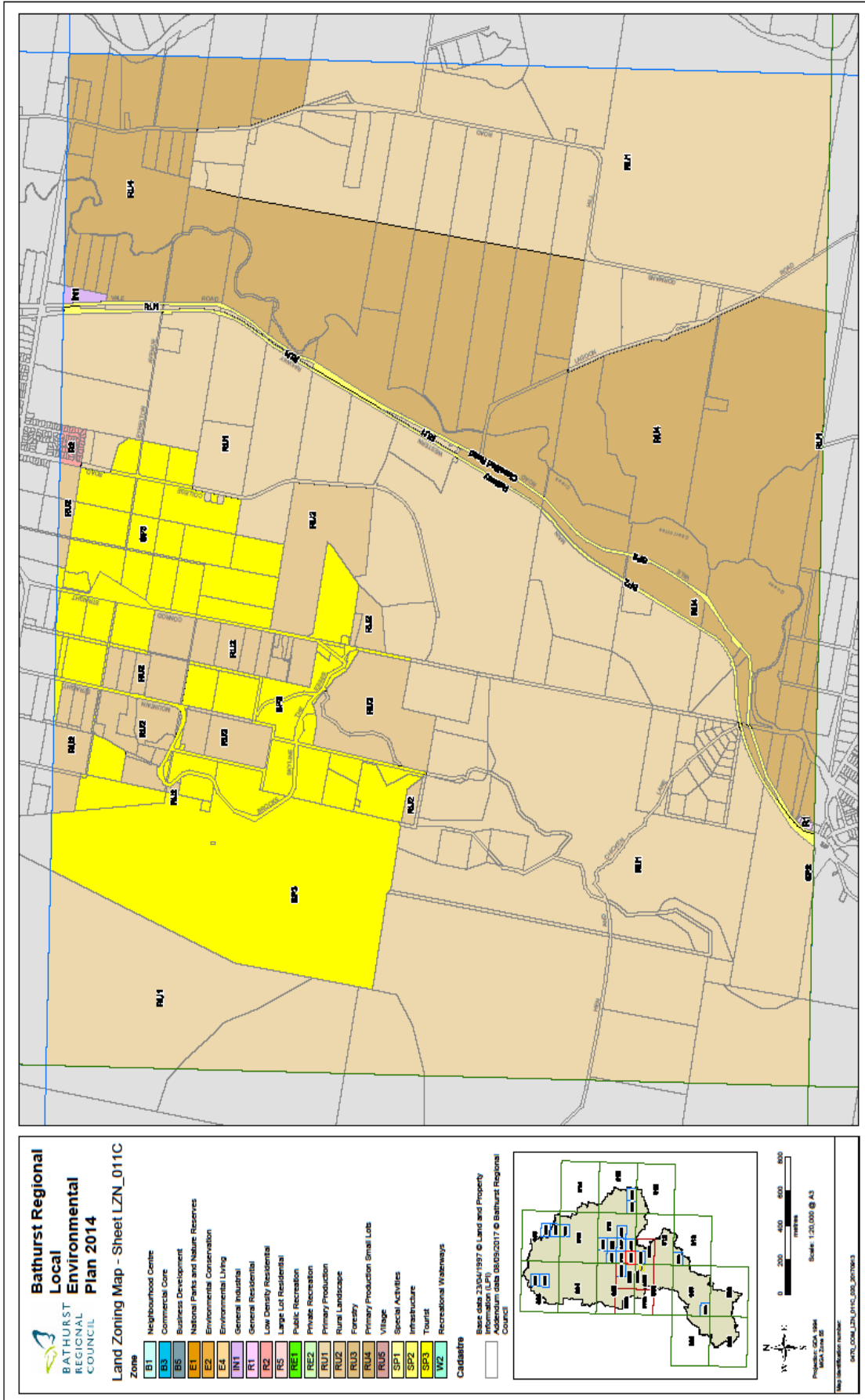


Figure 2: Bathurst Local Environmental Plan 2014 – Land Zoning Map (Not to scale)

Bathurst Regional Council  
Statement of Environmental Effects

## Vegetation

2.13 The Environmental Factor (TEF) was commissioned by Bathurst Regional Council (BRC or Council) to undertake a Flora and Fauna Assessment (FFA) to fully consider the potential ecological impacts relating to the proposed international Go Kart facility development. The study area is located immediately south of McPhillamy Park, in the Mount Panorama precinct.

The FFA has been undertaken in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act) and the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation) and determined under Part 4 of the EP&A Act.

The aim of this assessment is to:

- Identify the presence or likely presence of threatened species, populations and ecological communities and their habitats listed under the TSC Act (now rescinded).
- Identify the potential for any Matters of National Environmental Significance (MNES) listed under the EPBC Act to occur within the proposal footprint and/or to be indirectly impacted by the proposal.
- Identify the potential impacts of the proposal on threatened biota or migratory species and their habitats.
- Recommend mitigation and environmental management measures to avoid or minimise adverse impacts on threatened biota and biodiversity values, as appropriate, to facilitate the relevant planning approvals process.
- Assess the significance of impacts on threatened biota listed under the TSC Act (now rescinded) and identify the likely requirement or otherwise for further assessment and approvals under the EP&A Act.
- Assess the significance of impacts on MNES and identify the likely requirement or otherwise for further assessment and approvals under the EPBC Act.

## Conclusion

It was identified that the study area includes discrete areas of intact native vegetation and fauna habitats, together with areas disturbed by historical clearing, and stockpiling. Vegetation within the subject site is largely exotic with several Weeds of National Significance present. Away from these disturbed areas within the proposal footprint, the native vegetation is generally in poor condition with few native understory species present.

The proposal has considered the ecological constraints and includes specific design features to avoid impacts on native vegetation and important fauna habitats

The proposal would result in the following ecological impacts:

- The permanent removal of 0.79 ha of White Box Yellow Box Blakely's Red Gum Woodland listed under the BC Act (formerly TSC Act).
- Removal of 3.57 ha of exotic and planted vegetation including exotic Hawthorn and Pine trees which may provide over wintering foraging resources for native avian fauna.
- The removal of three (3) hollow bearing trees containing approximately eight (8) hollows and two (2) dead trees (stags) providing potential habitat for hollow depending fauna including threatened microbats.

- Reduction of 0.79 ha woodland habitat for Koala (listed as Vulnerable under the BC and EPBC Acts) including the removal of two (2) Ribbon Gum trees listed as primary feed trees for the Central Tablelands region.
- Indirect impacts to 2.95 ha of White Box Yellow Box Blakelys Red Gum Woodland vegetation listed under the BC Act (formerly TSC Act), and
- Potential injury or mortality of small, terrestrial fauna within the proposal footprint.

Based on the desktop assessment, site visit and habitat assessments undertaken by Environmental Factors, the following affected threatened biota was identified:

- White Box Yellow Box Blakely's Red Gum Woodland listed as Endangered under the BC Act
- Koala (*Phascolarctos cinereus*; Vulnerable under BC / EPBC Act)
- Threatened microbats: Yellow-bellied Sheath-tail Bat (*Saccolaimus flaviventris*; Vulnerable under BC Act), Eastern Bentwing-bat (*Miniopterus orianae oceanensis*; Vulnerable under BC Act); Large-footed Myotis (*Myotis Macropus*; Vulnerable under BC / EPBC Act); Corben's Large-eared Bat (*Nyctophilus corbeni*; Vulnerable under BC / EPBC Act).

Assessments of significance prepared in accordance with Section 1.7 of the EPA Act (Assessments of Significance) and the EPBC Act Matters of National Environmental Significance – Assessment of significance guidelines (DEWHA, 2009). These assessments have concluded that the proposal is unlikely to have a significant negative effect on the local populations of these threatened species and ecological community.

### **Mitigation Measures**

Specific mitigation measures have been identified to minimise the potential indirect impacts of the proposal on the natural environment outside of the proposal footprint during construction and operation. This would include preparing and implementing a CEMP, including erosion, sediment, habitat management and weed control measures by the Contractor to minimise the potential for adverse impacts on adjoining habitats.

Please refer to the attached Flora and Fauna Assessment (by the Environmental Factor 2018).



**Traffic and Transport**

- 2.14 Access for the go kart development will be via McPhillamy Park at Brocks Skyline Mount Panorama. No access will be available during the Bathurst 1000, Hi-Tech Oils 6 hour, and the Liqui-Moly Bathurst 12 hour race.
- 2.15 No prescribed public transport is available to the proposal on a daily basis. A Taxi service is available for the general public.

**Services and Utilities**

- 2.17 Water, electricity, and telecommunications are available for connection to the site. Above ground electricity and telephone services available to the proposal.
- 2.18 Sewer will be provided via a connection to Bathurst Regional Councils existing waste water system.
- 2.19 The existing water network is available and has adequate capacity for this development.

Please refer to Utilities Maps below.

Figure 3: Water

Figure 4: Sewer

Figure 5: Electricity

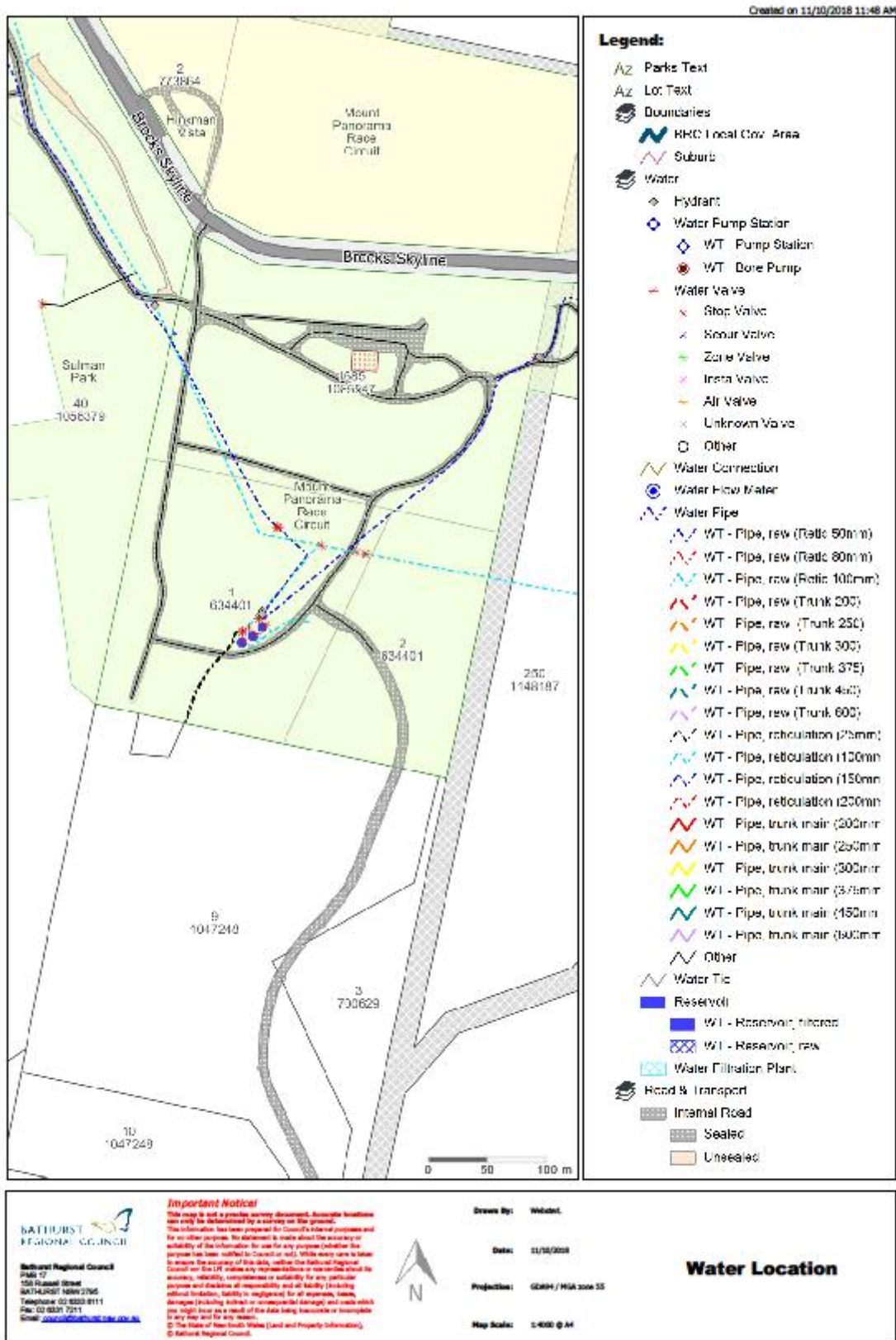


Figure 3: Water location.

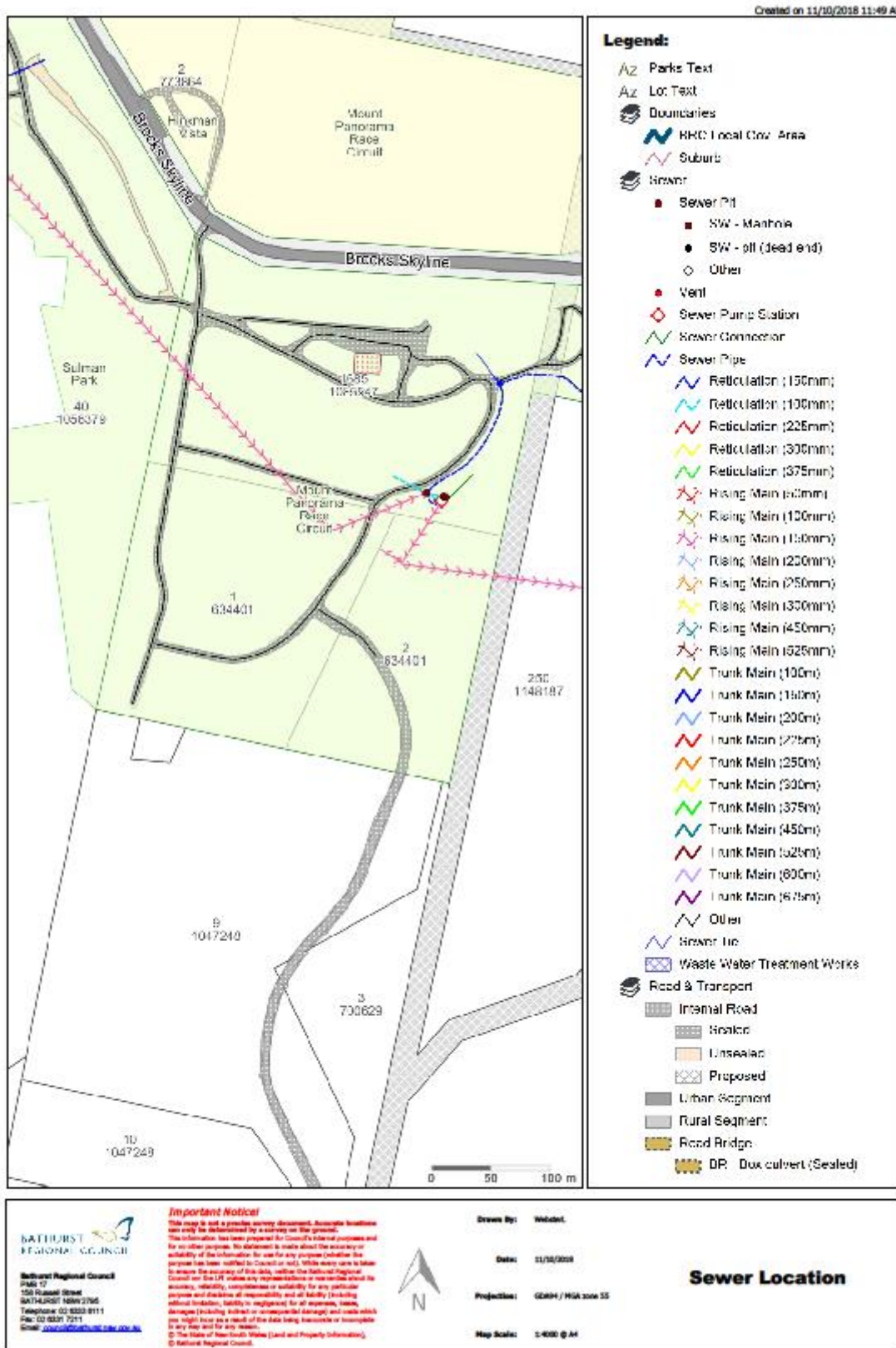


Figure 4: Sewer location

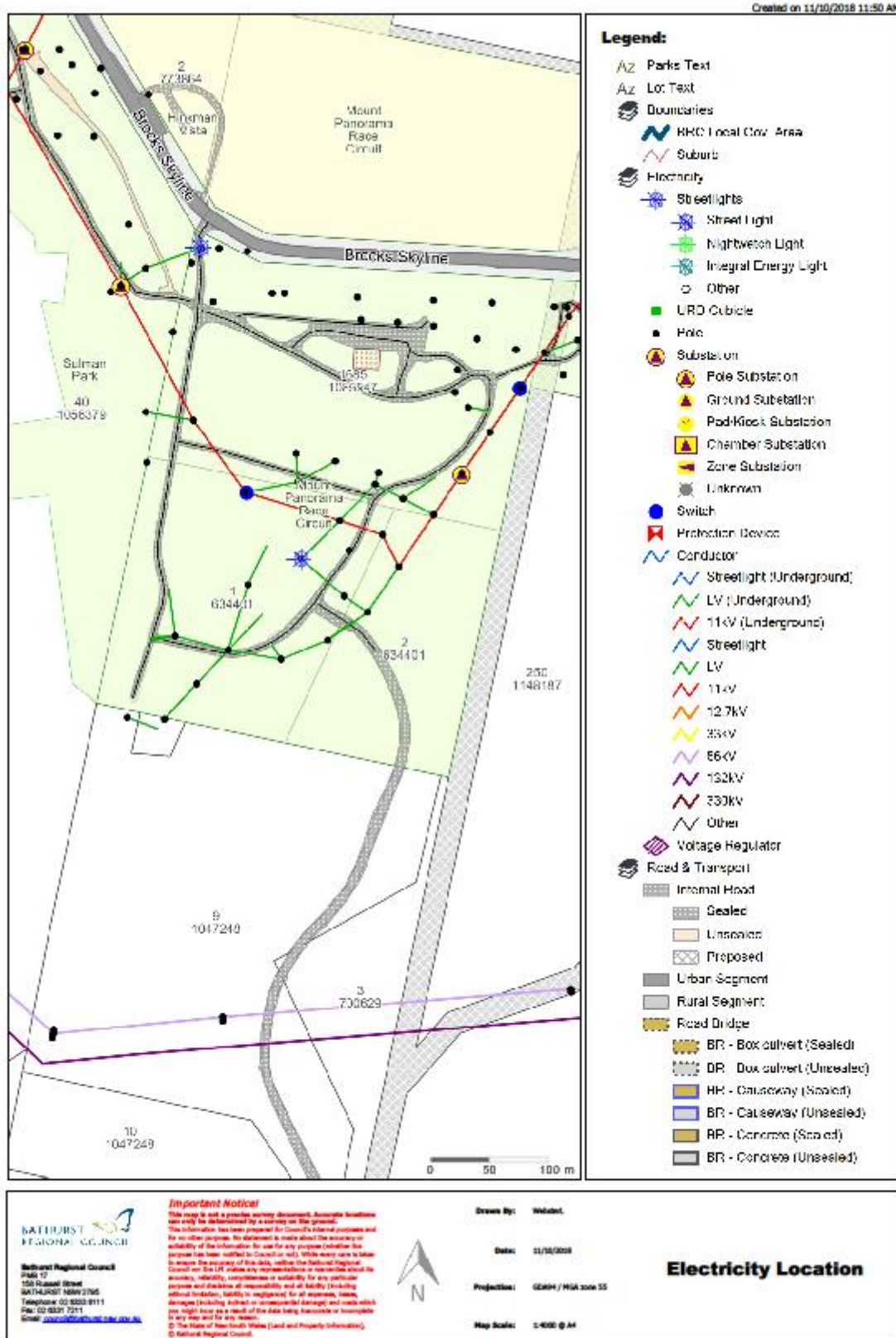


Figure 5: Electricity location

### 3.0 The Development Proposal

*This section of the report describes the project by way of text and plans.*

#### Development Proposal

- 3.1 The application seeks approval for the development of an international go-kart track on land identified as SP3 Tourist and RU2 Rural Landscape Mount Panorama, please refer to section 1.3 for total areas. Please note that the track itself will be built to CIK-FIA specifications while the other facilities will be built to Australian Karting Association (AKA) and National Circuit Construction Standards.

#### General Description of the Proposal

- 3.2 The characteristics of the proposed go-kart track are:

- *Length of permanent circuit: 1100m*
- *Width of permanent circuit: 7 m min., 12 m max.*
- *Gradient of circuits : Longitudinal: 5% maximum  
Transversal: 10% maximum.*
- *Start/finishing straight line of permanent circuit: Minimum 100 m.*
- *Surface: Asphalt on the whole length of the track.*
- *Deceleration lane and exit lane relating to the track.*
- *A pit area 60m x 35m (2,100m<sup>2</sup>) reserved for Entrants/Drivers beside the track; it must be linked to it by clearly distinct entry and exit. The pit area to be completely fenced.*
- *4 m wide pedestrian path around track.*
- *Track edges, verges and run-off areas :*
  - *The track must be bordered all along its length on both sides by compact verges having an even surface and having a minimum width of 1.80 m. These verges must be free of debris or gravel and must normally be grass-covered over a minimum width of 1 m. They must be a continuation of the transversal profile of the track, with no negative slope between track and verge*
- *Starting lights*
- *Line marking*
- *Security fencing around track*
- *Official signage*

#### Infrastructure

- 3.3 The development will also include the construction of:

- *New entry road,*
- *Club house 40m x 116m Level 1, 20 x 11 Level 2, approximately 7.4m high*
- *Ambulance bay x 2*
- *Technical inspection area*
- *Retaining wall maximum 3.5m high as per design specifications*
- *Amenities: canteen, toilet facilities including disabled (pre-existing)*
- *Informal grassed parking area*

## Drainage

- 3.4 There is no drainage infrastructure on the site. The proposed development will incorporate a stormwater management system that meets the principles of *Bathurst Regional Councils Development Control Plan 2014* and BRC Engineering Design Specifications.
- 3.5 The system will incorporate the following:
- A pit and pipe network to collect and convey stormwater generated on site to Bathurst Engineering Guidelines.
  - Major events 5% AEP 1 in 20yr storm

Figure 4 proposed stormwater system.

## Envisaged Development

### Proposed Go-Kart Track

- 3.6 Following development the Go-kart track will consist of an asphalt circuit which will be approximately 1100m long, about 7-12m wide with a 4m wide pedestrian / spectator's area around the track, a starter's box, technical inspection shed, club house and grassed parking area. Bathurst Go-Kart Club will be the affiliated club. The track would only operate outside of Mount Panorama events. During the rest of the year the track would be open for practice and training with limited number of go-kart per session. The track will also be used for competitive racing events by Bathurst Go-Kart Club under Karting Australia regulations, with a limited number of go-karts per race.

### Proposed Landscape

- 3.7 The proposed landscaping will consist of grass between track sections and an offset area at the bottom of the batter of the track.
- 3.8 The proposed landscaping produces a green area between the tracks, no other landscaping identified due to safety requirements.

## 4.0 Assessment

*This section provides an overview of the assessment issues.*

### Adjoining development

- 4.1 The proposal will have minimum impact on the adjoining race track
- 4.2 The land adjoining the subject site McPhillamy Park is currently used as a recreational and camping area and major motor sports identified as Operational SP3 Tourist.
- 4.3 Land to the north on Lot 1685 DP: 1085547 is identified as SP3 Tourist.
- 4.4 Land to the west Lt 40 DP: 1056379 of the proposal is identified as SP3 Tourist The development would be compatible with current zoning of the area.
- 4.5 The subject proposal is therefore compatible with the relevant zone objectives.

### Surrounding Development

- 4.6 The proposal envisages an international Go-Kart track providing a secure future for the region in regards to recreational assets and the racing industry as like the Mount Panorama race track.
- 4.7 The surround sites have been used for sporting recreational uses since 1936 and have a strong history in regards to racing activities. Therefore the proposed development is compatible with the context of the area that has been previously established by Council.
- 4.8 The objectives of the SP3 Tourist found in the BRLEP 2014 are as follows;
  - 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.

The objectives of the RU2 Rural Landscape found in the BRLEP 2014 are as follows;

- 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.

### Minimum Lot Size

4.9 Not applicable for this development

### Provisions for Services

- 4.10 The subject site can, and will be, provided with an adequate supply of water, electricity, and method for the proper disposal and management of sewerage. McPhillamy Park currently has established public facilities in place for public use.
- 4.11 The site will be serviced in respect to water and sewerage by Bathurst Regional Council.

### Noise

- 4.12 The subject development is restricted by noise controls by Council. A noise assessment has been carried out by PKA Acoustic Consulting; identifying the number of go-kart per race and the number of days that competitive racing would be allowed. Please refer to attached Noise Assessment by PKA Acoustic Consulting.

A follow up noise assessment will be required once the development has been approved and operating, this will identify the restrictions to the number of go-karts on the track and /or further mitigation measures at any given time, for future events.

### Road Network

4. No impacts to the local road network is anticipated due to the locality of the proposal. The proposal will be accessed from Brocks Skyline Mount Panorama; the road is identified as a public road and also part of the official race track during race events. Only during official race events will the road network not be available. On weekends the road/track is regularly visited by tourist local, interstate or overseas.



## 5.0 Statutory and Planning Policy

This section documents the range of planning controls applicable to the subject case pursuant to Section 4.15 (1)(a) of the *Environmental Planning and Assessment Act 1979* and tabulates the effect of these instruments in the circumstances of the development proposal as described in Section 3 of the Report.

### Statutory Consideration

5.1 Pursuant of the *Environmental Planning and Assessment Act 1979* (the Act), a number of statutes are potentially applicable to any single development proposal. This section reviews the range of instruments and notes their application in terms of the proposed development.

### Section 94 Contributions

Section 7.11 (S94) of the *Environmental Planning and Assessment Act 1979* provides that where development consent is being sought for a development which is likely to require the provision of new facilities or an increase in demand on existing public facilities or services, then Council provide a condition where a monetary contribution or dedication of land, or both, is required for the development of the facilities.

Bathurst Regional Council development contribution plan is called the “Section 94 Developer Contribution Plan”.

Majority of the Lots identified for this development are Zoned SP3, this development is not residential development; “Section 94 Developer Contribution Plan” applies to CBD, RU1 Primary Production, RU2 Rural Landscape, RU4 Primary Production Small Lots, RU5 Village, R5 Large Lot Residential or E4 Environmental Living within the Bathurst Regional LGA.

It is not within Eglinton village, Hereford Street, BR Rural Roads, Roadworks –residential subdivision, Robin Hill and Drainage Construction, Sawpit Creek, Raglan Creek, or Jordan Creek, BR Traffic Generating Development, or BR Open Space.

Section 94 Development Contribution Plan does not apply to this DA as per BR IntraMap system.

## Bathurst Regional Local Environmental Plan 2014

5.2 The proposed development is defined as the “development that needs consent”. The following provisions of BRLEP 2014 are applicable to the proposed development.

**Table 1: BRLEP2014 Assessment**

	Planning Provision	Comment	√
	Part 1 Preliminary		
1.2	Aims of plan		
	<p>This plan aims to make local environment planning provisions for land in Bathurst Regional local government in accordance with the relevant standards environmental planning instrument under section 33A of the Act.</p> <p>The particular aims of this Plan are as follows:</p> <p>(a) to deliver growth and development in the city of Bathurst and rural localities,</p> <p>(b) to promote development that is consistent with the principles of ecologically sustainable development and the management of climate change and water resources,</p> <p>(c) to enhance and protect the region’s unique Aboriginal and European cultural heritage as key social and economic assets,</p> <p>(d) to identify, protect, enhance and manage areas of high biodiversity conservation value as a means to:</p> <p>(i) preserve and improve the ecosystem services they provide, and</p> <p>(ii) protect the region’s significant vegetation and scenic quality, and</p> <p>(iii) respond to and plan for climate change by identifying and protecting habitat corridors and links through the local government area,</p> <p>(e) to facilitate rural housing choice through sustainable rural settlement growth that includes rural village living and strategic rural lifestyle living opportunities,</p> <p>(f) to provide greater housing choice within the city of Bathurst through sustainable urban settlement growth that includes greater opportunities for medium density housing and the minimisation of the city’s environmental footprint,</p> <p>(g) to promote the well-being of the people of the region by encouraging living, vibrant and growing rural settlement areas, urban villages and suburbs that generate a sense of community and place,</p> <p>(h) to protect the region’s key transport assets and to promote opportunities for sustainable transport, particularly public and active transport,</p> <p>(i) to provide a secure future for the region’s recreation assets, in particular, the Mount Panorama and the Macquarie River precincts,</p> <p>(j) to minimise risk to the community in areas</p>	<p>The development is within the existing Bathurst local government zoned tourist area.</p> <p>It would have minimal impact on the existing character of the area which compromises of a highly disturbed environment due to previous activities within the area (extensive major Mount Panorama events).</p> <p>The area for the proposal was not identified as having a high biodiversity value as per the Flora and Fauna Assessment by Environmental Factors.</p> <p>Only vegetation identified within the footprint of the proposal would be removed. Remaining vegetation would not be impacted by this proposal.</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p> <p>The Go-Kart track would provide secure future for the region in regards to recreational assets and the racing industry.</p>	<p>√</p> <p>√</p>

	Planning Provision	Comment	✓
	subject to environmental hazards, particularly flooding and bush fires and to minimise cumulative impacts on environmentally sensitive areas, (k) to encourage the dynamic and innovative development and growth of the region's primary resources, (l) to protect and enhance the region's landscapes, views, vistas and open spaces, (m) to create a land use framework for controlling development in the region that allows detailed provisions to be made in any development control plan made for that purpose.	Not identified within a fire zone  Proposal would provide a dynamic sporting facility to the local area for all ages. The proposal would only impact on a small area of the landscape zone SP3.	
<b>1.3</b>	<b>Land to which plan applies</b>		
	This Plan applies to the land identified on the <u>Land Application Map</u> .  Land Zoning Map-Sheet LZN_011C	This site is within the land application area.	✓
<b>1.4</b>	<b>Consent Authority</b>		
	The consent authority for the purposes of this Plan is (subject to the Act) the Council.	Noted	✓
<b>1.7</b>	<b>Maps</b>		
	Height of Buildings Map - Sheet HOB_011C	The height of building maps for the subject site states no restrictions. The clubhouse for the Go-Track development will be approximately 7.4m high, well below the general height limits to which builds may be erected in certain locations.	
<b>1.8</b>	<b>Application of SEPPS</b>		
	This Plan is subject to the provisions of any State environmental planning policy that prevails over this Plan as provided by section 36 of the Act.  The following State environmental planning policies (or provisions) do not apply to the land to which this Plan applies: <i>State Environmental Planning Policy No 1—Development Standards</i>	Various SEPPs apply to the subject proposal including: • SEPP Infrastructure (2007) • SEPP 44 Koala habitat	✓  ✓
<b>Part 2 Permitted or Prohibited Development</b>			
<b>2.2</b>	<b>Zoning of Land which this policy applies</b>		
	For the purpose of this plan, the land is within the zones shown on the Land Zoning Map.  Land Zoning Map - Sheet LZN_011C	The site is zoned SP3 Tourist "Special Purpose Zone"  The development is for Bathurst Go-Kart Track. This is permissible land use (with consent) under SP3 Zone, To enable development that is complementary to or for the purpose of motor racing and	✓

	Planning Provision	Comment	✓
		associated activities, sports or recreation.	
<b>2.3</b>	<b>Zone Objectives and Land Use Table</b>		
	The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.	Noted	✓
	This clause is subject to other provisions of this Plan.	Noted	
<b>Land Use Table – SP3 Tourist</b>			
<b>Objectives of Zone</b>			
	To provide for a variety of tourist-oriented development and related uses. <ul style="list-style-type: none"> <li>To encourage and promote the development of Mount Panorama as a regional recreation and tourist facility and as an international motor racing circuit.</li> <li>To provide regional open space, tourism and recreation opportunities within the city of Bathurst.</li> <li>To enable development that is complementary to or for the purpose of motor racing and associated activities, sports or recreation.</li> <li>To encourage development that is sympathetic to the environmental characteristics of the land, particularly the scenic value of the locality.</li> </ul>	Noted  Proposal would be complementary to the motor racing and associated activities, sports and recreation within Mount Panorama precinct.	✓
<b>Permitted without consent</b>			
	Environmental protection works; Extensive agriculture; Intensive plant agriculture; Roads	Noted	✓
<b>Permitted with Consent</b>			
	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	Noted	✓
<b>Prohibited</b>			
	Amusement centre's; Cemeteries; Centre-based child care facilities; Commercial premises; Correctional centre's; 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 centre's; Restricted premises; Rural industries; Sex services premises; Transport depots; Truck depots;	Noted	✓

	Planning Provision	Comment	✓
	Warehouse or distribution centre's; Wholesale supplies		
<b>Part 3 Exempt and Complying Development</b>			
<b>3.2</b>	<b>Complying Development</b>		
	<p>(1) The objective of this clause is to identify development as complying development.</p> <p>(2) Development specified in Part 1 of Schedule 3 that is carried out in compliance with:</p> <p>(a) the development standards specified in relation to that development, and</p> <p>(b) the requirements of this Part, is complying development.</p> <p><i>Note. See also clause 5.8 (3) which provides that the conversion of fire alarms is complying development in certain circumstances.</i></p> <p>(3) To be complying development, the development must:</p> <p>(a) be permissible, with development consent, in the zone in which it is carried out, and</p> <p>(b) meet the relevant deemed-to-satisfy provisions of the <i>Building Code of Australia</i>, and</p> <p>(c) have an approval, if required by the <a href="#">Local Government Act 1993</a>, from the Council for an on-site effluent disposal system if the development is undertaken on unsewered land.</p> <p>(4) A complying development certificate for development specified in Part 1 of Schedule 3 is subject to the conditions (if any) set out or referred to in Part 2 of that Schedule.</p> <p>(5) A heading to an item in Schedule 3 is part of that Schedule</p>	<p>Noted</p> <p>N/A</p> <p>Complying development within the zone</p> <p>Proposed development has access to sewered land within McPhillamy Park. Figure 4.</p>	<p>✓</p> <p>✓</p> <p>✓</p>
<b>3.3</b>	<b>Environmentally sensitive areas excluded</b>		
	<p>(1) Exempt or complying development must not be carried out on any environmentally sensitive area for exempt or complying development.</p> <p>(2) For the purposes of this clause: environmentally sensitive area for exempt or complying development means any of the following:</p> <p>(a) the coastal waters of the State,</p> <p>(b) a coastal lake,</p> <p>(c) land within the coastal wetlands and littoral rainforests area (within the meaning of the <a href="#">Coastal Management Act 2016</a>),</p> <p>(d) land reserved as an aquatic reserve under the <a href="#">Fisheries Management Act 1994</a> or as a marine park under the <a href="#">Marine Parks Act 1997</a>,</p> <p>(e) land within a wetland of international significance declared under the Ramsar Convention on Wetlands or within a World heritage area declared under the World</p>	<p>Noted</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p> <p>Not applicable</p>	<p>✓</p>

	Planning Provision	Comment	✓
	Heritage Convention, (f) land within 100 metres of land to which paragraph (c), (d) or (e) applies, (g) land identified in this or any other environmental planning instrument as being of high Aboriginal cultural significance or high biodiversity significance, (h) land reserved under the <i>National Parks and Wildlife Act 1974</i> or land acquired under Part 11 of that Act, (i) land reserved or dedicated under the <i>Crown Lands Act 1989</i> for the preservation of flora, fauna, geological formations or for other environmental protection purposes, (j) land that is a declared area of outstanding biodiversity value under the <i>Biodiversity Conservation Act 2016</i> or declared critical habitat under Part 7A of the <i>Fisheries Management Act 1994</i> .	Not applicable  As per the Aboriginal heritage mapping by AHMS (2015) sensitivity model mapping and BRC IntraMaps (2018) the land is identified as being moderate to low value. Not identified as high biodiversity value. Land owned by BRC.  Not identified as having outstanding biodiversity value under BC Act. Fisheries Act not applicable for this proposal as no creeks occur in the proposal area.	
	<b>Part 5 Miscellaneous provisions</b>		
5.10	<b>Heritage Conservation</b>		
	<b>Objectives</b> The objectives of this clause are as follows: (a) to conserve the environmental heritage of Bathurst Regional local government area, (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views, (c) to conserve archaeological sites, (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.	Noted  Aboriginal Cultural Heritage Assessment Report by EXTENT Heritage Advisors has been carried out in June 2018.	✓
	<b>Requirement for consent</b> Development consent is required for any of the following: (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance): (i) a heritage item, (ii) an Aboriginal object, (iii) a building, work, relic or tree within a heritage conservation area,	The proposed development is unlikely to result in harm to Aboriginal objects, that is, to tangible Aboriginal archaeological sites. This proposed development is considered unlikely to result in impact to any Aboriginal objects, as defined and protected by the NPW Act.	✓
	(b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,  (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered,	Not Applicable  In the event that a previously unidentified Aboriginal object is found during any future development, work should cease in the vicinity, and OEH, the RAPs,	

	Planning Provision	Comment	✓
	<p>exposed, moved, damaged or destroyed,</p> <p>(d) disturbing or excavating an Aboriginal place of heritage significance,</p> <p>(e) erecting a building on land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,</p> <p>(f) subdividing land:</p> <p>(i) on which a heritage item is located or that is within a heritage conservation area, or</p> <p>(ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance</p>	<p>and a suitably qualified heritage consultant should be contacted for advice. It is an offence in NSW to disturb damage or destroy an Aboriginal object without first obtaining an AHIP approval from OEH.</p> <p>The AHIMS sites identified within the study area are not considered to be archaeological sites, and the study area has been assessed as having low sub-surface archaeological potential.</p> <p>Not Applicable</p>	
	<p><i>When consent not required.</i></p> <p>However, development consent under this clause is not required if:</p> <p>(a) the applicant has notified the consent authority of the proposed development and the consent authority has advised the applicant in writing before any work is carried out that it is satisfied that the proposed development:</p> <p>(i) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or archaeological site or a building, work, relic, tree or place within the heritage conservation area, and</p> <p>(ii) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place, archaeological site or heritage conservation area, or</p> <p>(b) the development is in a cemetery or burial ground and the proposed development:</p> <p>(i) is the creation of a new grave or monument, or excavation or disturbance of land for the purpose of conserving or repairing monuments or grave markers, and</p> <p>(ii) would not cause disturbance to human remains, relics, Aboriginal objects in the form of grave goods, or to an Aboriginal place of heritage significance, or</p> <p>(c) the development is limited to the removal of a tree or other vegetation that the Council is satisfied is a risk to human life or property, or</p> <p>(d) the development is exempt development.</p>	<p>No Aboriginal objects as defined by the National Parks and Wildlife Act 1974 have been identified within the study area.</p> <p>N/A</p>	

	Planning Provision	Comment	✓
	<p>Effect of proposed development on heritage significance The consent authority must, before granting consent under this clause in respect of a heritage item or heritage conservation area, consider the effect of the proposed development on the heritage significance of the item or area concerned. This subclause applies regardless of whether a heritage management document is prepared under subclause (5) or a heritage conservation management plan is submitted under subclause (6).</p>	<p>Aboriginal heritage legislation in NSW does not directly protect 'intangible heritage', unless it is associated with Aboriginal objects or a gazetted Aboriginal Place. As a result, the AHIMS sites within the study area are not protected under the National Parks and Wildlife Act 1974 because they do not include 'Aboriginal objects'.</p>	✓
	<p><i>Heritage assessment</i> The consent authority may, before granting consent to any development:</p> <ul style="list-style-type: none"> <li>(a) on land on which a heritage item is located, or</li> <li>(b) on land that is within a heritage conservation area, or</li> <li>(c) on land that is within the vicinity of land referred to in paragraph (a) or (b), require a heritage management document to be prepared that assesses the extent to which the carrying out of the proposed development would affect the heritage significance of the heritage item or heritage conservation area concerned.</li> </ul>	<p>No heritage management document required</p>	
	<p><i>Heritage conservation management plans</i> The consent authority may require, after considering the heritage significance of a heritage item and the extent of change proposed to it, the submission of a heritage conservation management plan before granting consent under this clause.</p> <p><i>Archaeological sites</i> The consent authority must, before granting consent under this clause to the carrying out of development on an archaeological site (other than land listed on the State Heritage Register or to which an interim heritage order under the <i>Heritage Act 1977</i> applies):</p> <ul style="list-style-type: none"> <li>(a) notify the Heritage Council of its intention to grant consent, and</li> <li>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</li> </ul>	<p>N/A</p> <p>Not identified as an archaeological site</p>	
	<p><i>Aboriginal places of heritage significance</i> The consent authority must, before granting</p>	<p>Not identified as an Aboriginal place of heritage significance by AHIMS.</p>	



Planning Provision	Comment	✓
<p>consent under this clause to the carrying out of development in an Aboriginal place of heritage significance:</p> <p>(a) consider the effect of the proposed development on the heritage significance of the place and any Aboriginal object known or reasonably likely to be located at the place by means of an adequate investigation and assessment (which may involve consideration of a heritage impact statement), and</p> <p>(b) notify the local Aboriginal communities, in writing or in such other manner as may be appropriate, about the application and take into consideration any response received within 28 days after the notice is sent.</p>	<p>Aboriginal heritage legislation in NSW does not directly protect 'intangible heritage', unless it is associated with Aboriginal objects or a gazetted Aboriginal Place. As a result, the AHIMS sites within the study area are not protected under the National Parks and Wildlife Act 1974 because they do not include 'Aboriginal objects'.</p>	
<p><i>Demolition of nominated State heritage items</i></p> <p>The consent authority must, before granting consent under this clause for the demolition of a nominated State heritage item:</p> <p>(a) notify the Heritage Council about the application, and</p> <p>(b) take into consideration any response received from the Heritage Council within 28 days after the notice is sent.</p>	<p>No state heritage identified.</p>	
<p><i>Conservation incentives</i></p> <p>The consent authority may grant consent to development for any purpose of a building that is a heritage item or of the land on which such a building is erected, or for any purpose on an Aboriginal place of heritage significance, even though development for that purpose would otherwise not be allowed by this Plan, if the consent authority is satisfied that:</p> <p>(a) the conservation of the heritage item or Aboriginal place of heritage significance is facilitated by the granting of consent, and</p> <p>(b) the proposed development is in accordance with a heritage management document that has been approved by the consent authority, and</p> <p>(c) the consent to the proposed development would require that all necessary conservation work identified in the heritage management document is carried out, and</p> <p>(d) the proposed development would not adversely affect the heritage significance of the heritage item, including its setting, or the heritage significance of the Aboriginal place of heritage significance, and</p>		

	Planning Provision	Comment	✓
	(e) the proposed development would not have any significant adverse effect on the amenity of the surrounding area.		
5.11	<b>Bush fire hazard reduction</b>		
	Bush fire hazard reduction work authorised by the <a href="#">Rural Fires Act 1997</a> may be carried out on any land without development consent.	Noted	✓
	<b>Part 7 Additional local provisions</b>		
7.2	<b>Bush fire prone land</b>		
	<p>(1) This clause applies to land in the following zones that is bush fire prone land within the meaning of the Act:</p> <p>(a) Zone RU1 Primary Production,  (b) Zone RU2 Rural Landscape,  (c) Zone RU4 Primary Production Small Lots,  (d) Zone RU5 Village,  (e) Zone E4 Environmental Living.</p> <p>(2) Despite any other provision of this Plan, development must not be carried out on land to which this clause applies without the consent of the consent authority.</p> <p>(3) Development consent is not required by this clause if:</p> <p>(a) the proponent has notified the consent authority in writing of the development, and  (b) the consent authority has formed the opinion that the development is of a minor nature, including minor additions to a residential building or ancillary development, and  (c) the consent authority is satisfied that the development conforms to the specifications and requirements of Planning for Bush Fire Protection, ISBN 0 9751033 2 6, prepared by the NSW Rural Fire Service in co-operation with the Department of Planning, dated December 2006, that are relevant to the development, and  (d) the consent authority has advised the proponent in writing before the development is carried out that it is satisfied that development consent is not required because of the exception created by this subclause.</p>	<p>Lot 1 DP:700629 RU2 not identified within Bush fire prone land.  Zone SP3 not identified as Bush fire prone land.</p>	✓
7.5	<b>Essential Services</b>		
	<p>Development consent must not be granted to development unless the consent authority is satisfied that any of the following services that are essential for the development are available or that adequate arrangements have been made to make them available when required:</p> <p>(a) the supply of water,  (b) the supply of electricity,  (c) the disposal and management of sewage,</p>	<p>Noted  McPhillamy Park amenities will be providing the necessary requirements for the Go-Kart Track.</p> <p>Water and electricity is available to the site. Please refer to Figures 3, 4 and 5.</p>	✓

	Planning Provision	Comment	✓																		
	(d) stormwater drainage or on-site conservation, (e) suitable vehicular access.	Drainage will be installed as per BRC Engineering requirements.  Vehicle access will be from Brocks Skyline through McPhillamy Park.																			
7.6	<b>Mount Panorama environs</b>																				
	<p>(1) The objectives of this clause are as follows:</p> <p>(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,</p> <p>(b) to ensure the future of Mount Panorama as an international motor racing circuit.</p> <p>(2) This clause applies to land identified as "50 dBA" on the <a href="#">Mount Panorama Environs Map</a>.</p> <p>(3) Development consent must not be granted to development on land to which this clause applies unless the consent authority has considered:</p> <p>(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</p> <p>(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.</p>	<p>Noise assessment was carried out by PKA Acoustic Consulting in February 2018. Document attached.</p> <p>The noise modelling identified two receptors on Conrod Straight (402,404) will experience noise that exceeds the typical background + 5dBA criterion from the proposed go-kart track operations. Noise mitigation options have been identified for consideration.</p> <p>The noise modelling was calculated using the 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.</p> <p><b>Noise Reduction Due To Number of Go-Karts On Track</b></p> <table border="1" data-bbox="815 1171 1246 1576"> <thead> <tr> <th>Vehicles Circulating At Any One Time</th> <th>Noise Reduction With Respect To 32 Vehicles dBA</th> </tr> </thead> <tbody> <tr><td>32</td><td>0</td></tr> <tr><td>25</td><td>-1</td></tr> <tr><td>20</td><td>-2</td></tr> <tr><td>15</td><td>-3</td></tr> <tr><td>10</td><td>-5</td></tr> <tr><td>5</td><td>-8</td></tr> <tr><td>3</td><td>-10</td></tr> <tr><td>1</td><td>-15</td></tr> </tbody> </table> <p><b>Further Studies:</b> 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.</p>	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	✓
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																				
7.8	<b>Mount panorama commercial motor race hosting</b>																				
	(1) Despite any other provisions of this Plan, development for the purpose of commercial motor race hosting is prohibited, except within	The proposal is for the development of a go-kart track and the proposed development is on land Zoned SP3	✓																		

	Planning Provision	Comment	✓
	<p>Zone SP3 Tourist.</p> <p>(2) In this clause, commercial motor race hosting means the use of land to provide viewing areas for motor racing for a fee or reward to 13 or more persons. It may or may not include provision for accommodation, food or drink.</p>	<p>for commercial motor racing.</p> <p>Development complies with the land zone.</p>	
7.10	Signage		
	<p>(1) Development consent must not be granted to the erection of signage on any land, except land in Zone SP3 Tourist, unless:</p> <p>(a) the signage relates to the approved use of the site and is located on the land on which that use is being conducted, and</p> <p>(b) the dimensions and overall size of the signage is not larger than would reasonably be required so to inform the public.</p> <p>(2) Despite subclause (1), development consent may be granted to the erection of signage on any land for the specific purpose of directing the travelling public to tourist facilities and places of scientific, historic or scenic interest, if the consent authority is satisfied that:</p> <p>(a) the signage relates to a specific building or place within Bathurst Regional local government area, and</p> <p>(b) the principal purpose of the signage is to direct the travelling public to that building or place, and</p> <p>(c) the dimensions and overall size of the signage are not larger than would reasonably be required so to direct the travelling public.</p> <p>(3) Despite subclause (1), development consent may be granted to a directory board sign on any land if the consent authority is satisfied that:</p> <p>(a) the directory board sign relates to a business or industrial estate or park in the Bathurst Regional local government area and is located at the entrance to that estate or park, and</p> <p>(b) the dimensions and overall size of the signage are not larger than would reasonably be required to direct the public to the business or industrial estate or park.</p> <p>(4) Despite subclause (1), development consent may be granted to signage of a temporary nature on any land if the consent authority is satisfied that:</p> <p>(a) the signage relates to a local event within the Bathurst Regional local government area, and</p> <p>(b) the signage will not be displayed for more than 28 days before the event or 7 days after the event.</p> <p>(5) Despite subclause (1), development consent may be granted to signage on any</p>	<p>The proposed development is in zone SP3 there for development consent can be granted.</p>	✓

	Planning Provision	Comment	✓
	<p>land for the specific purpose of advertising premises for sale or for lease.</p> <p>(6) Despite subclause (1), development consent may be granted to interpretive signage on any land for the specific purpose of interpreting the built or natural environment or an item of historic nature.</p> <p>(7) In this clause:            directory board sign means a sign that displays a business identification sign for 2 or more businesses.            interpretive signage means a sign that displays interpretive information for a building or place of a historic, environmental or scenic nature.</p>		
7.14	<b>Drinking water catchments</b>		
	<p>The objective of this clause is to protect drinking water catchments by minimising the adverse impacts of development on the quality and quantity of water entering drinking water storages.</p> <p>This clause applies to land identified as “Drinking water catchment” on the <a href="#">Drinking Water Catchment Map</a>.</p> <p>In deciding whether to grant a development application for development on land to which this clause applies, the consent authority must consider the following:</p> <p>(a) whether or not the development is likely to have any adverse impact on the quality and quantity of water entering the drinking water storage, having regard to the following:</p> <ul style="list-style-type: none"> <li>(i) the distance between the development and any waterway that feeds into the drinking water storage,</li> <li>(ii) the on-site use, storage and disposal of any chemicals on the land,</li> <li>(iii) the treatment, storage and disposal of waste water and solid waste generated or used by the development,</li> </ul> <p>(b) any appropriate measures proposed to avoid, minimise or mitigate the impacts of the development.</p> <p>Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:</p> <ul style="list-style-type: none"> <li>(a) the development is designed, sited and will be managed to avoid any significant adverse impact on water quality and flows, or</li> <li>(b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise</li> </ul>	<p>Not applicable            The site is not identified as a “Drinking water catchment”</p>	✓

Planning Provision	Comment	✓
that impact, or (c) if that impact cannot be minimised—the development will be managed to mitigate that impact.		

### Applicable State Environmental Planning Polices

#### State Environmental Planning Policy No 44 – Koala Habitat

Planning Provision	Comment	
<b>1 Name of Policy</b>		
This Policy may be cited as <a href="#">State Environmental Planning Policy No 44—Koala Habitat Protection</a> .		
<b>5 Land to which this policy applies</b>		
(1) This Policy applies to each local government area listed in Schedule 1. (2) However, it does not apply to land dedicated or reserved under the <a href="#">National Parks and Wildlife Act 1974</a> or to land dedicated under the <a href="#">Forestry Act 1916</a> as a State forest or flora reserve.	Bathurst Regional Council identified in Schedule 1.	
<b>6 Land to which this Part applies</b>		
This Part applies to land: (a) that is land to which this Policy applies, and (b) that is land in relation to which a development application has been made, and (c) that: (i) has an area of more than 1 hectare, or (ii) has, together with any adjoining land in the same ownership, an area of more than 1 hectare, whether or not the development application applies to the whole, or only part, of the land.	SEPP 44 requires that before granting consent for development on land over 1 hectare in area, a consent authority must be satisfied as to whether or not the land is 'potential' and 'core' koala habitat.  A Flora and Fauna Assessment was carried out by Environmental Factors to identify if the proposal would have an impact on Koalas and their habitat.	
<b>7 Step 1 Is the land potential Koala Habitat</b>		
(1) Before a council may grant consent to an application for consent to carry out development on land to which this Part applies, it must satisfy itself whether or not the land is a potential koala habitat. (2) A council may satisfy itself as to whether or not land is a potential koala habitat only on information obtained by it, or by the applicant, from a person who is qualified and experienced in tree identification. (3) If the council is satisfied: (a) that the land is not a potential koala habitat, it is not prevented, because of this Policy, from granting consent to the	Twenty-three (23) records of Koala have been recorded within the surrounding 10km locality. The closest of these records occurs approximately 2 km to the east on a private property dating from spring 2002. The remainder of the records are largely to the south adjoining Perthville. Based on records of Koala within the locality it is not suggestive that the study area forms part of a regular movement path for the local population. Consequently, the removal of 0.79ha of woodland containing Koala feed trees is unlikely to remove important resources or disrupt connectivity with the Koala.	

	development application, or (b) that the land is a potential koala habitat, it must comply with clause 8.	The Koala may occasionally traverse the throughout the study area but would not rely on these habitats solely given the large areas present within the locality. As such, the proposal is unlikely to place viable local populations of the Koala at risk of extinction.	
--	--	--	--

### State Environmental Planning Policy 55 – Remediation of Land

	Planning Provision	Comment	
<b>1</b>	<b>Name of this policy</b>		
	<i>This Policy is State Environmental Planning Policy No 55 – Remediation of Land</i>	Not applicable the proposed site has not been identified under SEPP55.	✓

### Local Policy Controls – Bathurst Regional Development Control Plan 2014

The current Bathurst Regional Development Control Plan (BRDCP 2014) is divided into 16 Chapters and applies to all land within the Bathurst Region. The envisage aspect of the proposed development, would follow after the Go-Kart Track is approved. This assessment indicates the Bathurst Go-Kart development is in accordance with this DCP.

		Comments	✓
	<b>Part 1: Preliminary</b>		
<b>1.3</b>	<b>Land to which this Plan applies</b>		
	This Plan applies to all land in the Bathurst Regional Local Government Area (LGA).	Noted	✓
<b>1.4</b>	<b>Relationship to other environmental planning instruments</b>		
	This Plan controls development under the Bathurst Regional Local Environmental Plan 2014 (LEP).	Noted	✓
<b>1.5</b>	<b>Aims/objectives of this plan</b>		
	The aim of this Plan is to allow detailed provisions to be made to control and guide development and subdivision within the Bathurst Regional LGA. The objectives of this Plan relating to different types of development are included in the relevant sections of this Plan.	Noted	✓
<b>1.7</b>	<b>Departures</b>		
	Council may give consideration to an application which departs from one or more requirements of this Plan. Consent must not be granted unless Council has considered a written request from the applicant that seeks to justify the departure by demonstrating: a) that compliance with the	Noted	✓

	<p>requirement(s) of this Plan is unreasonable or unnecessary in the circumstances of the case, and</p> <p>b) that there are sufficient environmental planning grounds to justify the departure from this Plan.</p> <p>Consent must not be granted unless Council is satisfied that:</p> <p>a) the applicants written request has adequately addressed the matters outlined above, and</p> <p>b) the proposed development will be in the public interest because it is consistent with the relevant objectives of this Plan and the objectives for development within the zone under the LEP.</p>	<p>Noted All documentation is provided.</p>	<p>✓</p>
--	---	---	----------

**Table 5: BRDCP 2014 – Chapter 8 Mount Panorama and Environs**

		Comment	✓
	<b>Part 8: Preliminary</b>		
8.1.1	<b>Preliminary</b>		
	This section applies to that land shown on Development Control Plan (DCP) Map No. 28 – Mount Panorama	The proposal is for the construction of a Go-Kart track	✓
	<b>Strat Objectives</b>		
8.1.2	<b>Relevant Objectives</b>		
(a)	<p>The Bathurst Region Urban Strategy 2007 and the Bathurst Region Rural Strategy 2008 establish the following key strategic objectives for the Mount Panorama precinct.</p> <p><b>Objectives</b></p> <p>(a) To provide regional open space and recreation opportunities.</p> <p>(b) To minimise the fragmentation of agricultural lands, protect highly valued agricultural lands and encourage the consolidation of small holdings.</p> <p>(c) To minimise the alienation of rural lands from competing and conflicting land uses.</p>	<p>The proposal would provide recreational opportunities in regards to Go-kart racing.</p>	✓
8.2	<b>Use of Land</b>		
8.2.1	<b>Objective</b>		
	<p>a) To encourage and promote development in the vicinity of Mount Panorama that is compatible with motor racing activities, and complementary to existing rural activities and the environmental characteristics of the locality.</p> <p>b) To discourage development that may prejudice Mount Panorama as an</p>	<p>Noted Proposal is within the Objective of the land use – Go-Kart Track identified as a racing activity.</p>	✓

Bathurst Go-Kart Track Mount Panorama  
Statement of Environmental Effects



		Comment	✓
	international motor racing circuit. c) To maintain the rural landscape character of the land. d) To provide for a range of compatible uses, including extensive agriculture.		
<b>8.2.2</b>	<b>Development Standards</b>		
	Council may grant consent only to those developments listed in the table below within the Land Use Areas specified by the table and shown on DCP Map No. 28 - Mount Panorama <b>Recreation Special Purpose</b> Developments implied by or associated with the use specified on DCP Map No. 28 - Mount Panorama. <b>Motor Racing and Associated Activities</b> Advertising structures, agriculture (other than grazing, cropping), camping areas, caravan parks, clubs, educational establishments, helipads (used in association with motor speed contests), home occupations, hotels, motels, motor repair stations (used in association with motor speed contests), museums, open space, recreational establishments, recreational facilities, refreshment rooms, taverns, tourist facilities, utility installations (other than gas or generating works).	<b>Noted</b>  <b>Noted</b>  The proposal identified as a recreational establishment associated with motor racing.	✓  ✓  ✓
<b>8.2.3</b>	<b>Management of Land</b>	<b>Not Applicable</b>	
<b>8.3</b>	<b>Subdivision of Land</b>	<b>Not Applicable</b>	
<b>8.4</b>	<b>Noise Reference Contour</b>	<b>Not a residential development- Noise assessment completed</b>	✓
<b>8.5</b>	<b>Special Development</b>		
<b>8.5.1</b>	<b>Objective</b>		
	To ensure that development does not have a detrimental effect on the viability of Mount Panorama as an international Motor Racing Circuit	The proposal development of the Go-Kart would be a positive development for the Motor Racing Circuit as it encourages motor racing at all ages.	✓
<b>8.5.2</b>	<b>Development Standards</b>		
	Notwithstanding any other provisions of this Plan Council, when considering Development Applications on any land to which DCP Map No. 28 – Mount Panorama applies, must have consideration for the following matters: the effect the development may have on the use of Mount Panorama as a regional recreational facility; and b) whether the development will place at risk the safety of any person/s when the circuit is being used for motor speed contests.	<b>Noted</b>	✓

		Comment	✓
<b>9</b>	<b>Environmental Consideration</b>		
<b>9.1</b>	<b>Preliminary</b>		
<b>9.1.1</b>	<b>Land to which this Section applies</b>		
	This section applies to all land in the Bathurst Regional Local Government Area (LGA).	<b>Noted</b>	✓
<b>9.1.2</b>	<b>Strategic priorities and objectives</b>		
	<p>The Bathurst Region Urban Strategy 2007 and the Bathurst Region Rural Strategy 2008 establish the following key priorities and objectives with respect to key environmental issues dealt with in this section.</p> <p>Strategic Priorities</p> <p>a) To protect and enhance biodiversity and encourage revegetation and better biodiversity management.</p> <p>b) To protect water quality, particularly the drinking water catchments.</p> <p>c) To minimise the impacts of flooding on human settlement patterns.</p> <p>d) To manage bushfire prone land.</p> <p>e) To minimise pollution hazards that may arise from the use of on-site effluent disposal systems.</p> <p>f) To identify opportunities to improve the environmental sustainability of building design.</p> <p>g) To minimise the impacts of climate change.</p> <p>Strategic Objectives</p> <p>a) To protect, enhance and manage areas of high biodiversity conservation values and scenic quality.</p> <p>b) To manage areas of vegetation as a means to improve biodiversity connectivity and water quality, reduce erosion and sedimentation, nutrient flows and salinity.</p> <p>c) To promote the restoration of lost biodiversity.</p> <p>d) To minimise the impact of fire protection measures on the regions biodiversity.</p> <p>e) To minimise the impacts of flooding on human settlement patterns.</p> <p>f) To minimise the risk to property and the community from bushfire and ensure adequate bushfire protection is afforded to new lots.</p> <p>g) To make provision to minimise the impacts of climate change.</p> <p>h) To protect, maintain and improve the diversity and stability of landscapes, waterways and biodiversity.</p> <p>i) To protect vulnerable groundwater</p>	<p><b>Noted</b></p> <p>Flora and Fauna Assessment completed with mitigation measures.</p> <p>Clearly delineate vegetation to be removed with the assistance of an ecologist, or similarly qualified professional, and induct all site personnel as to the approved extent of clearing. No unmarked trees should be removed/trimmed or otherwise damaged as part of the proposed works.</p> <ul style="list-style-type: none"> <li>• Locate stockpile sites away from drainage lines and native vegetation.</li> </ul> <p>Ensure these are appropriately stabilized</p> <ul style="list-style-type: none"> <li>• Appropriate sediment reduction measures should be in place in accordance with the 'Blue Book' (Landcom 2004).</li> <li>• Heavy vehicles are not to be parked under tree drip lines/ leaf canopy of trees to be retained within the study area to avoid compaction of soil.</li> <li>• Where additional vegetation clearing is proposed this must first be assessed to consider the cumulative impacts and if appropriate supervised by a qualified ecologist and Council's Environmental Officer.</li> <li>• All machinery and vehicles are to be clean and inspected prior to arriving on-site to reduce the spread of weeds and disease (<i>Phytophthora cinnamomic</i>) to the site.</li> <li>• Declared noxious weed Blackberry is to be managed according to requirements under the Biodiversity Security Act 2015. It is recommended that this Weed of National Significance should be managed to ensure it does not spread.</li> <li>• Prior to tree lopping / clearing, care should be taken to identify nests and / or roosting sites. If fauna habitat is present (nests or potential tree hollows) the Council or Council's appointed contractor would contact the project ecologist for further advice prior to</li> </ul>	✓

		Comment	✓
	resources from contamination.	<p>clearing.</p> <ul style="list-style-type: none"> <li>• To avoid nest abandonment, injury or death to native fauna it is recommended to time the works to occur following the fledging of active nests / roosts.</li> <li>• Prior to clearing, a preclearance survey should be undertaken including inspection of hollows and nests to confirm occupation by fauna.</li> <li>• Where trees to be removed contain hollows, nests or are inhabited by fauna, a staged clearing approach must be undertaken where hollow limbs are removed carefully and incrementally by a qualified tree surgeon / arborist. Care should be taken to inspect limbs for fauna prior to their removal.</li> <li>• Where the two (2) stags and three (3) trees containing eight (8) hollows are removed, habitat supplementation is recommended through the installation of nestboxes or prepared hollow logs (3:1 ratio) to maintain habitat availability in adjacent woodland vegetation. Consult project ecologist to determine appropriate size and number and location to be erected.</li> </ul> <p>Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment</p> <ul style="list-style-type: none"> <li>• Place felled trees strategically and in proximity to the work site to provide refuge and potential habitat in the understorey.</li> <li>• Undertake revegetation activities to offset the removal of the mature Eucalypts on site at a ratio of at least five tubestock per each tree removed (5:1). These should be planted across a 3.74ha area to replace Box Gum Woodland impacted as a result of the proposal. In addition to this, a variety of species that complements the current community should be planted adjacent to existing remnant mature trees to supplement the habitat this woodland provides in the area.</li> </ul>	✓
9.2	<b>Land resources</b>		
	<b>Applies to RU1 and Land identified in Map 29</b>	<p>Lot 9 DP: 1047248 is identified as Land Capability Class 7, as per Map 29. Flora and Fauna Assessment has been carried out to identify any potential sensitive areas; the area was found to be in poor condition due to historical and current land practices.</p>	✓

		Comment	✓
<b>12</b>	<b>Signage and colour scheme</b>		
<b>12.2.8</b>	<b>Signage at Mount Panorama Zone SP3</b>		
	Council may grant consent to signage at Mount Panorama which: a) Supports the economic benefits of motor racing. b) Complements the existing scenic quality of the area, both rural and motor racing. c) Encourages and promotes the development of Mount Panorama as a regional recreation facility and as an international motor racing circuit.	<b>Noted</b>	✓
<b>13</b>	<b>Landscaping and Greening</b>		
<b>13.1</b>	<b>Preliminary</b>		
<b>13.1.1</b>	<b>Land to which this section applies</b>		
	This section applies to all land in the Bathurst Regional Local Government Area (LGA).	Noted	✓
<b>13.1.2</b>	<b>Strategic priorities and objectives</b>		
	The Bathurst Region Urban Strategy 2007 and the Bathurst Region Rural Strategy 2008 establish the following key priorities and objectives that relate to biodiversity and to the 'greening' of the Bathurst region. Strategic Priorities a) To determine the best way to protect and enhance biodiversity and encourage revegetation and better biodiversity management. b) To determine the best way to encourage ecologically sustainable development and the protection of urban biodiversity and vegetation resources. Strategic Objectives a) To protect, enhance and adequately manage areas of high terrestrial and aquatic biodiversity conservation value. b) To promote the restoration of lost biodiversity. c) To plan for the protection and enhancement of the Sawpit Creek and Raglan Creek corridors by requiring their rehabilitation and enhancement.	Flora and fauna Assessment has been completed with recommendation for mitigation measures. Refer section to 9.1.2	✓
<b>13.2</b>	<b>Removal of Trees</b>	Not applicable to this DA as it is not within Schedule 5	
<b>13.3</b>	<b>Landscape Plan</b>		
<b>13.3.1</b>	<b>Objective</b>		
	To improve the visual amenity and to ensure that developments do not dominate their surroundings. b) To provide an environment which	<b>Noted</b>	✓

		Comment	✓
	enhances the streetscape and the surrounding neighbourhood? c) To provide an attractive outdoor living area. d) To provide landscaped buffers to reduce the potential for conflict between land uses.		
<b>14</b>	<b>Parking</b>		
<b>14.1.</b>	This section applies to all land in the Bathurst Regional Local Government Area (LGA).		
<b>14.1.2</b>	<b>Strategic priority and objectives</b>		
	The Bathurst Region Urban Strategy 2007 establishes the following key priorities and objectives for car and bicycle parking within the Bathurst Region. Strategic Priorities a) To ensure adequate car parking areas are available to service new development and the community in general. b) To encourage a comprehensive cycling environment. Strategic Objectives a) To provide for the safe and sufficient provision of parking on-site to meet the parking demands generated by development. b) To ensure that safe and functional vehicular access is provided within new developments for manoeuvring purposes. c) To provide bicycle parking facilities.	All parking will consist within McPhillamy Park	
<b>16</b>	<b>Earthworks</b>		
<b>16.1.1</b>	<b>Land to which this Section applies</b>		
	This section applies to all land within the Bathurst Regional Local Government Area (LGA).	<b>Noted</b> Construction Environmental Management Plan and Erosion and Sediment Control Plan will be a requirement for this proposal.	✓

## 6.0 Conclusion

### Project Justification

- 6.1 The proposal by Bathurst Regional Council to develop an International Go-Kart track at Mount Panorama, Councils planning intention for the site as expressed in the BRLEP2014 which zones the site as SP3 Tourist.
- 6.2 The proposed development is designed to have no adverse impact on the site or surrounding environment.
- 6.3 The proposal will allow the development of an International Go-Kart track
- 6.4 The proposal provides for regional open space, tourism and recreation opportunities within the city of Bathurst.
- 6.5 The development will contribute to the purpose of motor racing and associated activities, tourism and recreation for the future generations.
- 6.6 The proposed development is considered to be consistent with the zone objectives and controls detailed in the *Bathurst Region Local Environmental Plan 2014* and the *Bathurst Region Development Control Plan 2014*. Therefore its approval would be in the public interest within the meaning of Section 4.15(1) (e) of the Act.



---

**Acoustic Assessment**

**Bathurst Kart Club  
Mount Panorama**

---

**Project 11076**

**February 2018**

---

File : PKA11076 R01v1 Acoustic Assessment

*Prepared For*  
**Michael Coles**  
Bathurst Regional Council  
158 Russell Street  
Bathurst, NSW, 2795  
Email: michael.coles@bathurst.nsw.gov.au

## Document Information

File: *PKA11076 R01v1 Acoustic Assessment*

**Author:** Joel Parry-Jones

**Checked:**

**Revision:** 1.0

**Distribution:**

Date	Copies	Version	To:	By:
19-02-2018	1	1	Michael Coles	michael.coles@bathurst.nsw.gov.au

**Prepared By:**

PJ Knowland Pty. Ltd.

*t/a PKA Acoustic Consulting*

PO Box 345, Lane Cove NSW 1595

ABN 87 256 407 546, ACN 621 896 204

T (02) 9460 6824 · E admin@pka.com.au

**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.**



---

## Contents

1	INTRODUCTION & SCOPE .....	4
2	SITE DESCRIPTION .....	5
2.1	TRACK LOCATION.....	5
2.2	NOISE BARRIERS.....	7
2.3	OPERATING SCENARIOS .....	8
2.4	RESIDENTIAL RECEPTORS .....	9
3	BACKGROUND NOISE SURVEY .....	11
4	GO-KART NOISE LEVELS.....	13
5	NOISE CRITERIA.....	14
5.1	EPA INDUSTRIAL NOISE POLICY .....	14
5.2	EPA NOISE GUIDE FOR LOCAL GOVERNMENT (NGLG) .....	15
6	NOISE MODELLING .....	17
6.1	SCENARIO 1 - DAILY PRACTISE .....	18
6.2	SCENARIO 2 – RACE EVENTS .....	21
7	DISCUSSION .....	25
7.1	NUMBER OF GO-KARTS RACING SIMULTANEOUSLY.....	25
7.2	NOISE MONITORING.....	25
7.3	OPERATING HOURS .....	26
8	NOISE MODELLING CONTOUR RESULTS .....	27
9	AMBIENT NOISE MONITORING .....	33
	GLOSSARY OF ACOUSTIC TERMS .....	42

**11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

---

**1 INTRODUCTION & SCOPE**

PKA Acoustic Consulting was previously commissioned in 2015 [Ref: 215 009 R01 v3.0 dated August 2015] to undertake an acoustic assessment of a proposed go-kart track located at McPhillamy Park, Mount Panorama, Bathurst.

This acoustic assessment incorporates the entirety of the previous assessment and has been updated to reflect minor modifications to the track location and track layout within McPhillamy Park.

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

**11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama****2 SITE DESCRIPTION****2.1 TRACK LOCATION**

The proposed go-kart track is to be located within McPhillamy Park, Mount Panorama on the land which is currently Mount Panorama lookout.

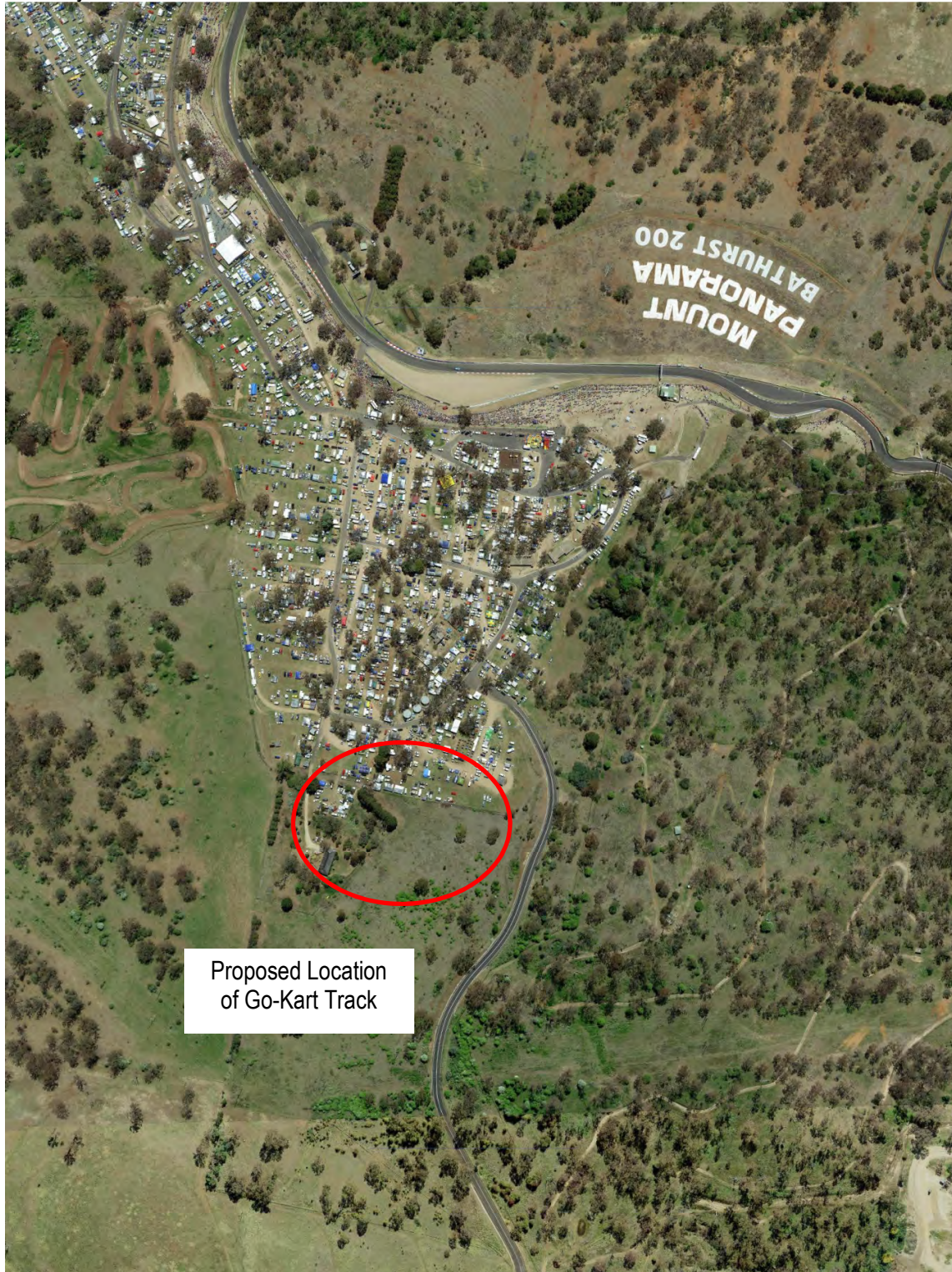


Figure 2.1.1: Site location

**11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

Bathurst Region Council have provided the following preliminary track location:



Figure 2.1.2: Preliminary Track location

## 11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

The proposed go-kart track has been updated with a preliminary layout as shown below.

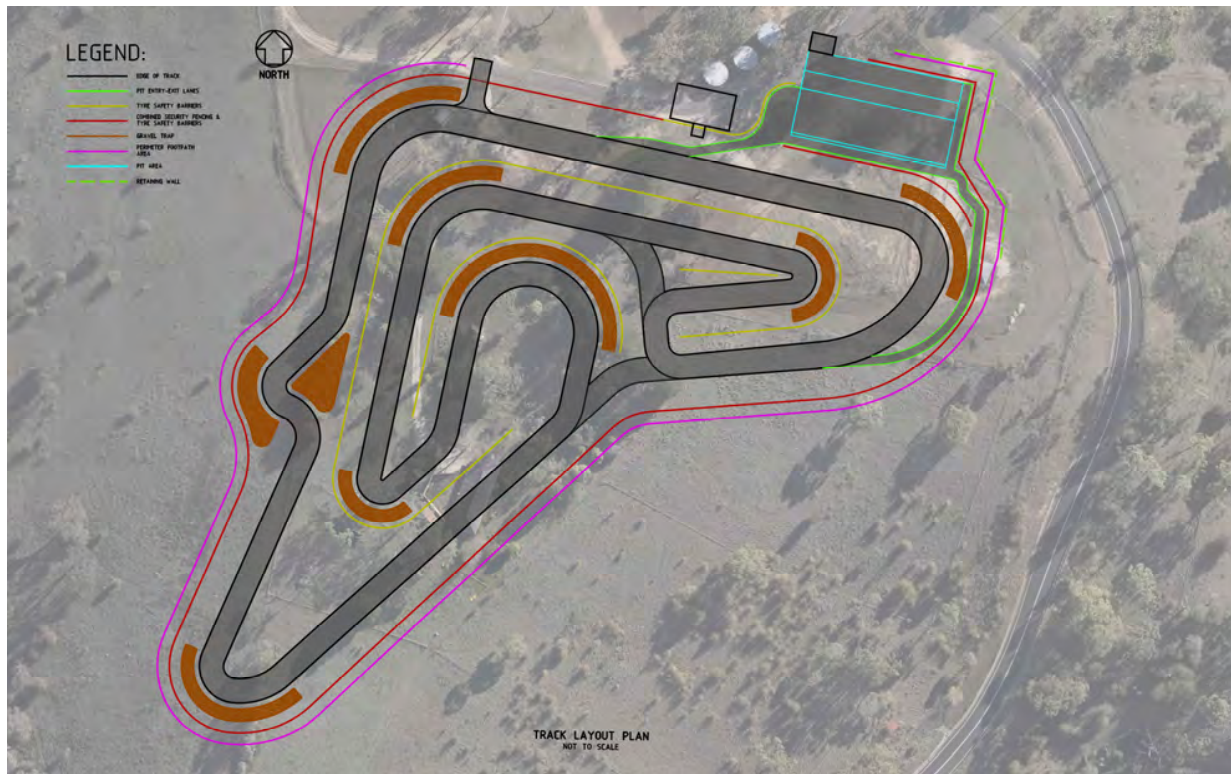


Figure 2.1.3: Track Layout

When compared to the original location, the proposed track is located further south which positions the majority of the track downhill, therefore providing natural noise shielding to the various northern residents.

## 2.2 NOISE BARRIERS

The preliminary layout shows tyre safety barriers which we have incorporated into our SoundPlan noise modelling. Our assumptions are as follows:

- The barriers are to be a minimum continuous height of 600mm (0.6m)
- The construction of the barriers can be in the form of tyre stacks or earth mounds

**11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

---

**2.3 OPERATING SCENARIOS**

The go-kart track operating scenarios has not changed since our acoustic assessment. It is proposed to operate 7 days a week between 9am and 5pm. 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.

## 11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

### 2.4 RESIDENTIAL RECEPTORS

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:

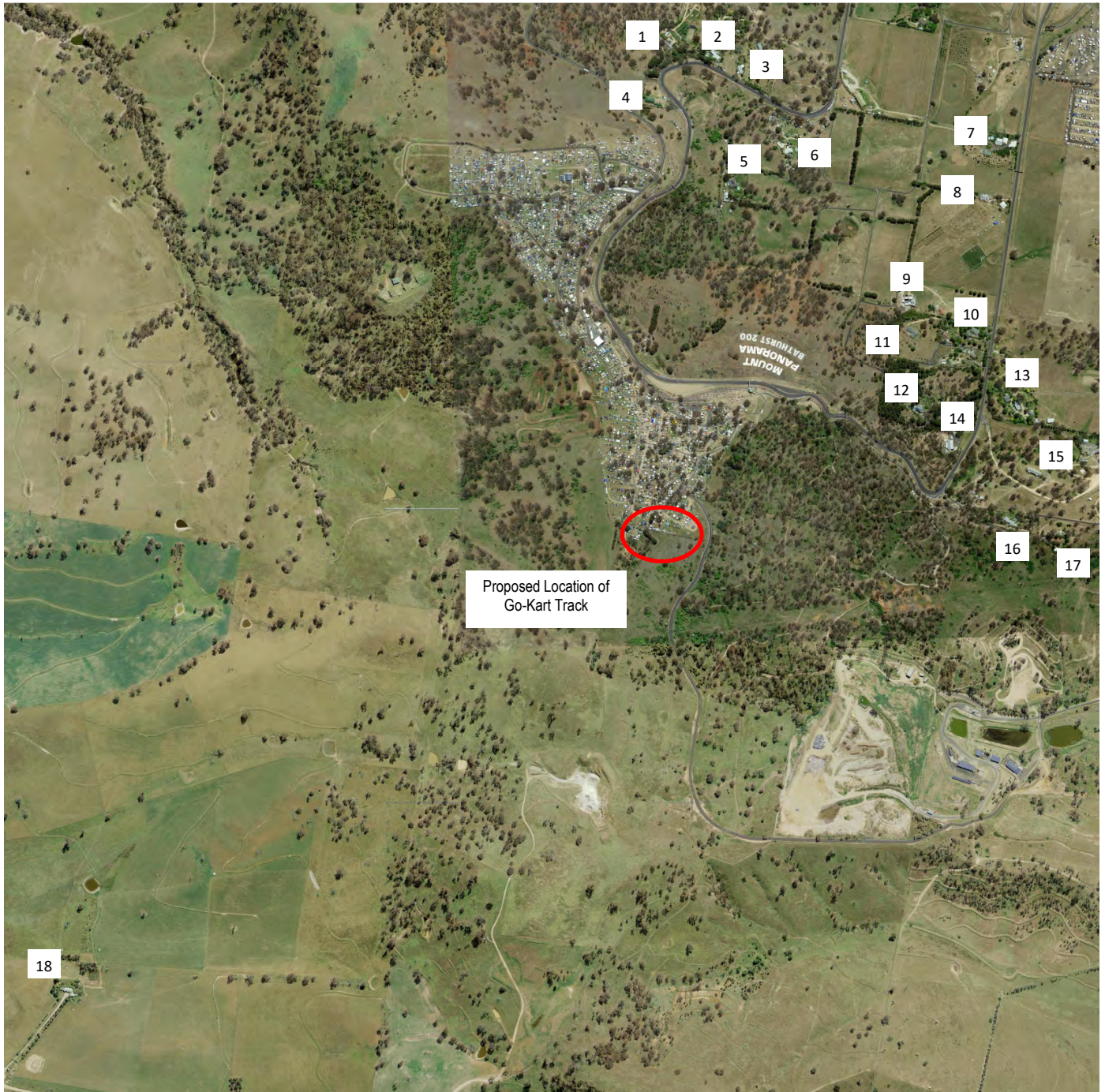


Figure 2.3: Residential Receptors

## 11076 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



## 11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

### 3 BACKGROUND NOISE SURVEY

In 2015 PKA conducted noise surveys 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

**11076 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:

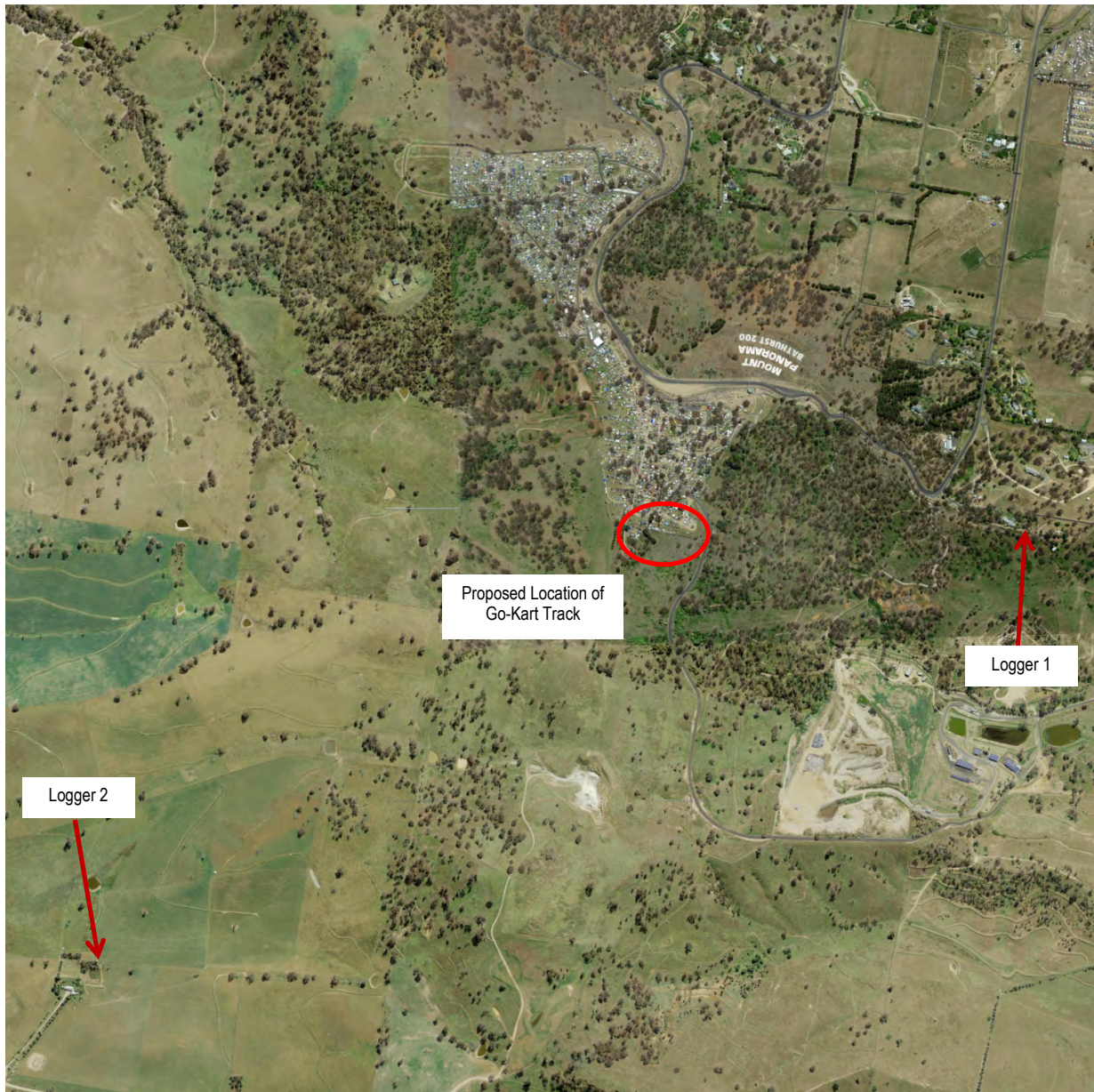


Figure 3.1: Logger Locations

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 note that the Bathurst Waste Management Centre is in the vicinity of the proposed go-kart track however the EPA's Industrial Noise Policy allows for at least 70dBA of noise impact to industrial premises. In Section 8 our noise modelling results in less than 30dBA at the industrial site and therefore we have excluded this from our assessment.

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

## 11076 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.

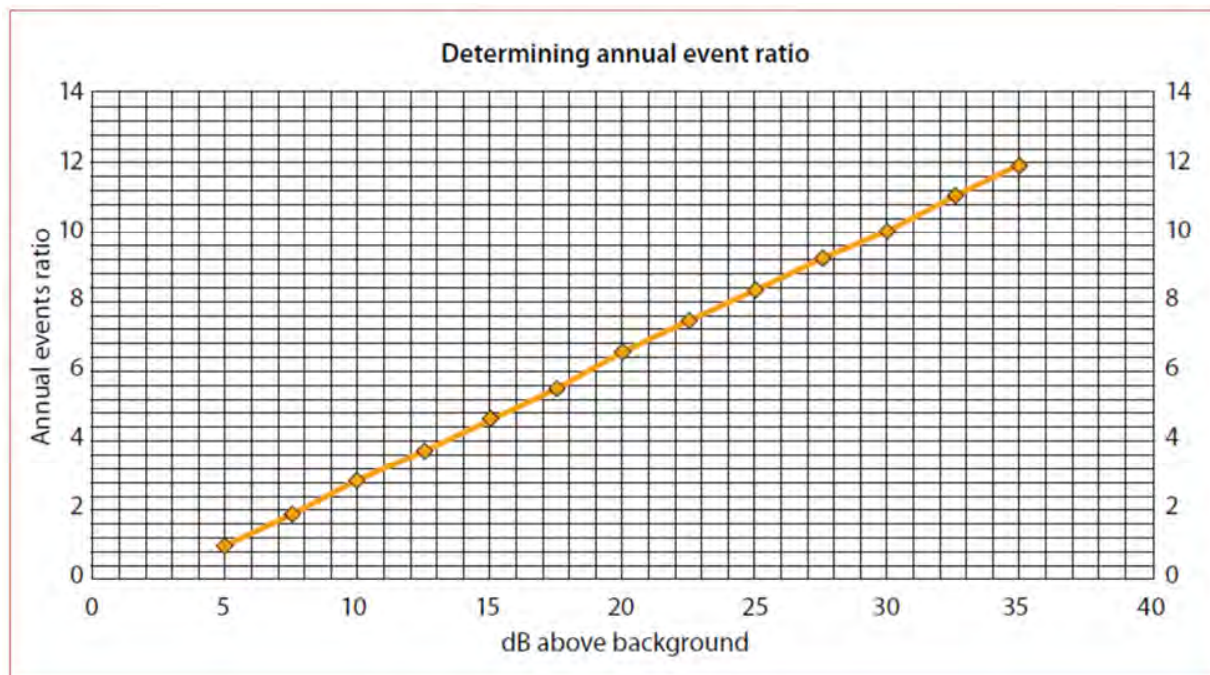


Figure 5.2: Graph for determining event multiplication ratio from noise level

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:

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

## 11076 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.

**11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

---

**6 NOISE MODELLING**

Leq(1hr) noise levels from the go-karts have been predicted using proprietary acoustic modelling software, SoundPlan v7.4.

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 barriers at 600mm height as described in Section 2.2

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

## 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 below the existing background noise level.



## 11076 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	8	-	
2	196 Mountain Straight	10	-	
3	190 Mountain Straight	14	-	
4	224 Mountain Straight	13	-	
5	179 Mountain Straight	19	-	
6	163 Mountain Straight	16	-	
7	447 Conrod Straight	14	-	
8	441 Conrod Straight	14	-	
9	457 Conrod Straight	12	-	
10	451 Conrod Straight	13	-	
11	453 Conrod Straight	15	-	
12	435 Conrod Straight	18	-	
13	448 Conrod Straight	15	-	
14	417 Conrod Straight	18	-	
15	428 Conrod Straight	22	-	
16	404 Conrod Straight	29	-	
17	402 Conrod Straight	28	-	
18	280 Hen & Chicken Road	23	-	

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

## 11076 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	9	-	
2	196 Mountain Straight	11	-	
3	190 Mountain Straight	14	-	
4	224 Mountain Straight	14	-	
5	179 Mountain Straight	20	-	
6	163 Mountain Straight	18	-	
7	447 Conrod Straight	15	-	
8	441 Conrod Straight	15	-	
9	457 Conrod Straight	13	-	
10	451 Conrod Straight	14	-	
11	453 Conrod Straight	16	-	
12	435 Conrod Straight	19	-	
13	448 Conrod Straight	16	-	
14	417 Conrod Straight	19	-	
15	428 Conrod Straight	23	-	
16	404 Conrod Straight	30	-	
17	402 Conrod Straight	28	-	
18	280 Hen & Chicken Road	24	-	

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

**11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

---

**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, all 18 receptors comply with the typical background +5dBA.
- 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, 16 receptors comply with the typical background +5dBA criterion and 2 receptors to the east are in exceedance with a maximum of 8dBA over the background noise at 404 Conrod Straight. This would limit the annual event days to 25 per calendar year.

## 11076 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	15	-	
2	196 Mountain Straight	17	-	
3	190 Mountain Straight	21	-	
4	224 Mountain Straight	21	-	
5	179 Mountain Straight	26	-	
6	163 Mountain Straight	23	-	
7	447 Conrod Straight	21	-	
8	441 Conrod Straight	21	-	
9	457 Conrod Straight	19	-	
10	451 Conrod Straight	20	-	
11	453 Conrod Straight	21	-	
12	435 Conrod Straight	26	-	
13	448 Conrod Straight	22	-	
14	417 Conrod Straight	25	-	
15	428 Conrod Straight	29	-	
16	404 Conrod Straight	36	5	
17	402 Conrod Straight	34	3	
18	280 Hen & Chicken Road	30	-	

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

## 11076 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	14	-	
2	196 Mountain Straight	16	-	
3	190 Mountain Straight	20	-	
4	224 Mountain Straight	20	-	
5	179 Mountain Straight	25	-	
6	163 Mountain Straight	22	-	
7	447 Conrod Straight	20	-	
8	441 Conrod Straight	20	-	
9	457 Conrod Straight	18	-	
10	451 Conrod Straight	19	-	
11	453 Conrod Straight	20	-	
12	435 Conrod Straight	25	-	
13	448 Conrod Straight	21	-	
14	417 Conrod Straight	24	-	
15	428 Conrod Straight	28	-	
16	404 Conrod Straight	35	4	
17	402 Conrod Straight	33	2	
18	280 Hen & Chicken Road	29	-	

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

## 11076 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	18	-	
2	196 Mountain Straight	20	-	
3	190 Mountain Straight	24	-	
4	224 Mountain Straight	24	-	
5	179 Mountain Straight	29	-	
6	163 Mountain Straight	26	-	
7	447 Conrod Straight	24	-	
8	441 Conrod Straight	24	-	
9	457 Conrod Straight	22	-	
10	451 Conrod Straight	23	-	
11	453 Conrod Straight	25	-	
12	435 Conrod Straight	29	-	
13	448 Conrod Straight	25	-	
14	417 Conrod Straight	29	-	
15	428 Conrod Straight	33	2	
16	404 Conrod Straight	39	8	25
17	402 Conrod Straight	38	7	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

## 11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

### 7 DISCUSSION

The noise modelling results in Section 6 show that the 2 receptors on Conrod Straight (402, 404) 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 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.

**11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama**

---

**7.3 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.

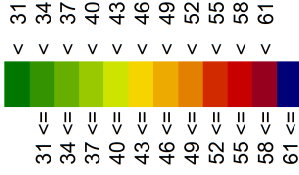
DAILY PRACTISE –  $L_{Aeq}(1hr)$  – 3 go-karts operating simultaneously for 40mins of the hour

PKA11076 Bathurst Go-Kart Club - Proposed Track, McPhillamy Park

Results in  $L_{Aeq}(1hr)$   
 Daily Practise 3 Go-Karts simultaneously operating for 40mins of the hour (66%)  
 600mm high noise barrier to track at safety distance  
 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

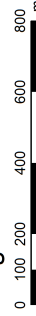


Signs and symbols

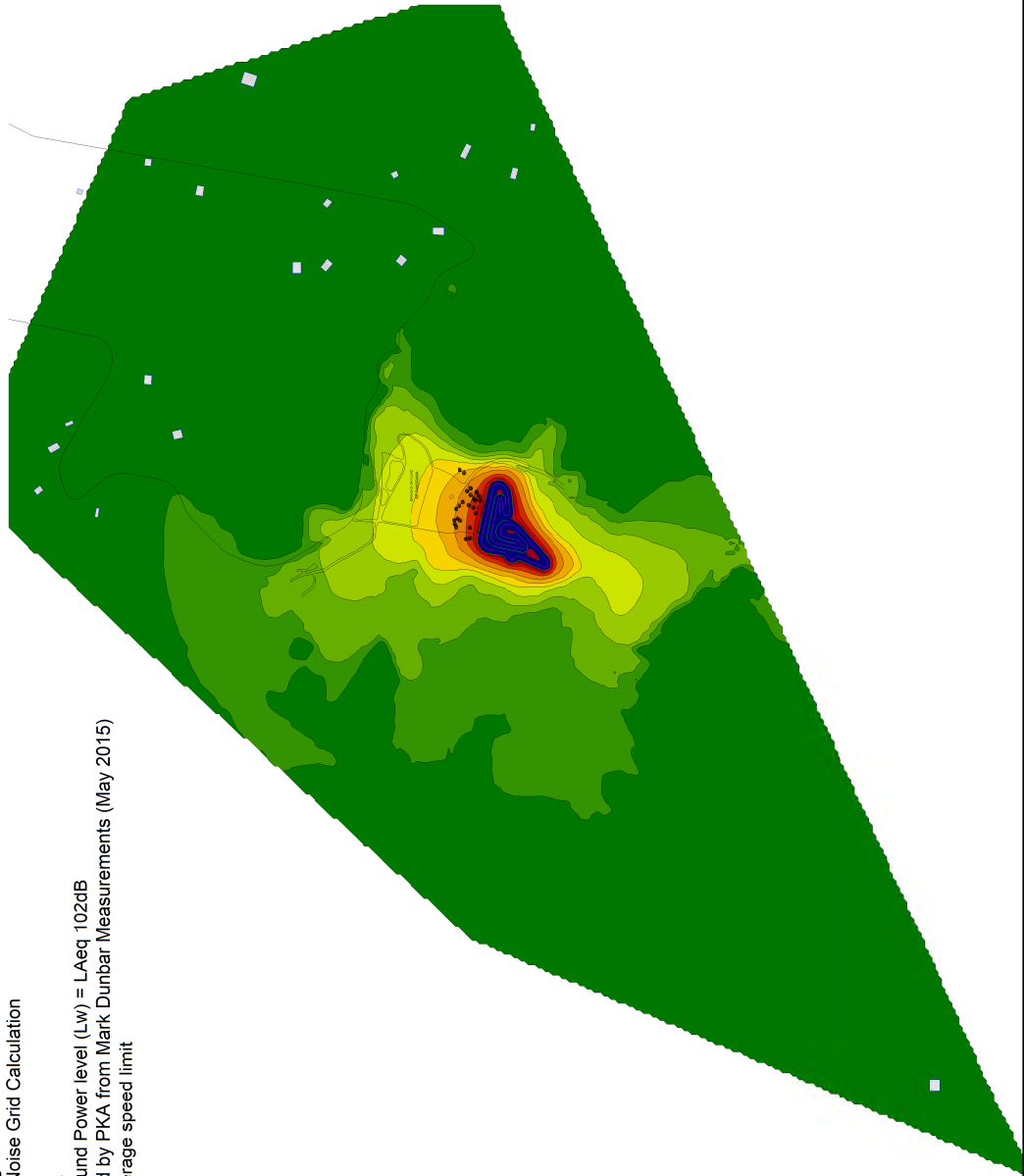


Date: 19/02/2018

Length Scale 1:18969



PKA Acoustic Consulting  
 PO Box 345 Lane Cove 1595  
 (02) 9460 6824  
 www.pka.com.au



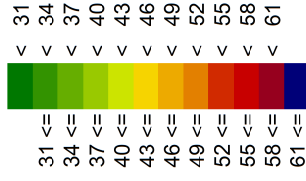
DAILY PRACTISE – L<sub>Aeq</sub>(7am-6pm) – 5 go-karts operating for a total of 40mins each in the day

PKA11076 Bathurst Go-Kart Club - Proposed Track, McPhillamy Park

Results in L<sub>Aeq</sub>(7am-6pm)  
 Daily Practise 5 Go-Karts operating for a total of 40mins each over the entire day  
 600mm high noise barrier to track at safety distance  
 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

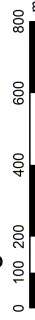


Signs and symbols

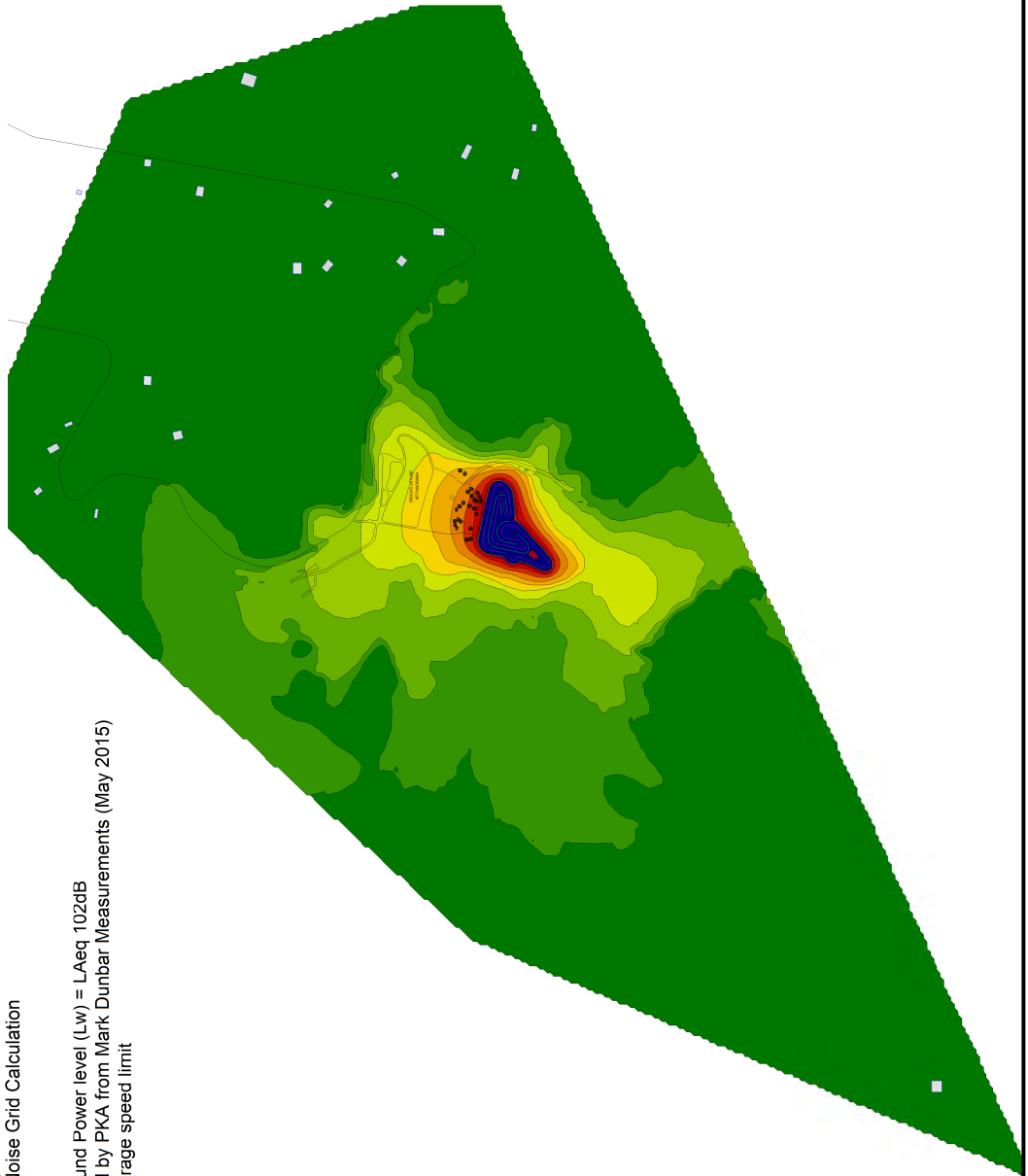


Date: 19/02/2018

Length Scale 1:18969



**PKA Acoustic Consulting**  
 PO Box 345 Lane Cove 1595  
 (02) 9460 6824  
 www.pka.com.au



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

PKA11076 Bathurst Go-Kart Club - Proposed Track, McPhillamy Park

Results in  $L_{Aeq}(1hr)$   
 Race Event 15 Go-Karts simultaneously operating for 40mins of the hour (66%)  
 600mm high noise barrier to track at safety distance  
 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

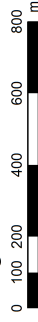


Signs and symbols

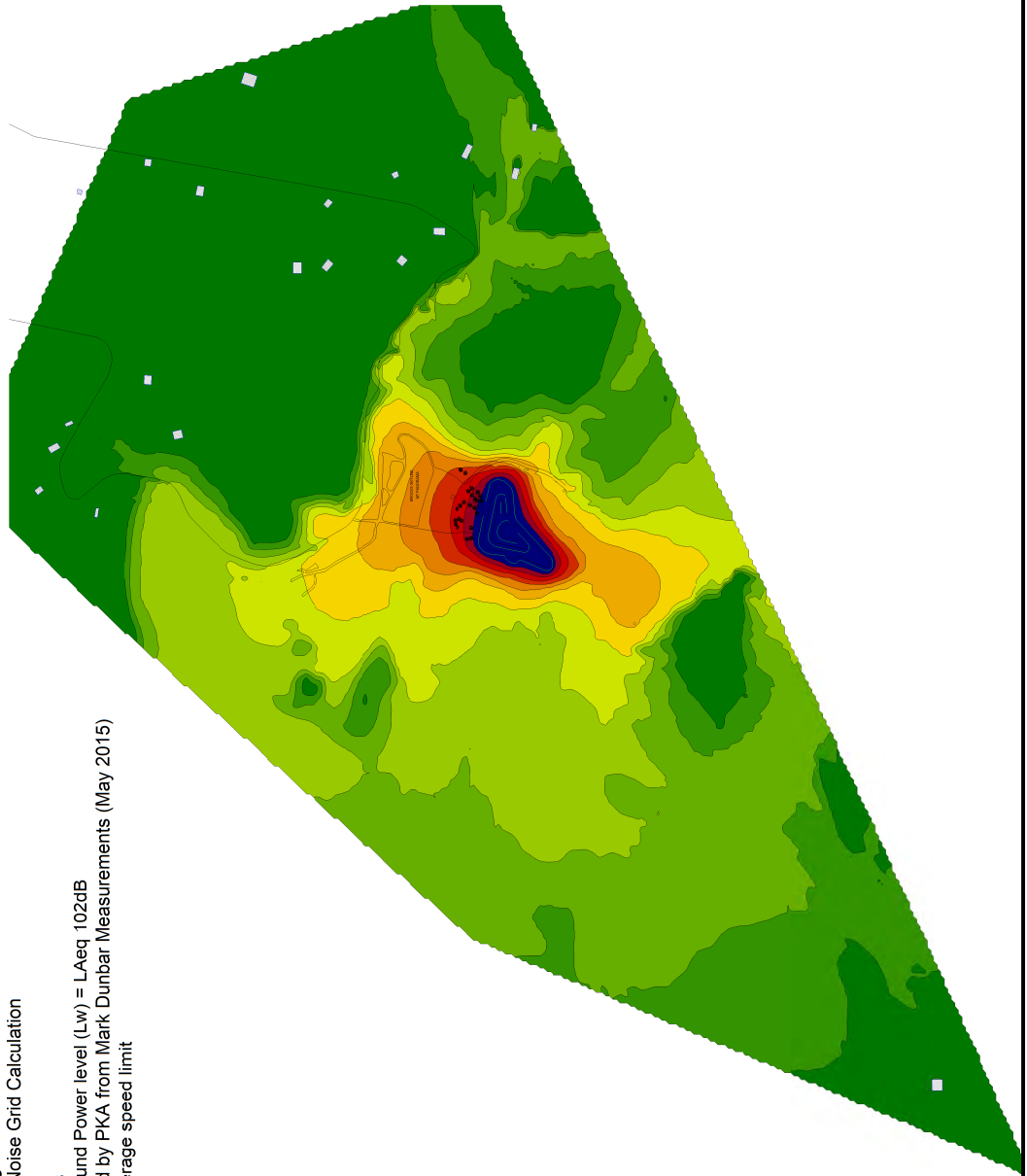


Date: 19/02/2018

Length Scale 1:18969



PKA Acoustic Consulting  
 PO Box 345 Lane Cove 1595  
 (02) 9460 6824  
 www.pka.com.au



RACE EVENTS – L<sub>Aeq</sub>(7am-6pm) – 15 go-karts operating 9am to 5pm and averaged over the day

PKA11076 Bathurst Go-Kart Club - Proposed Track, McPhillamy Park

Results in L<sub>Aeq</sub>(7am-6pm)

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

600mm high noise barrier to track at safety distance

Receiver height of 1.5m

10m x 10m Noise Grid Calculation

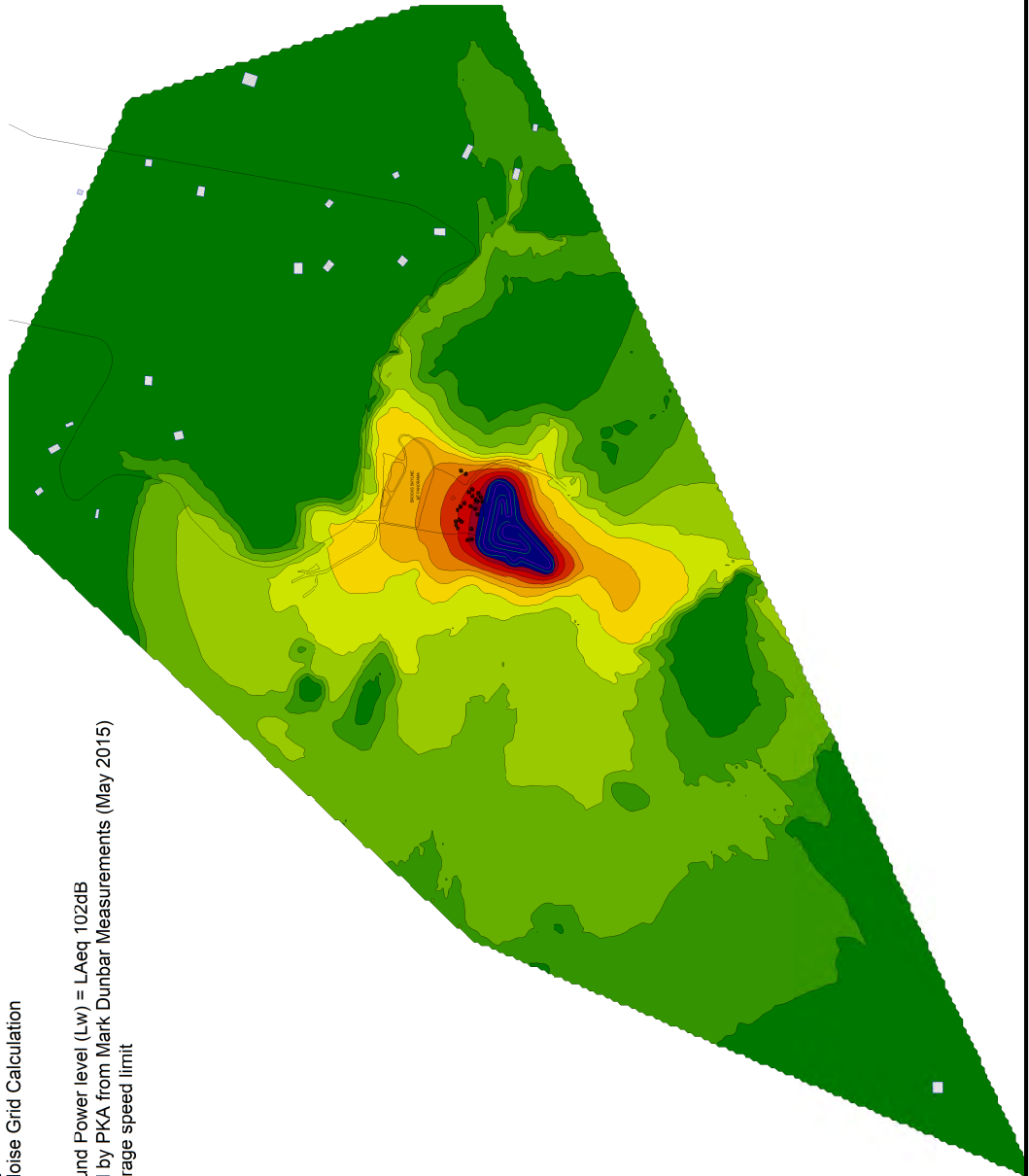
Assumptions

- 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: 19/02/2018

Length Scale 1:18969



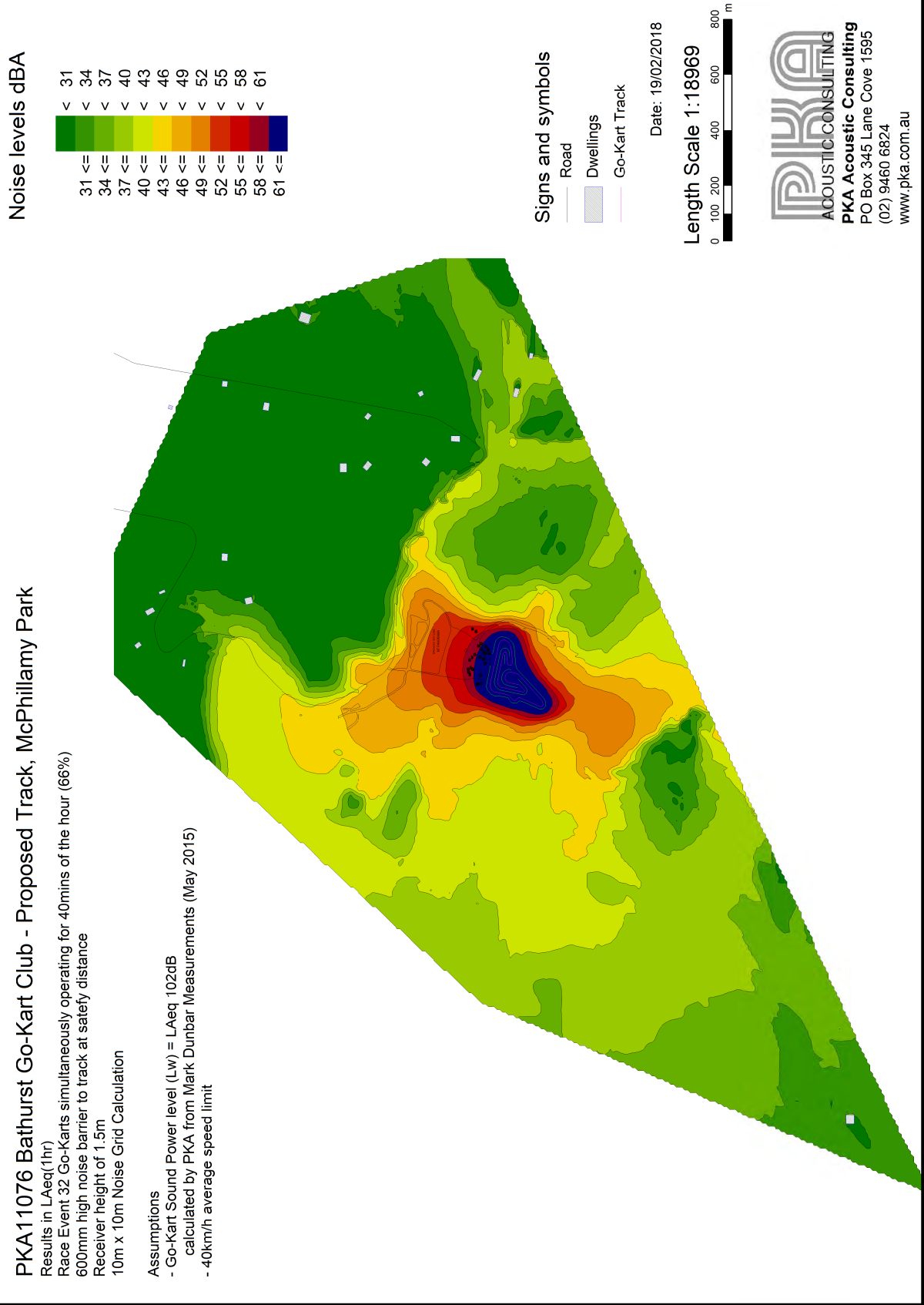
PKA Acoustic Consulting  
 PO Box 345 Lane Cove 1595  
 (02) 9460 6824  
 www.pka.com.au

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

PKA11076 Bathurst Go-Kart Club - Proposed Track, McPhillamy Park

Results in  $L_{Aeq}(1hr)$   
 Race Event 32 Go-Karts simultaneously operating for 40mins of the hour (66%)  
 600mm high noise barrier to track at safety distance  
 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



11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

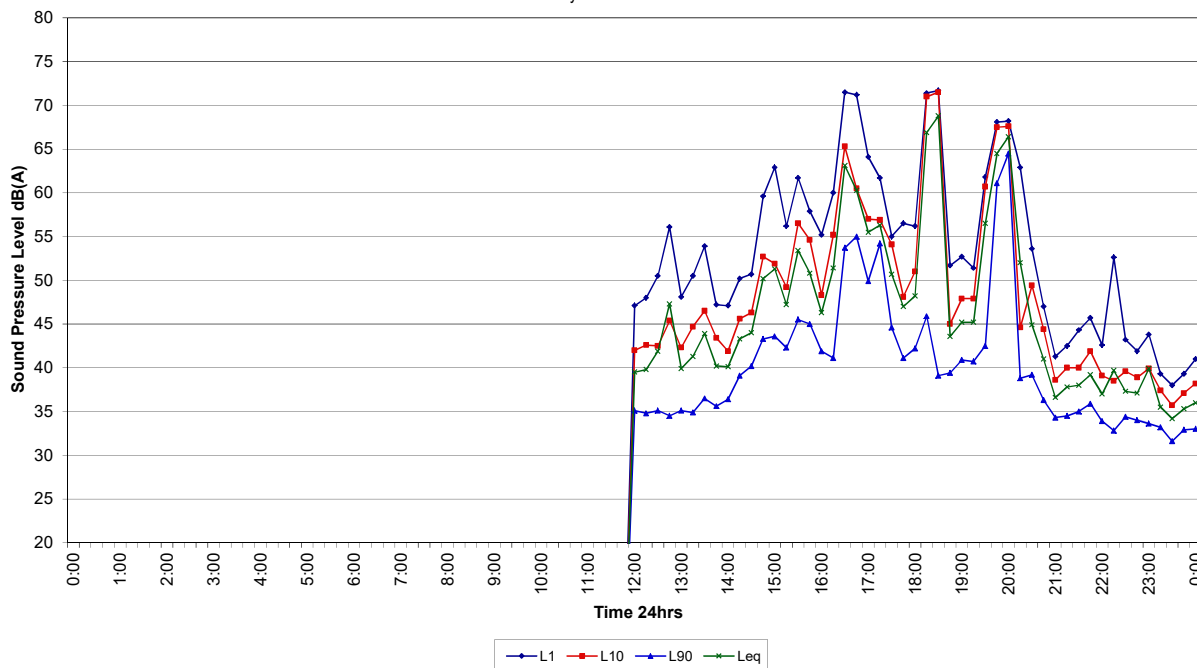
9 AMBIENT NOISE MONITORING

NOISE DATA LOGGER 1 – 402 CONROD STRAIGHT

215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

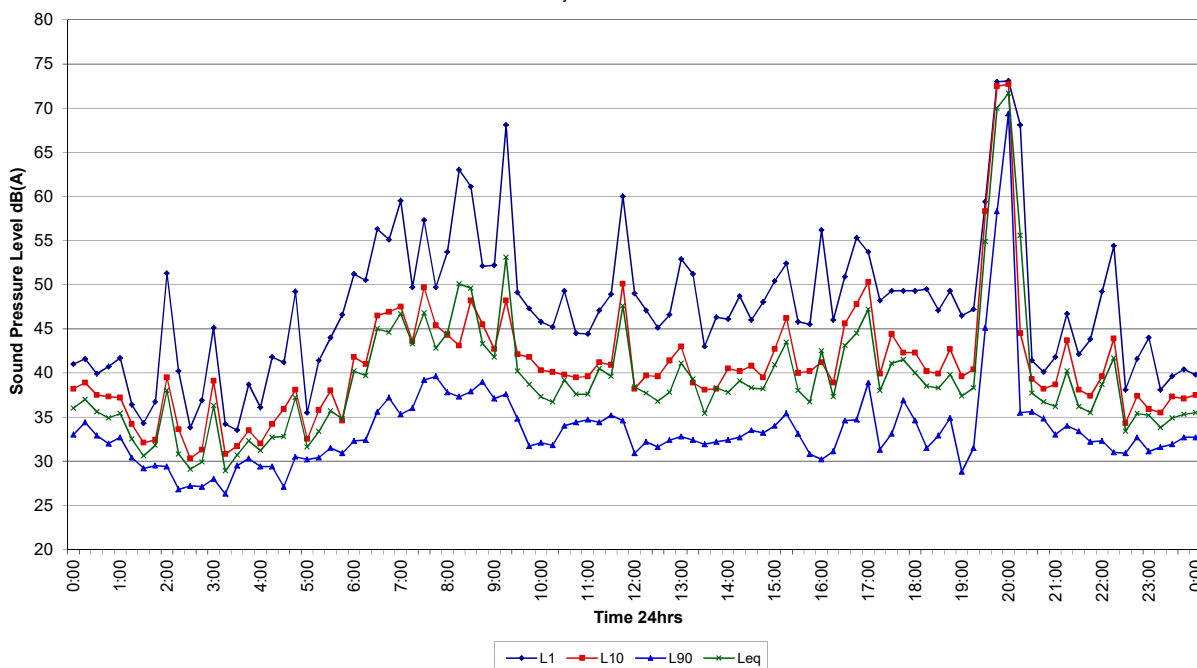
Wednesday 25/02/2015



215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

Thursday 26/02/2015

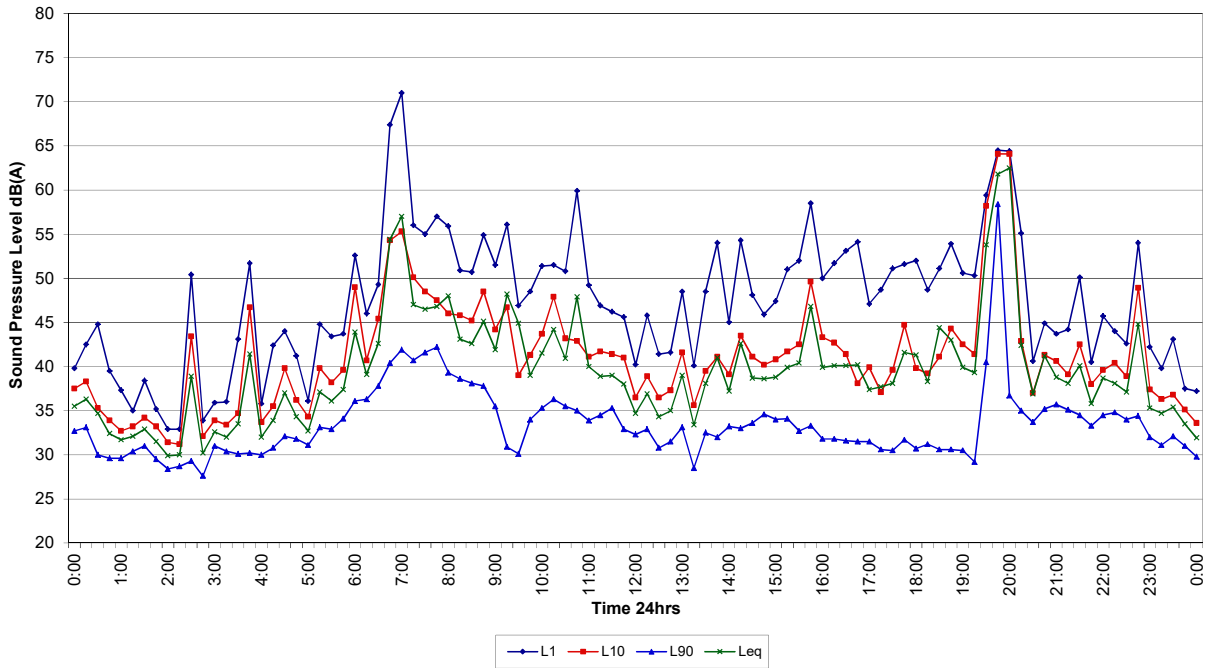


11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

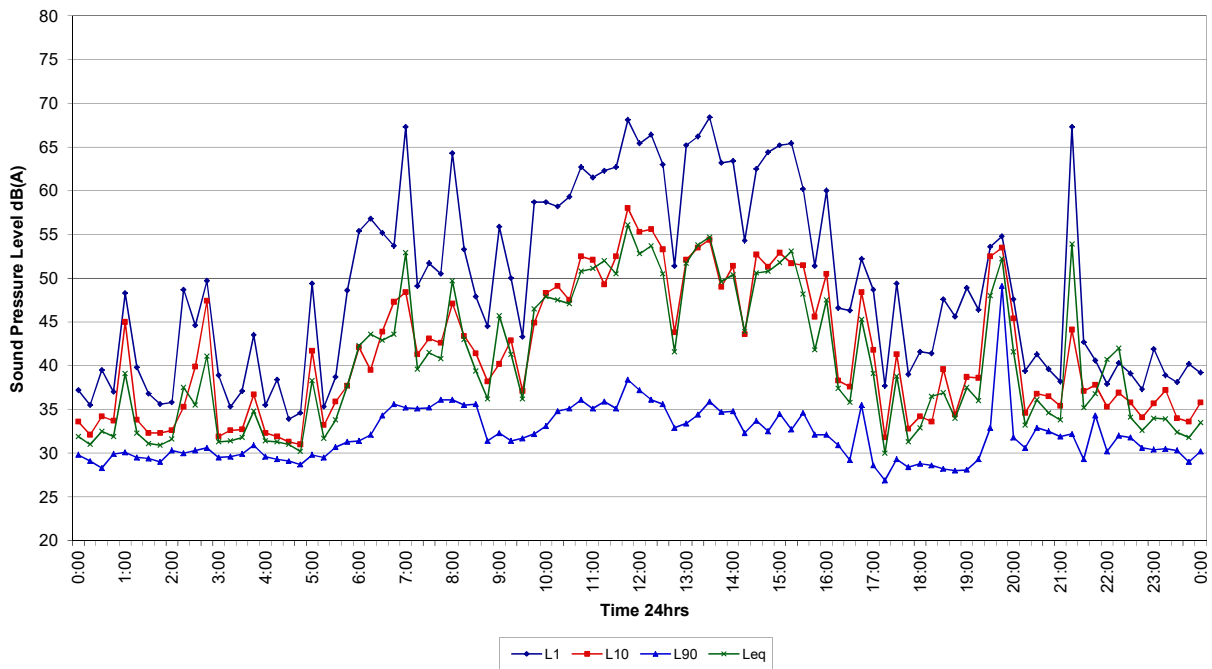
Friday 27/02/2015



215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

Saturday 28/02/2015



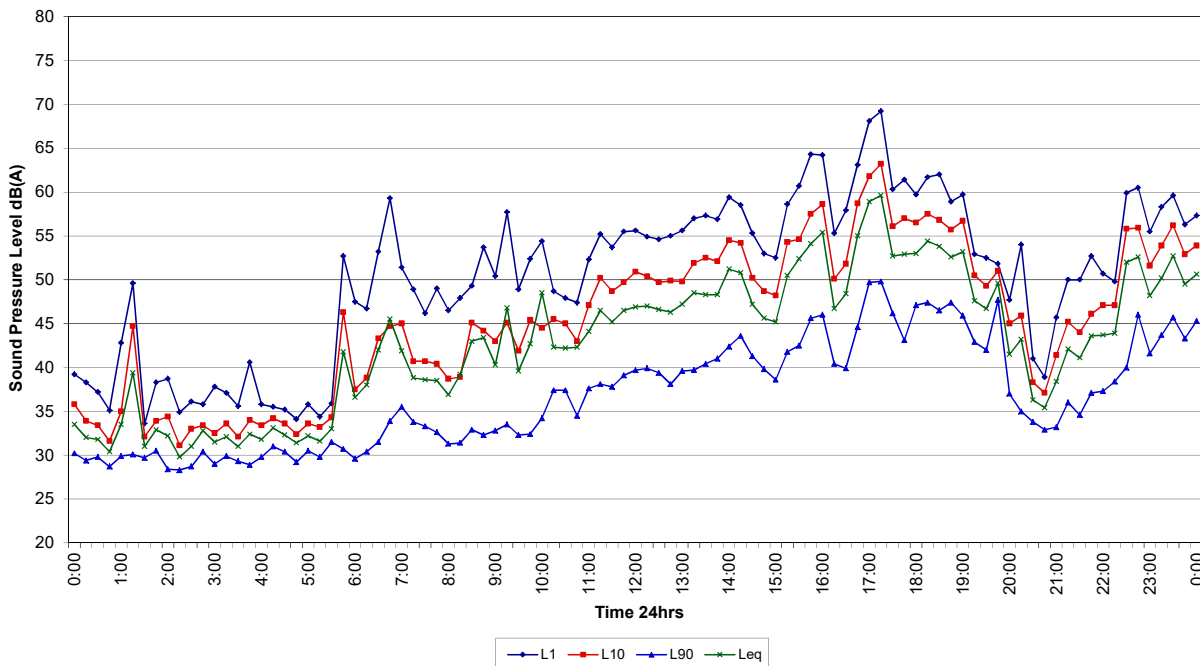


11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

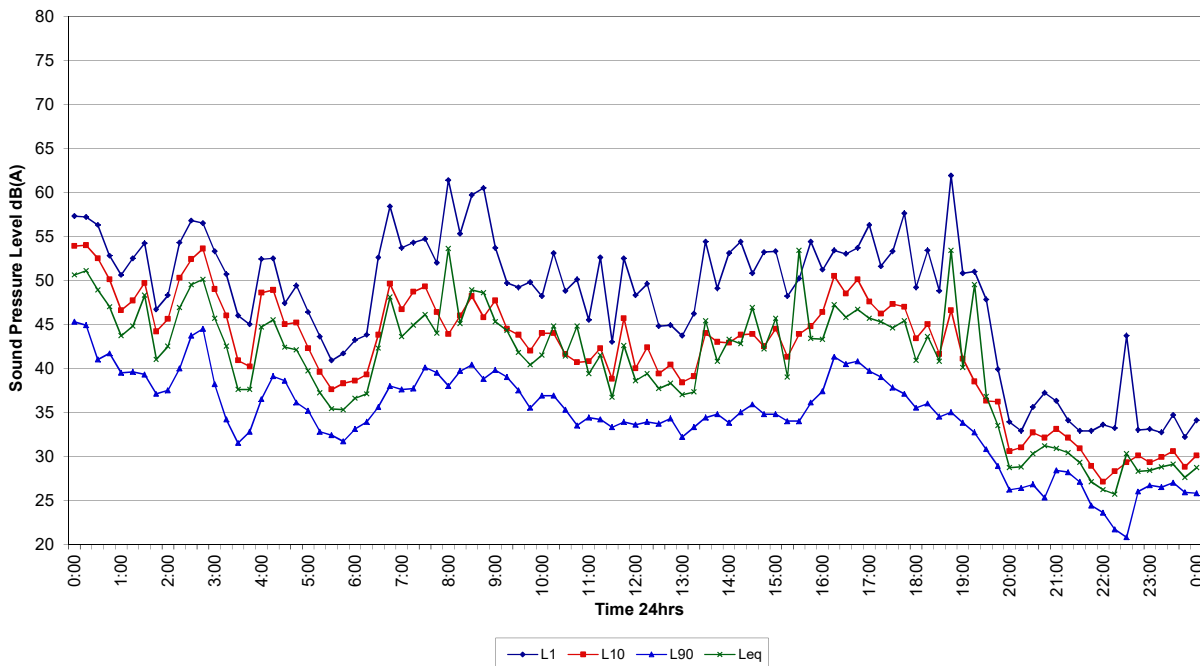
Sunday 1/03/2015



215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

Monday 2/03/2015

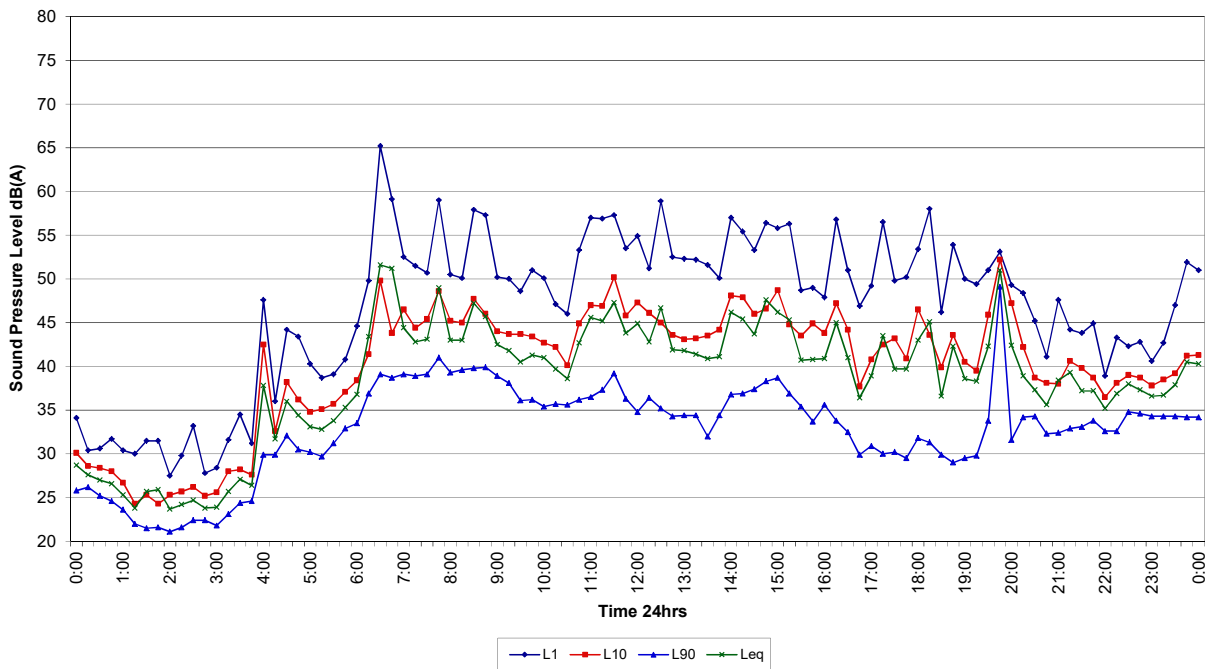


11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

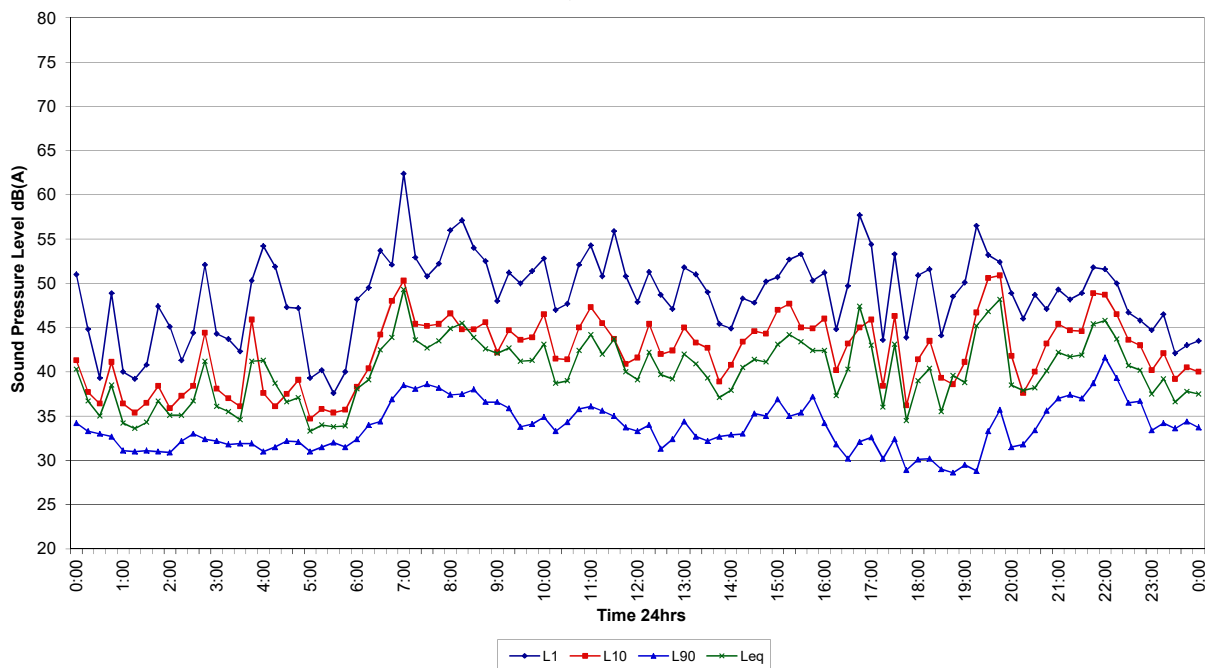
Tuesday 3/03/2015



215 009 Bathurst Kart Club - Mount Panorama

402 Conrod Straight - Approx 200m from road edge

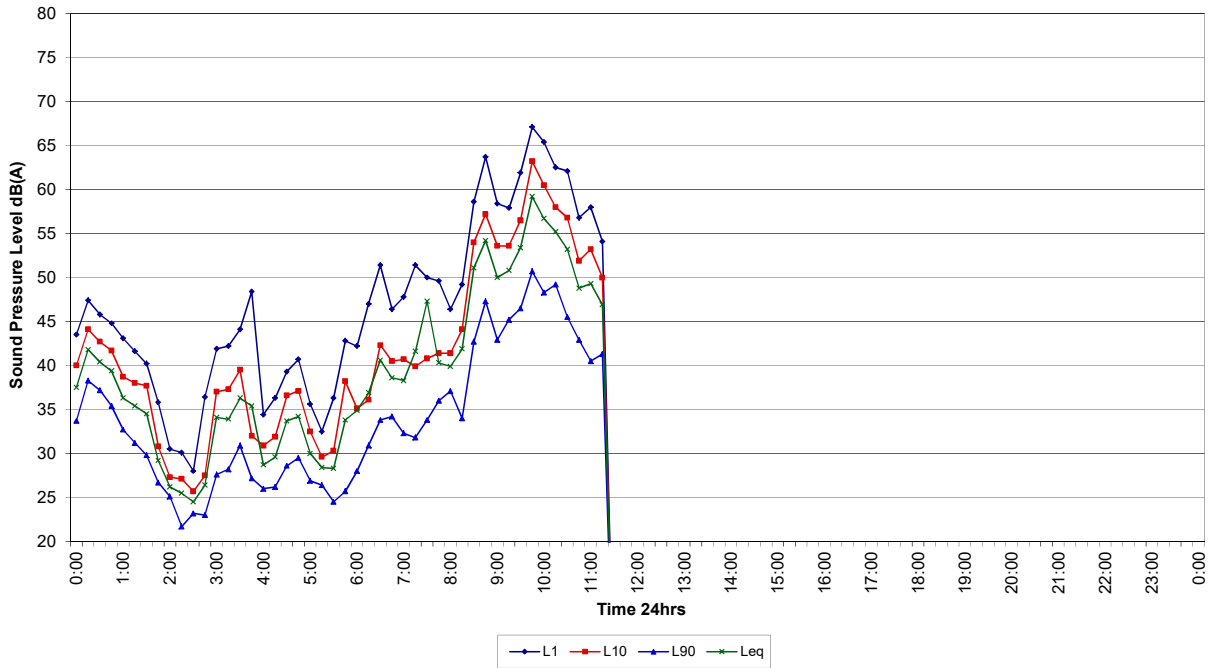
Wednesday 4/03/2015



11076 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

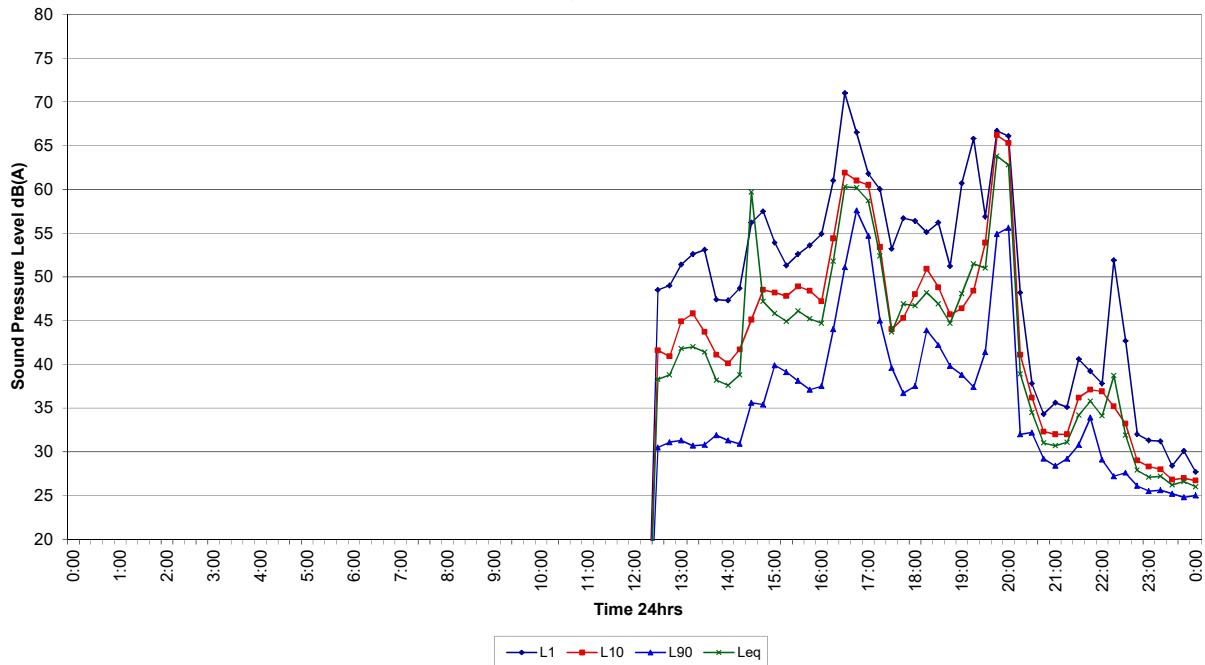


11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

NOISE DATA LOGGER 2 – 280 HEN & CHICKEN ROAD

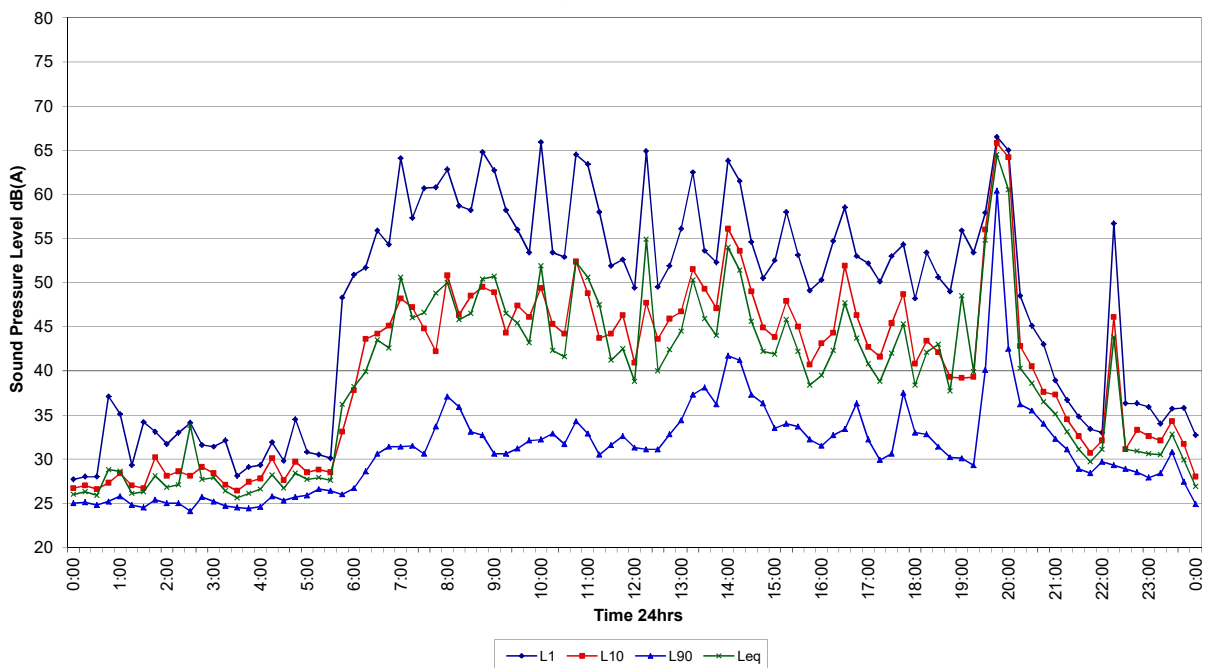
215 009 Bathurst Kart Club - Mount Panorama  
280 Hen & Chicken Road - Approx 200m from road edge

Wednesday 25/02/2015



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

Thursday 26/02/2015

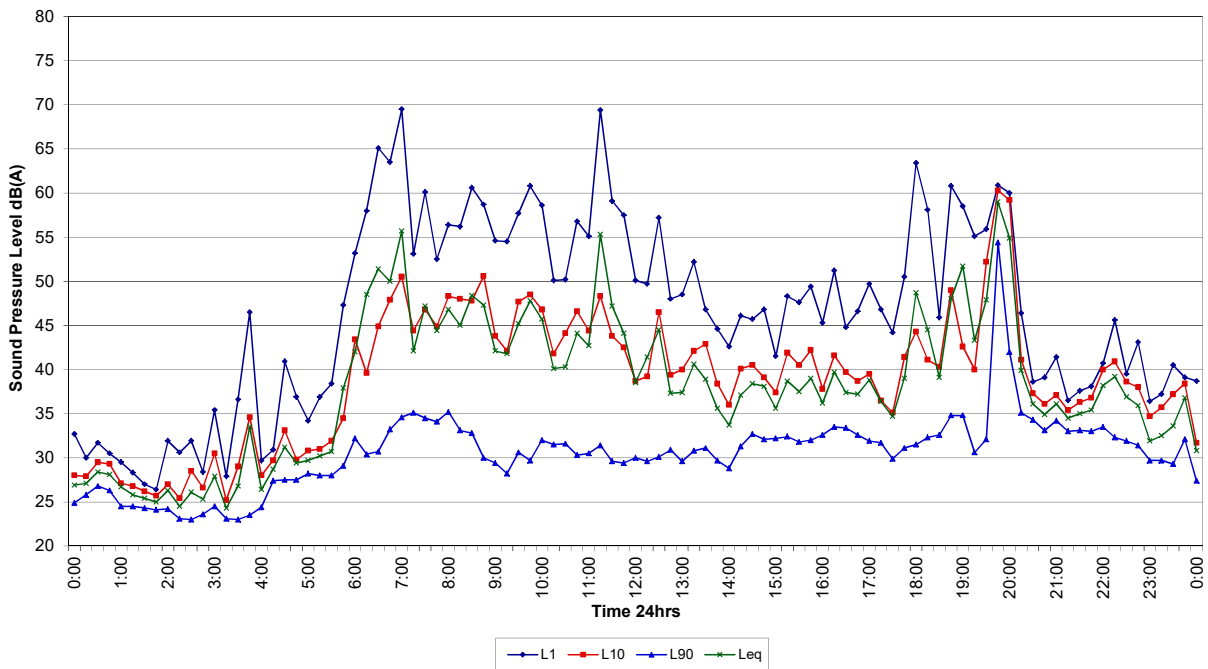


11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

215 009 Bathurst Kart Club - Mount Panorama

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

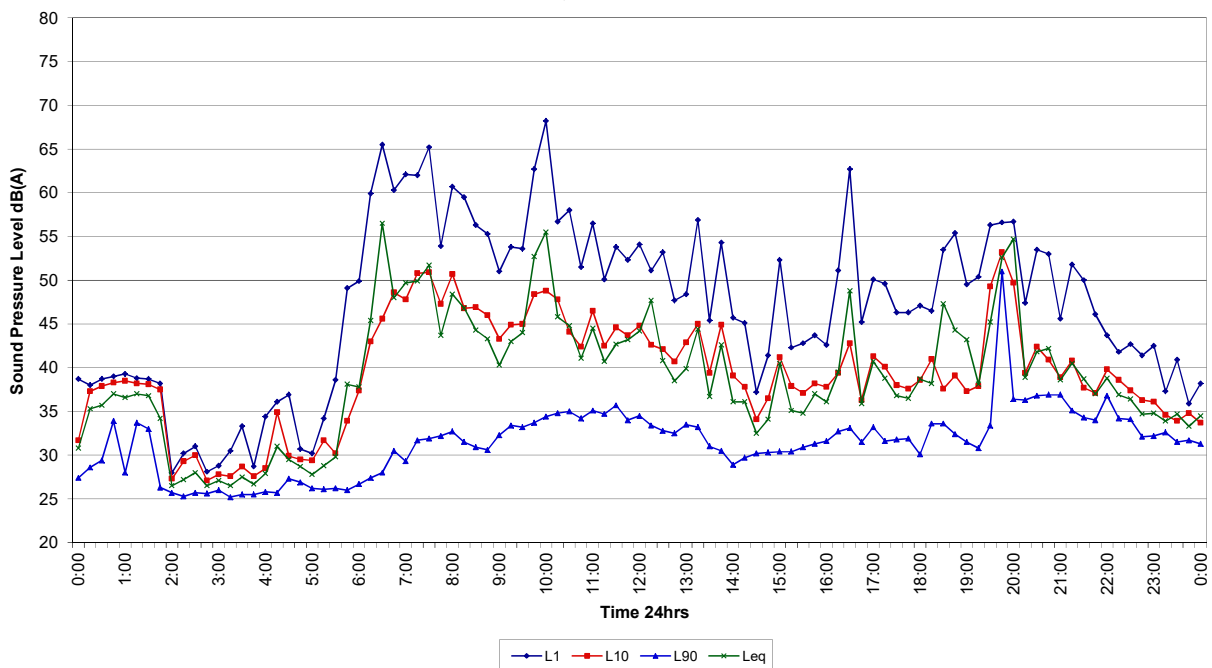
Friday 27/02/2015



215 009 Bathurst Kart Club - Mount Panorama

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

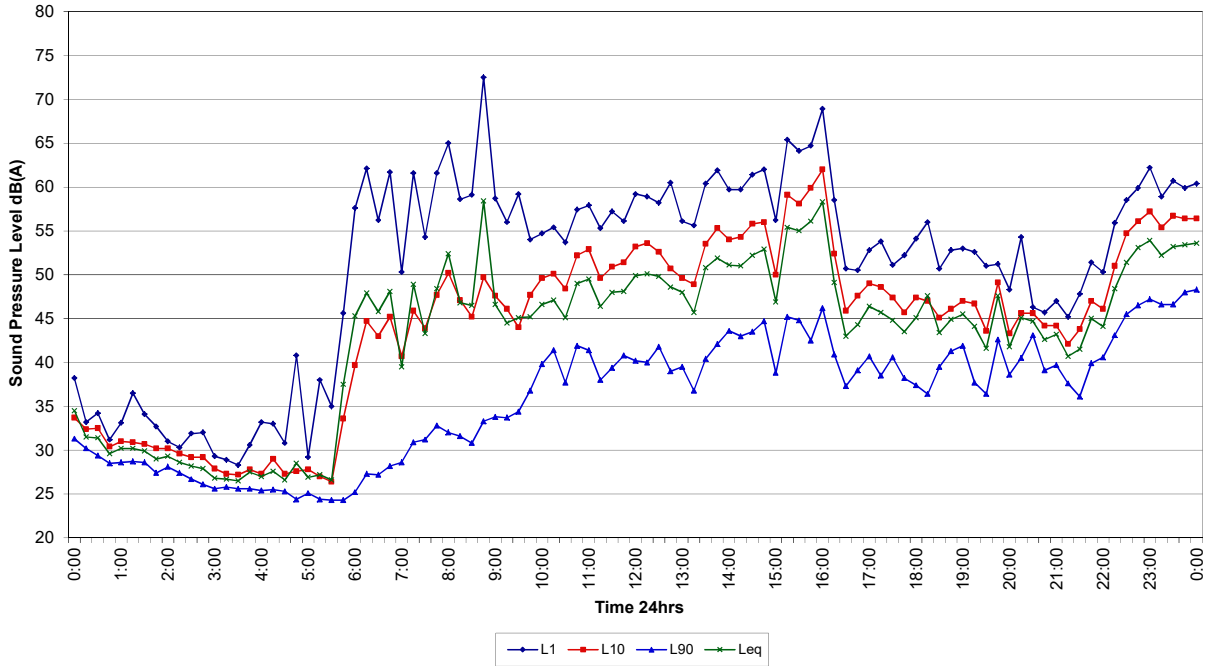
Saturday 28/02/2015



11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

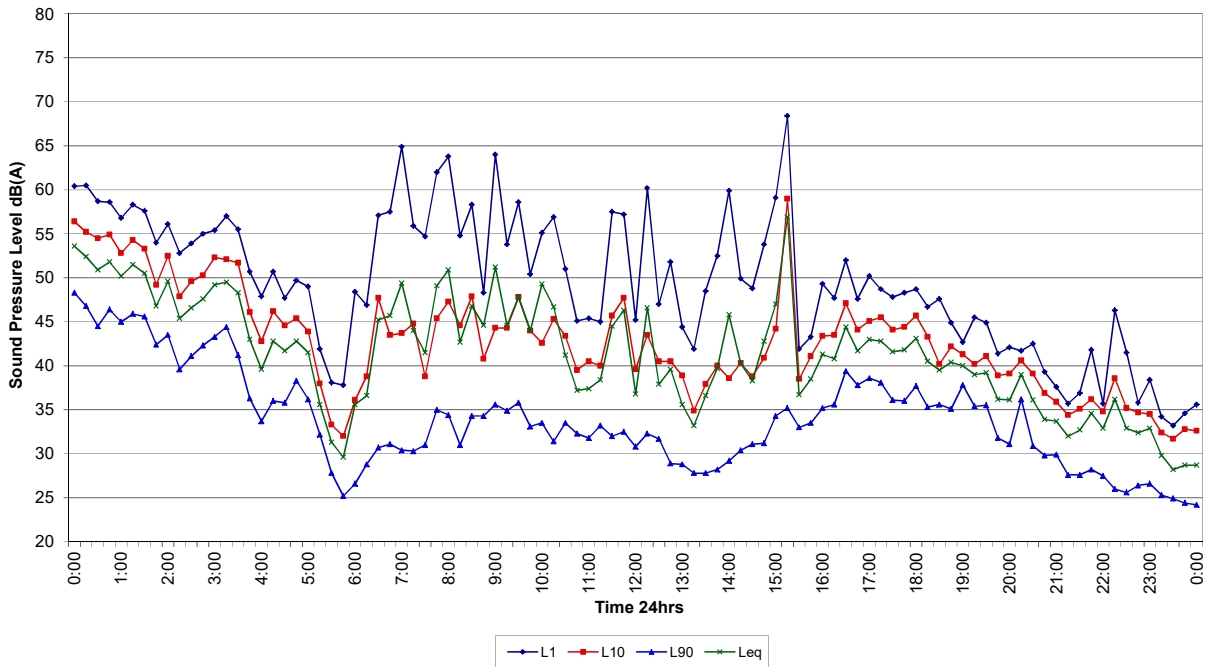
215 009 Bathurst Kart Club - Mount Panorama  
280 Hen & Chicken Road - Approx 200m from road edge

Sunday 1/03/2015



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

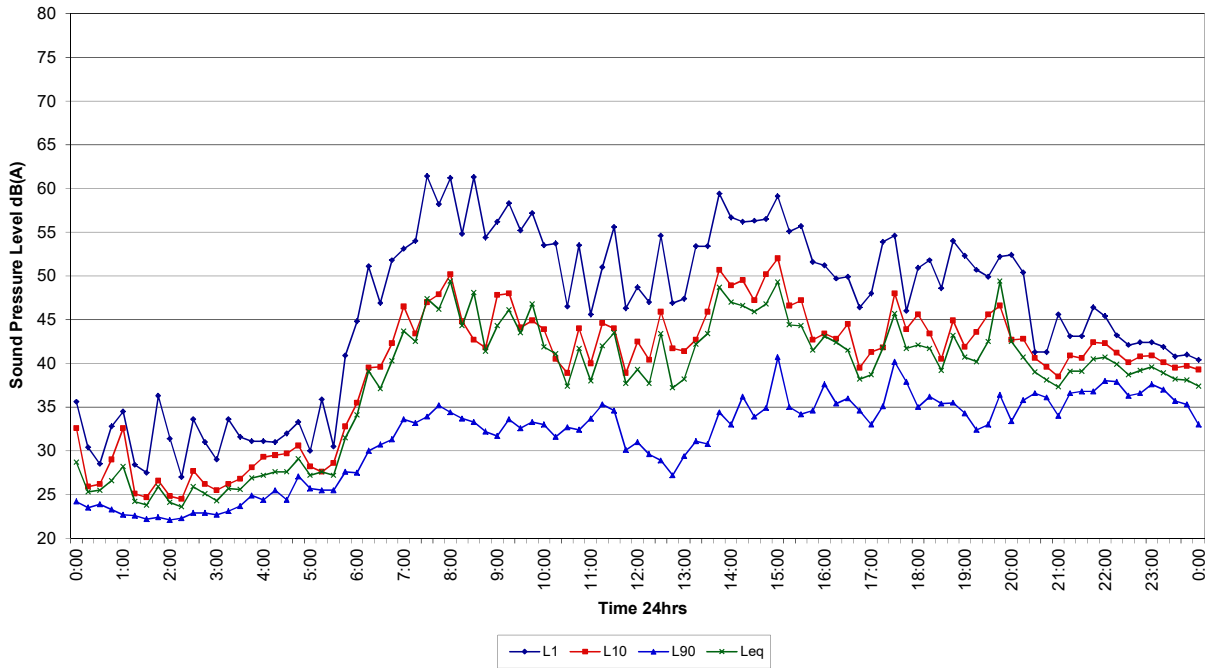
Monday 2/03/2015



11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

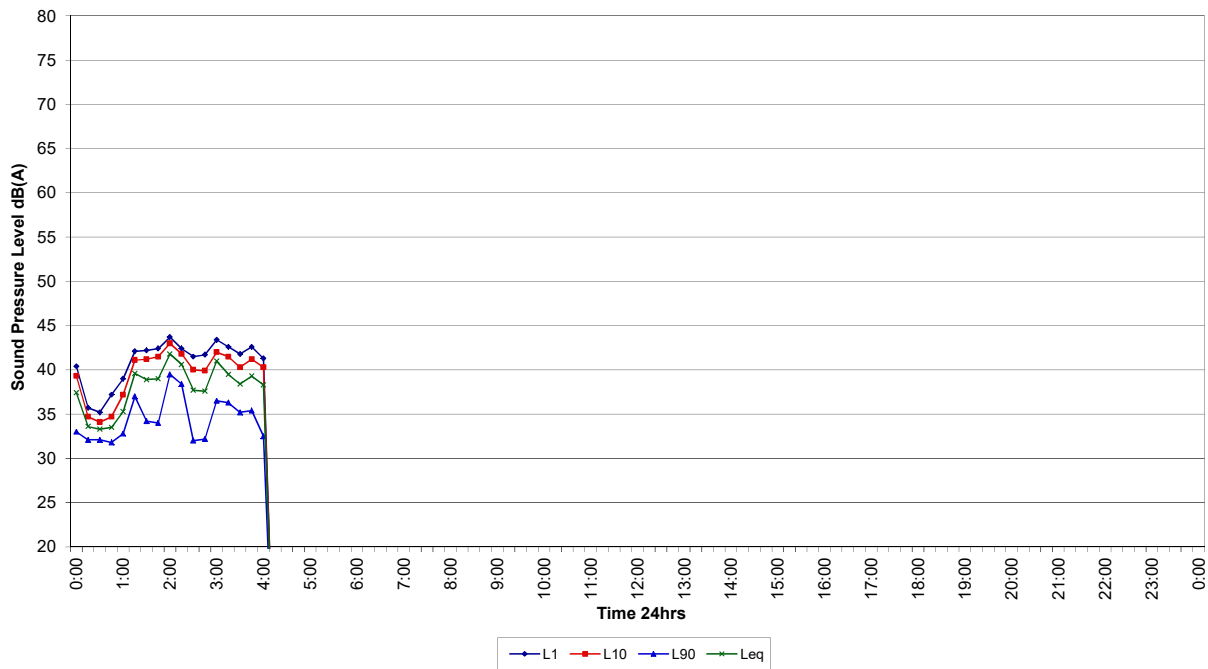
215 009 Bathurst Kart Club - Mount Panorama  
280 Hen & Chicken Road - Approx 200m from road edge

Tuesday 3/03/2015



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

Wednesday 4/03/2015



## 11076 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](#).



## 11076 Acoustic Assessment - Bathurst Kart Club Mount Panorama

---

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

# GO KART TRACK DEVELOPMENT- FLORA AND FAUNA ASSESSMENT

Mt Panorama, NSW  
Prepared for Bathurst Regional Council





# Go Kart track development– Flora and Fauna Assessment, Mt Panorama Bathurst

## Document Verification

Revision	Author/s	Internal Review	Date submitted	Client Review	
				Name	Date
0	J Dessmann	E Cotterill	15/10/18	Leona Webster & Michael Coles (BRC)	18/10/18
Final	J Dessmann		22/10/18		

**EnviroFact Pty Ltd, T/A The Environmental Factor**

**P.O. Box 268 Bathurst NSW 2795**

**ABN: 37 607 339 131**

[www.envirofact.com.au](http://www.envirofact.com.au)

This Report has been prepared by The Environmental Factor (TEF) at the request of the Bathurst Regional Council (BRC). The purpose of this report is to document the biodiversity assets found on site, and to assess those that are likely to be impacted either directly or indirectly as a result of the Go Kart track development proposal at Mt Panorama, Bathurst, to support a Statement of Environmental Effects (SEE) and Development Application (DA) to be submitted for these works.

This document is not intended to be utilised or relied upon by any persons other than BRC and their appointed contractors nor to be used for any purpose other than that articulated above. Accordingly, TEF accepts no responsibility in any way whatsoever for the use of this report by any other persons or for any other purpose.

The information, statements, recommendations and commentary (together the “Information”) contained in this report have been prepared by TEF on the basis of information provided by BRC, from material provided by the NSW Office of Environment and Heritage (OEH) and the Commonwealth Department of the Environment and Energy (DEE), and through the survey process. TEF has not sought any independent confirmation of the reliability, accuracy or completeness of this information. It should not be construed that TEF has carried out any form of audit of the information which has been relied upon.

Accordingly, whilst the statements made in this report are given in good faith, TEF accepts no responsibility for any errors or omissions in the information provided by BRC, OEH or DEE nor the effect of any such errors on the analysis undertaken, suggestions provided, or this report.



## Table of Contents

1	Executive Summary.....	1
2	Introduction .....	1
2.1	Overview .....	1
2.2	Terms and definitions .....	1
2.3	Proposal description .....	1
2.4	Aims and scope of the report .....	2
3	Legislative context .....	4
3.1	NSW State Legislation .....	4
3.1.1	Environmental Planning and Assessment Act 1979 (EP&A Act) .....	4
3.1.2	Threatened Species Conservation Act 1995 (TSC Act).....	4
3.1.3	NSW Biosecurity Act 2015 (Biosecurity Act).....	5
3.1.4	Local Land Services Act 2013 (LLS Act).....	5
3.1.5	Local Land Services Amendment Act 2016 (LLSA Act) .....	5
3.2	State Environmental Planning Policies.....	6
3.2.1	SEPP 44: Koala Habitat.....	6
3.3	Commonwealth EPBC ACT .....	6
3.3.1	Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) .....	6
4	Methodology.....	8
4.1	Desktop Review.....	8
4.1.1	Database searches .....	8
4.2	Field survey .....	11
4.2.1	Terrestrial flora survey.....	11
4.2.2	Terrestrial fauna survey .....	11
4.3	Likelihood of occurrence of threatened biota .....	12
4.4	Assessment of Significance of Impacts .....	12
4.4.1	Survey conditions and limitations.....	12
5	Results.....	15
5.1	Vegetation.....	15
5.1.1	Vegetation communities.....	15
5.1.2	Environmental weeds .....	17
5.2	Fauna.....	18
5.2.1	Fauna species.....	18



5.2.2	Fauna habitats.....	19
5.3	Conservation significance .....	20
5.3.1	Threatened ecological communities.....	20
5.3.2	Threatened flora species.....	22
5.3.3	Threatened fauna species.....	22
5.3.4	Migratory species.....	22
5.3.5	Other MNES .....	22
6	Impact assessment.....	23
6.1	Direct Impacts .....	23
6.1.1	Vegetation clearing and construction impacts .....	23
6.1.2	Fauna habitat removal.....	24
6.1.3	Habitat fragmentation .....	24
6.1.4	Fauna injury and mortality.....	24
6.2	Indirect impacts .....	25
6.3	Key threatening processes.....	25
6.4	Impacts on listed threatened biota.....	26
7	Mitigation measures .....	28
7.1	Avoiding and minimising impacts during design .....	28
7.2	Mitigation of impacts.....	28
8	Conclusion.....	30
9	References .....	31
10	Appendices.....	32
	Appendix A Preliminary Layout Design Drawings .....	33
	Appendix B Native Vegetation Map.....	34
	Appendix C Species recorded on site.....	35
	Appendix D Bat call analysis.....	41
	Appendix E THREATENED BIOTA AND MNES ‘LIKELIHOOD OF OCCURRENCE’ ASSESSMENTS.....	42
	Appendix F Test Of Significance For State Listed Threatened Biota .....	62
	Appendix G EPBC Act Significant Impact Criteria Assessments .....	70

### Figures, Tables and Plates

Figure 1	Study Area and Subject Site .....	3
Figure 2	Vegetation communities mapped as occurring within 1.5km of the study area.....	9



Figure 3 Threatened species recorded within 10km of the study area .....	10
Figure 4 Field survey effort and habitat features recorded on site .....	14
Table 1 Key to 'likelihood of occurrence' assessments for threatened species .....	12
Table 2 Weather conditions preceding and during field surveys (weather station: 063005 Bathurst)13	
Table 3 Summary of vegetation types within the locality (5km) .....	15
Table 4 Declared and listed weeds in the Bathurst LGA recorded during the field survey .....	17
Table 5 BC Act criteria for identification of Box Gum Woodland EEC within the study area (NPWS 2006 and DECC 2007).....	21
Table 6 EPBC Act criteria for the identification of Box-Gum Woodland CEEC within the study area (DEH 2008) .....	21
Table 7 Extent of impact within the subject site and study area.....	23
Table 8 Key threatened processes relevant to the proposal .....	25
Table 9 Summary of BC Act assessments of significance.....	27
Table 10 Summary of EPBC Act assessments of significance.....	27
Table 11 Flora species recorded within study area .....	35
Table 12 Fauna species recorded within study area.....	38
Table 13 Threatened Ecological Communities and species known or predicted from the locality, habitat association and suitable habitat present within the study area and subject site.....	44
Table 14 Migratory fauna known or predicted from locality, habitat association and likelihood of occurring at the site .....	58
Table 15 Vegetation type and area at the proposed Go Kart track site. ....	63
Plate 1 Apple Box - Yellow Box dry grassy woodland .....	16
Plate 2 sparse ground vegetation with 45% litter cover.....	16
Plate 3 <i>Asperula conferta</i> in understory .....	16
Plate 4 several disturbance regimes compromising the condition of the Box Gum Woodland present .....	16
Plate 5 Stockpiled fill at discrete locations to the north of the study area .....	17
Plate 6 Planted rows of <i>Pinus radiata</i> and natives .....	17
Plate 7 Highly disturbed grazed paddocks.....	17
Plate 8 Unoccupied residential house .....	17
Plate 9 Saffron Thistle -common agricultural weed .....	18
Plate 10 Patterson's Curse -common agricultural weed .....	18
Plate 11 Blackberry WoNS .....	18
Plate 12 Serrated Tussock WoNS.....	18
Plate 13 Blakely's Red Gum containing several hollows.....	20
Plate 14 Nest present in study area .....	20
Plate 15 Chewed pine cones .....	20
Plate 16 Surface rocks providing habitat for reptiles .....	20



## 1 EXECUTIVE SUMMARY

The Environmental Factor (TEF) was commissioned by Bathurst Regional Council (BRC or Council) to undertake a Flora and Fauna Assessment (FFA) to fully consider the potential ecological impacts relating to the proposed international Go Kart facility development (hereafter ‘the proposal’). The study area is located immediately south of McPhillamy Park, in the Mount Panorama precinct near the city of Bathurst in NSW.

The study area includes a former residential dwelling including fenced paddocks recently used for domestic grazing, cultivated garden beds and planted native and exotic wind breaks. Ground truthing of vegetation of the site confirmed the presence of the following two vegetation communities within the study area:

- PCT 654 Apple Box - Yellow Box dry grassy woodland of the South Eastern Highlands Bioregion (**3.74 ha**)
- Cleared / planted vegetation (**6.37 ha**)

Targeted anabat surveys (completed over three (3) nights) and habitat assessments were completed on site diurnally to identify important habitat components for any threatened species and ecological communities recorded within the area. Based on the desktop assessment, survey results and habitat assessments undertaken, the following affected threatened biota were identified:

- Koala (*Phascolarctos cinereus*; Vulnerable under BC / EPBC Act)
- Threatened microbats: Yellow-bellied Sheath-tail Bat (*Saccolaimus flaviventris*; Vulnerable under BC Act), Eastern Bentwing-bat (*Miniopterus orianae oceanensis*; Vulnerable under BC Act); Large-footed Myotis (*Myotis Macropus*; Vulnerable under BC / EPBC Act); Corben’s Large-eared Bat (*Nyctophilus corbeni*; Vulnerable under BC / EPBC Act).

Apple Box - Yellow Box dry grassy woodland of the South Eastern Highlands Bioregion forms part of the *White Box Yellow Box Blakely’s Red Gum Woodland* listed as Endangered under the BC Act (formerly TSC Act). The condition and extent of this vegetation community across the study area did not satisfy the listing criteria for the Critically Endangered Ecological Community listed under the EPBC Act.

The proposal would result in the following ecological impacts:

- The permanent removal of **0.79 ha** of White Box Yellow Box Blakely’s Red Gum Woodland listed under the BC Act (formerly TSC Act).
- Removal of **3.57 ha** of exotic and planted vegetation including exotic Hawthorn and Pine trees which may provide over wintering foraging resources for native avian fauna.
- The removal of three (**3**) hollow bearing trees containing approximately eight (**8**) hollows, and two (**2**) dead trees (stags) providing potential habitat for hollow dependent fauna including threatened microbats.
- Reduction of **0.79 ha** woodland habitat for Koala (listed as Vulnerable under the BC and EPBC Acts) including the removal of two (**2**) Ribbon Gum trees listed as primary feed trees for the Central Tablelands region.





- Indirect impacts to **2.95 ha** of White Box Yellow Box Blakelys Red Gum Woodland vegetation listed under the BC Act (formerly TSC Act), and
- Potential injury or mortality of small, terrestrial fauna within the proposal footprint.

Assessments of significance were prepared in accordance with Section 1.7 (formerly 5AA) of the EP&A Act (Tests of Significance) and the EPBC Act *Matters of National Environmental Significance – Significant Impact Criteria Guidelines* (DEWHA, 2009). These assessments have concluded that the proposal is unlikely to have a significant negative effect on the local populations of Box Gum Woodland, Koala or threatened microbats present within the locality.

Specific mitigation measures are warranted to minimise the potential indirect impacts of the proposal on the natural environment outside of the proposal footprint during construction and operation. This would include preparing and implementing a Construction Environmental Management Plan (CEMP), including erosion, sediment, and fauna habitat management and weed control measures to minimise the potential for adverse impacts on adjoining habitats.



## 2 INTRODUCTION

### 2.1 Overview

The Environmental Factor (TEF) has been engaged by the Bathurst Regional Council (BRC) to prepare a Flora and Fauna Assessment (FFA) to assess the ecological constraints and significance of the potential environmental impacts associated with a proposed Go Kart facility on Mount Panorama NSW (hereafter “the proposal”). The FFA has been undertaken in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). The proposal is being determined under Part 4 of the EP&A Act.

The Development Application (DA) for the proposal was submitted during 2015, prior to the implementation of the *Biodiversity Conservation Act 2016* and Biodiversity Offset Scheme. It is understood that the proposal continues to be considered under the legislation enacted at the time of the DA submission.

The FFA has therefore been prepared to assess the potential for impacts on ecological values, with particular emphasis on threatened ecological communities, populations and species listed under the *NSW Threatened Species Conservation Act 1995* (TSC Act) (now rescinded) and Matters of National Environmental Significance (MNES) listed under the *Commonwealth Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

### 2.2 Terms and definitions

The following terms are used in this report:

Subject site - The area to be directly affected by the proposal including earthworks and vegetation clearing encompassing the proposed Go Kart facility, including a 1.1km track, various amenities buildings, and a gently sloping batter extent, measuring a total area of **4.35ha**.

Study area - Includes the subject site (as described above) and any proximal areas that have the potential to be directly or indirectly impacted by the proposal. For the purposes of this FFA, the study area has included a 50m buffer from the boundary of the subject site, measuring a total area of **10.11 ha**.

The locality - Is the area within 10 kilometres of the proposal.

### 2.3 Proposal description

The Go Kart development is proposed to be located across portions of Lots 1 and 2 DP634401, Lot 1 DP700629, Lot 9 DP1047248 and Lot 40 DP1056379 on the crest and southern slopes of Mount Panorama.

The key features of the proposal include development of a 1100 m Go Kart track circuit and pit complex to satisfy international track design requirements. Preliminary Layout Design plans (Rev 0 14/09/2018) are provided as Appendix A. Extensive earthworks will be required to accommodate the required track gradients, including appropriate batters along Mount Panorama.



All vegetation and existing building infrastructure present within the subject site will be removed as part of this proposal, including an existing brick dwelling with a garage, established gardens and windrows, agricultural fencing, and two (2) existing reservoir tanks located on the southern extent of adjacent McPhillamy Park.

McPhillamy Park, directly to the north of the proposal, will continue to be used for camping and parking during events, however, no other modifications are proposed to this area. Consequently, the majority of this area has not been included as part of the subject site.

## **2.4 Aims and scope of the report**

The aims of this assessment are to:

- Identify the presence or likely presence of threatened species, populations and ecological communities and their habitats listed under the TSC Act (now rescinded).
- Identify the potential for any Matters of National Environmental Significance (MNES) listed under the EPBC Act to occur within the proposal footprint and/or to be indirectly impacted by the proposal.
- Identify the potential impacts of the proposal on threatened biota or migratory species and their habitats.
- Recommend mitigation and environmental management measures to avoid or minimise adverse impacts on threatened biota and biodiversity values, as appropriate, to facilitate the relevant planning approvals process.
- Assess the significance of impacts on threatened biota listed under the TSC Act (now rescinded) and identify the likely requirement or otherwise for further assessment and approvals under the EP&A Act.
- Assess the significance of impacts on MNES and identify the likely requirement or otherwise for further assessment and approvals under the EPBC Act.



**Figure 1 Study Area and Subject Site**

- |              |                      |                                 |
|--------------|----------------------|---------------------------------|
| Study area   | Road                 | Proposed track entry-exit lanes |
| Subject site | Contour              | Proposed track pit area         |
| Suburb       | Proposed track route |                                 |
| Lot Boundary | Proposed Building    |                                 |



© 2018. Whilst every care has been taken to prepare this map, TEF make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and cannot accept liability and responsibility of any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damage) which are or may be incurred by any party as a result of the map being inaccurate, incomplete or unsuitable in any way and for any reason. Service Layer Credits: Source: Google Satellite (NSW LPI)

**Figure 1 Study Area and Subject Site**



### 3 LEGISLATIVE CONTEXT

#### 3.1 NSW State Legislation

##### 3.1.1 *Environmental Planning and Assessment Act 1979 (EP&A Act)*

The *Environmental Planning and Assessment Act 1979* (EP&A Act) forms the legal and policy platform for proposal assessment and approval in NSW and aims to, inter alia, 'encourage the proper management, development and conservation of natural and artificial resources'. All development in NSW is assessed in accordance with the provisions of the EP&A Act and EP&A Regulation 2000. In addition, Section 5.5. (formerly 111) of the Act states that the determining authority must consider the effect of an activity on:

- 'Critical habitat' (as defined under the TSC Act and FM Act).
- Species, populations or ecological communities, or their habitats (as listed under the TSC Act) and whether there is likely to be a 'significant effect' on those species, populations or ecological communities.
- Other protected fauna or protected native plants listed under the National Parks and Wildlife Act 1974.

Section 1.7 (formerly 5AA) of the EP&A Act listed factors that must be taken into account in the determination of the significance of potential impacts of a proposed activity on threatened species, populations or ecological communities (or their habitats) listed under the TSC Act. This Test of Significance is used to assist in the determination of whether a proposal is 'likely' to impose 'a significant effect' on threatened biota and thus whether a species impact statement (SIS) is required. Section 1.7 of the EP&A Act was addressed as part of the current assessment as described herein, and Tests of Significance were completed for relevant threatened species and ecological communities that are likely to be affected by the proposal. These assessments are included in Appendix F of this report.

##### 3.1.2 *Threatened Species Conservation Act 1995 (TSC Act)*

The *Threatened Species Conservation Act 1995* (TSC Act) previously provided the legal status for biota of conservation significance in NSW (now replaced with the *Biodiversity Conservation Act 2017*). The Act aimed to, amongst other things, 'conserve biological diversity and promote ecologically sustainable development'. It provided for:

- The listing of 'threatened species, populations and ecological communities', with endangered species, populations and communities listed under Schedule 1, 'critically endangered' species and communities listed under Schedule 1A, and vulnerable species and communities listed under Schedule 2.
- The listing of 'Key Threatening Processes' (under Schedule 3).
- The preparation and implementation of Recovery Plans and Threat Abatement Plans.
- Requirements or otherwise for the preparation of a Species Impact Statement (SIS).

The TSC Act has been addressed in the current assessment through:

- Desktop review to determine the threatened species, populations or ecological communities that have been previously recorded within the locality and hence could occur subject to the habitats present.



- Targeted field surveys for threatened species, populations and ecological communities listed under the Act.
- Identification, assessment and mapping of threatened communities and threatened species (or their habitat) listed under the Act.
- Assessment of potential impacts on threatened species, populations and ecological communities listed under the Act.
- Identification of suitable impact mitigation and environmental management measures for threatened species, where required.

### **3.1.3 NSW Biosecurity Act 2015 (Biosecurity Act)**

The *NSW Biosecurity Act 2015* (Biosecurity Act) outlines mandatory measures that persons are to take with respect to biosecurity matters including the management of weeds (Part 2, Division 8 including Weeds of National Significance (WoNS)). Under the Biosecurity Act, the responsibilities for weed management by public and private landholders are consistent, reflecting that weed management is a shared community responsibility. The Act introduces the legally enforceable concept of a General Biosecurity Duty (GBD). Priority weeds are listed within Regional Strategic Weed Management Plans, however the GBD is not restricted to listed weeds.

The Biosecurity Act is administered by NSW Department of Primary Industries which determines the weed species covered by regulatory tools including Prohibited Matters, Control Orders and Biosecurity Zones. Existing Local Control Authorities (Councils) continue to be responsible for enforcing weed legislation.

Priority weeds observed on site are outlined in Section 5.1.2.

### **3.1.4 Local Land Services Act 2013 (LLS Act)**

The *Local Land Services Act 2013* (LLS Act) includes the management of natural resources in the consideration of the principles of Ecological Sustainable Development (ESD).

Vegetation clearing provisions are considered under Part 5A of the LLS Act. The LLS Act regulates the clearing of native vegetation on all land in NSW mapped as Category 2 – Regulated Land as mapped on the Native Vegetation Regulatory Map. It does not include Excluded Land and Category 1 Exempt Land mapped on the Native Vegetation Regulatory Map.

Vegetation clearing which does not require development consent under the EP&A Act is considered for approval by the Native Vegetation Panel under the LLS Act.

A review of the Native Vegetation Regulatory map (report generated 09/10/2018; Appendix B) confirmed that the study area occurs on land mapped as Excluded Land. Consequently, the clearing regulations under Part 5A LLS Act (s60H) do not apply.

### **3.1.5 Local Land Services Amendment Act 2016 (LLSA Act)**

The *Local Land Services Amendment Act 2016* (LLSA Act), which amended the *Local Land Services Act 2013*, authorised the making of the Land Management (Native Vegetation) Code 2018 (Div 5, Sch 1 of the LLSA Act). The aim of the Code is to authorise clearing of native vegetation on Category 2 regulated land under certain conditions and provide for the establishment and maintenance of set aside areas.



Review of the Native Vegetation Regulatory map (report generated 09/10/18 Appendix B) confirmed that the study area does not occur on Category 2 regulated land. Consequently, the clearing regulations under Part 14 of the LLSA Act do not apply.

## 3.2 State Environmental Planning Policies

### 3.2.1 SEPP 44: Koala Habitat

State Environmental Planning Policy 44 (SEPP 44) aims to encourage the 'proper conservation and management of areas of natural vegetation that provide habitat for Koalas (*Phascolarctos cinereus*) to ensure a permanent free-living population over their present range and reverse the current trend of Koala population decline'. The application of SEPP 44 to the proposal may depend on which Part of the EP&A Act the proposal is assessed under. The principles of SEPP 44 are adopted here as a guide to the assessment of Koala populations and their habitats. The Koala is listed as a Vulnerable species under the BC Act and EPBC Act, and thus also requires assessment under these Acts.

Schedule 1 of SEPP No. 44 identifies local government areas (LGAs) to which SEPP 44 applies. The site is within the Bathurst LGA which is listed under Schedule 1. SEPP 44 requires that before granting consent for development on land over 1 hectare in area, a consent authority must be satisfied as to whether or not the land is 'potential' and 'core' koala habitat. Potential koala habitat is defined as 'an area of native vegetation where the trees of the types listed in Schedule 2 constitute at least 15% of the total number of trees in the upper or lower strata of the tree component'. Core koala habitat is defined as 'an area of land with a resident breeding population of koalas, evidenced by attributes such as breeding females and recent sightings and historical records of a population'. Where core koala habitat is found to occur, SEPP 44 requires that a site-specific Koala Plan of Management (KPoM) be prepared, unless an LGA based KPoM exists. Bathurst Regional Council has not prepared a comprehensive KPoM for the LGA.

The study area is dominated by Apple Box listed as a secondary Koala food tree identified for this region in the Koala Recovery Plan (DECC 2008). Two individual Ribbon Gum trees listed as primary Koala food trees are also present within the study area. Twenty-three (23) Koala records have been identified within the locality (OEH 2018). No evidence of Koala (i.e. scats, scratches, observations) were recorded during the site inspection suggesting that the study area supports potential Koala habitat. An assessment of potential Koala habitat was undertaken and preliminary assessments of impacts of the proposal on the Koala, based on field surveys, have been considered in this report.

## 3.3 Commonwealth EPBC ACT

### 3.3.1 Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act)

The purpose of the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) is to ensure that actions likely to cause a significant impact on 'matters of national environmental significance' undergo an assessment and approval process. Under the EPBC Act, an action includes a project, a development, an undertaking, an activity or a series of activities, or an alteration of any of these things (DEWHA 2009). An action that 'has, will have or is likely to have a significant impact on a matter of national environmental significance' is deemed to be a 'controlled



action' and may not be undertaken without prior approval from the Australian Government Minister for Sustainability, Environment, Water, Population and Communities (the 'Minister').

The EPBC Act identifies nine Matters of National Environmental Significance (MNES) as:

- World heritage properties.
- National heritage places.
- Wetlands of international importance (Ramsar wetlands).
- Threatened species and ecological communities.
- Migratory species.
- Commonwealth marine areas.
- The Great Barrier Reef Marine Park
- Nuclear actions (including uranium mining)
- A water resource, in relation to coal seam gas development and large coal mining development.

The EPBC Act has been addressed in the current assessment through:

- Desktop review to determine the MNES that are predicted to occur within the locality of the proposed scheme and hence could occur, subject to the habitats present.
- Targeted field surveys for threatened biota and migratory species listed under the Act.
- Identification of suitable impact mitigation and environmental management measures for threatened biota, where required.
- Assessment of potential impacts on MNES, if appropriate.

Potential impacts on relevant MNES must be subject to Assessments of Significance pursuant to the EPBC Act Significant Impact Guidelines (DEWHA 2009). If a significant impact is considered likely, a referral under the EPBC Act must be submitted to the Commonwealth Environment Minister.

This study assesses the likelihood of MNES occurring in the study area and their potential to be impacted by the proposal. Assessments of significance for relevant MNES are included in Appendix G.





## 4 METHODOLOGY

### 4.1 Desktop Review

#### 4.1.1 Database searches

A desktop assessment was undertaken to identify threatened flora and fauna species, populations and ecological communities listed under the BC Act and MNES listed under the EPBC Act that may be affected by the proposal. Database records pertaining to the site and locality (i.e. 10 kilometre radius) were reviewed and included:

- OEH Wildlife Atlas database (publicly accessed) for records of threatened species and endangered ecological communities listed under the BC Act that has been recorded within the locality of the subject site (OEH 2018, data accessed 12<sup>th</sup> September 2018).
- Department of the Environment and Energy (DEE) Protected Matters Search Tool for Matters of National Environmental Significance (MNES) listed under the EPBC Act recorded or predicted to occur in the locality of the site (DEE 2018, report generated 12<sup>th</sup> September 2018).
- OEH threatened species profiles online database (OEH 2018)
- DEE online species profiles and threats database (DEE 2018).
- Reconstructed and Extant Distribution of Native Vegetation in the Central West Catchment (DECC 2006)
- Central Tablelands Regional Weed Strategy Management Plan (Central Tablelands LLS 2017).

Following collation of database records and species and community profiles, a 'likelihood of occurrence' assessment was prepared with reference to the broad habitats contained within the subject site (confirmed during the site inspection; refer to Appendix E). The assessment was further refined following field surveys and assessment of habitats present.

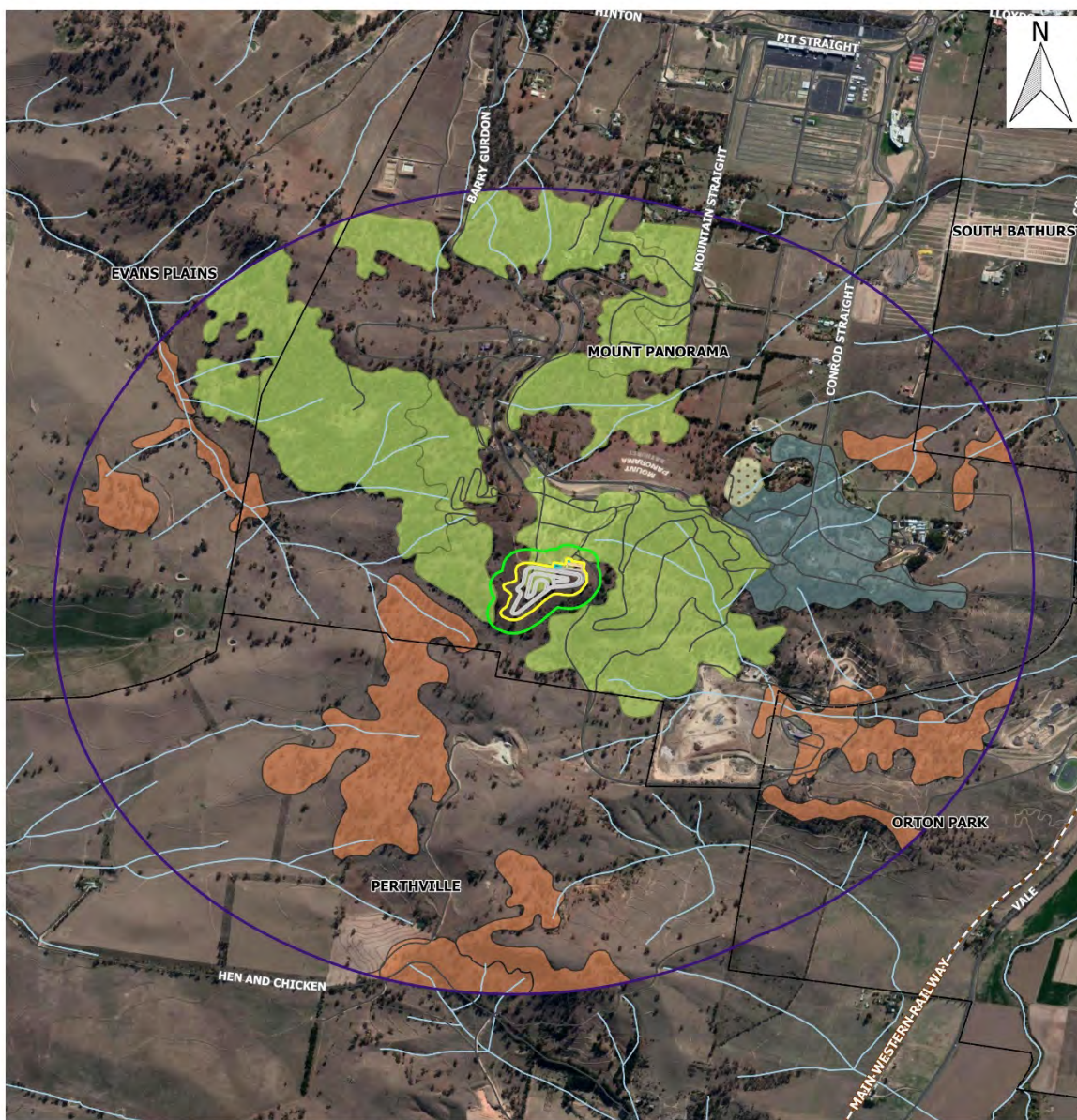


Figure 2 Vegetation communities occurring within 1.5km of the study area

300 0 300 600 m  
1:14000

Legend

1.5km radius

Study area

Subject site

Proposed track route

Proposed track entry-exit lanes

Proposed track pit area

Proposed Building

Suburb

Hydroline

Railway line

Road

CW Lachland Central Tablelands 4163

Cleared

Mountain Gum - Red Stringybark open-forest at high altitudes

Scribbly Gum - Brittle Gum - Box woodland

Stringybark - Box - Gum Woodland

© 2018. Whilst every care has been taken to prepare this map, TEF make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and cannot accept liability and responsibility of any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damage) which are or may be incurred by any party as a result of the map being inaccurate, incomplete or unsuitable in any way and for any reason. Service Layer Credits: Source: Google Satellite (NSW LPI)

Figure 2 Vegetation communities mapped as occurring within 1.5km of the study area

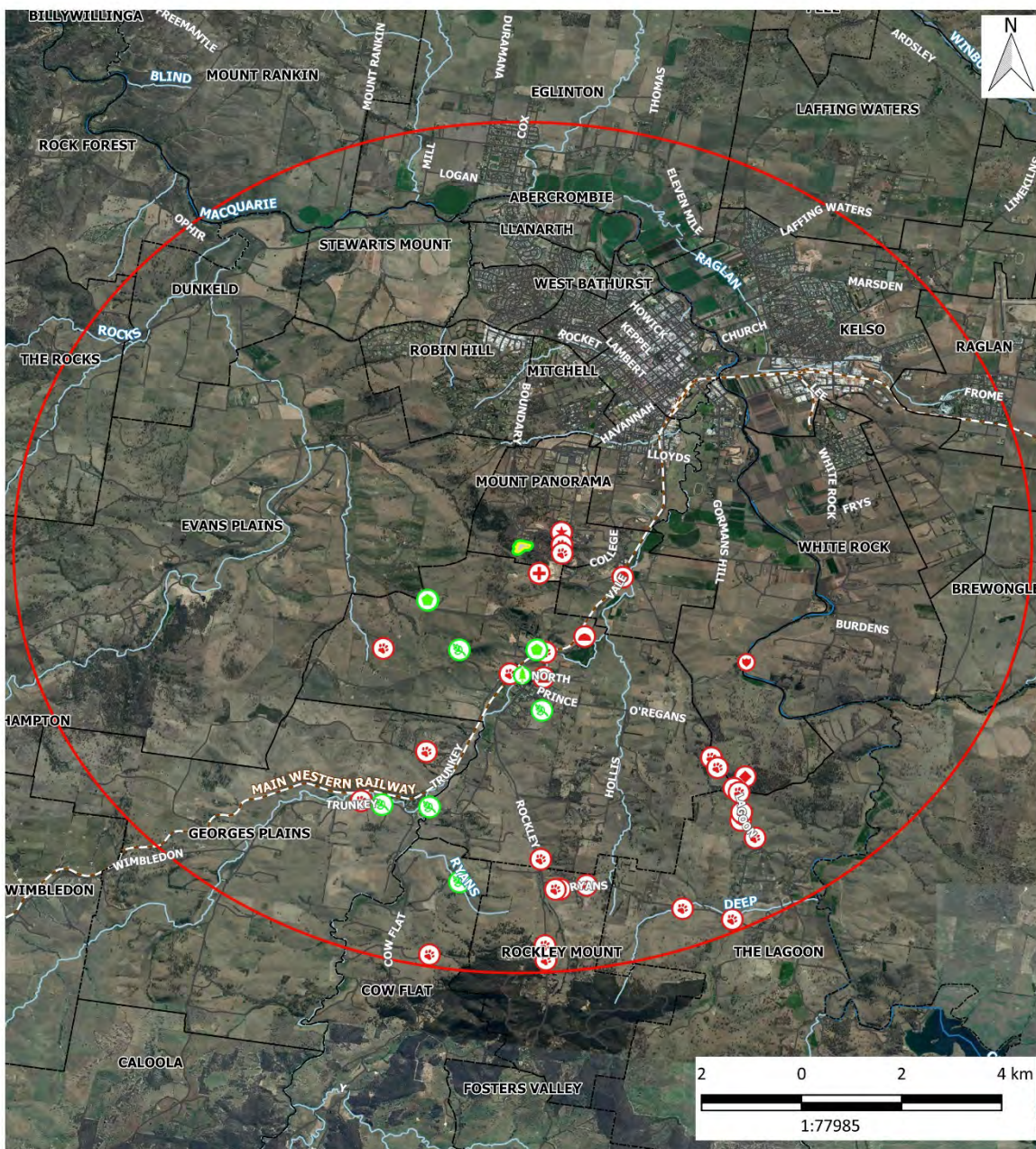


Figure 3 Threatened species recorded within 10km of the study area

Legend

- |                |   |                            |
|----------------|---|----------------------------|
| 10km radius    | Rivulet                                       | Diamond Firetail           |
| Study area     | Railway line                                  | Gang-gang Cockatoo         |
| Proposed track | Road  | Green and Golden Bell Frog |
| Subject site   | Aromatic Pepperpress                          | Koala                      |
| Suburb         | Black Gum                                     | Magpie Goose               |
| Creek          | Black-chinned Honeyeater (eastern subspecies) | Silver-leafed Gum          |
| River          | Booroolong Frog                               | Spotted-tailed Quoll       |

© 2018. Whilst every care has been taken to prepare this map, TEF make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and cannot accept liability and responsibility of any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damage) which are or may be incurred by any party as a result of the map being inaccurate, incomplete or unsuitable in any way and for any reason. Service Layer Credits: Source: Google Satellite (NSW LPI)

Figure 3 Threatened species recorded within 10km of the study area



## 4.2 Field survey

The following description of the existing environment for biodiversity in the study area, is derived from observations and results obtained during the field investigation completed 14<sup>th</sup> September by Director Emily Cotterill and Senior Ecologist Josephine Dessmann, and from data collected via Anabat deployment from 14-16<sup>th</sup> September 2018. Michael Coles from Bathurst Regional Council accompanied TEF during the initial stages of the site inspection.

### 4.2.1 Terrestrial flora survey

#### ***Vegetation plots and flora area searches***

The entire site was traversed on foot by two (2) consultants to observe vegetation community boundaries and species distribution across the study area. Habitat assessment and searches for threatened flora species were undertaken over 5hrs during clear sunny conditions.

Two (2) vegetation plots measuring 20m x 50m were completed within the highest condition Box Gum Woodland observed within the study area to capture species composition, cover, abundance and habitat function data. These plots are shown on Figure 4. Ground cover composition, percentage abundance of each plant species, age classes and the diameter at breast height (DBH) of trees, occurrence of tree hollows and an estimation of available log habitat within the plot were all recorded.

### 4.2.2 Terrestrial fauna survey

#### ***Habitat assessment***

Habitat assessments included active searches for the following:

- Trees with bird nests or other potential fauna roosts
- Burrows, dens and warrens bridges, culverts and hollow-bearing trees for evidence (e.g. guano or bat droppings) of roosting microbats
- Hollow-bearing trees and logs which provide refuge, nest and den sites for a range of threatened fauna species
- Koala food trees and/or evidence of scratches or scats
- Distinctive scats or latrine sites, owl white wash and regurgitated pellets under roost sites
- Tracks or animal remains
- Evidence of activity such as feeding scars, scratches and diggings
- Leaf litter and fallen timber were inspected for reptile habitat

Locations of important habitat features were recorded with a hand-held GPS unit and shown on Figure 4.

#### ***Anabat recordings***

Microbat ultrasonic echolocation call recordings (Anabat surveys) were performed within the study area. Fixed recordings were undertaken from dusk until the following morning at two (2) locations on each of three nights (14<sup>th</sup>-16<sup>th</sup> September 2018). Units were placed in areas likely to be utilised by foraging bats, for example targeting tree hollows in woodland and open paddocks. Locations of survey sites are provided in Figure 4.



As described in the bat call identification report (Appendix D) the identification of bat echolocation calls recorded during surveys was undertaken with reference to Pennay et al. (2004) and in comparison with reference calls from the Western Plains region.

#### ***Opportunistic observations***

Opportunistic and incidental observations of fauna species were recorded at all times during field surveys, for instance fallen timber was scanned for reptiles, and rock fragments and logs were lifted to check for sheltering fauna, and habitat trees were scanned for roosting birds.

### **4.3 Likelihood of occurrence of threatened biota**

The 'likelihood of occurrence' assessment was refined based on the results obtained during the field survey. The likelihood of threatened biota occurring in the proposal footprint was assessed based on presence of records from the locality since 1980, species distribution and habitat preferences, and the suitability of potential habitat present in the proposal footprint. The results of this assessment are provided as Appendix E. Table 1 below provides a key to the 'likelihood of occurrence' assessment undertaken.

**Table 1 Key to 'likelihood of occurrence' assessments for threatened species**

<b>Likelihood</b>	<b>Definition</b>
<b>Known</b>	Species recorded in the subject site.
<b>Likely</b>	Species previously recorded within a 10-kilometre radius of the subject site and suitable habitat occurs within the subject site.
<b>Possible</b>	Species previously recorded within a 10-kilometre radius of the subject site but only marginal suitable habitat recorded, OR Species not previously recorded within a 10-kilometre radius of the subject site, but the proposal footprint is within the species known distribution and suitable habitat occurs within the subject site.
<b>Unlikely</b>	Species previously recorded within a 10-kilometre radius of the subject site but no suitable habitat recorded.
<b>Nil</b>	Species not previously recorded within a 10 kilometre radius of the subject site

### **4.4 Assessment of Significance of Impacts**

Assessments of the likely significance of impacts resulting from the proposal have been prepared in accordance with Section 1.7 (formerly 5AA) of the EP&A Act and the *Significant Impact Guidelines 1.1: Matters of National Environmental Significance* (DEWHA 2013) for threatened biota known or likely to occur within the proposal footprint and with potential to be impacted by the proposal, based on the results of the field survey. Assessments have only been undertaken for those species which may be impacted by the proposal. These assessments are presented as Appendix F (BC Act) and Appendix G (EPBC Act).

#### ***4.4.1 Survey conditions and limitations***

Results from field surveys were influenced by weather conditions prior to and during the surveys, the timing and duration of surveys undertaken, and field access constraints.



Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

### **Survey conditions**

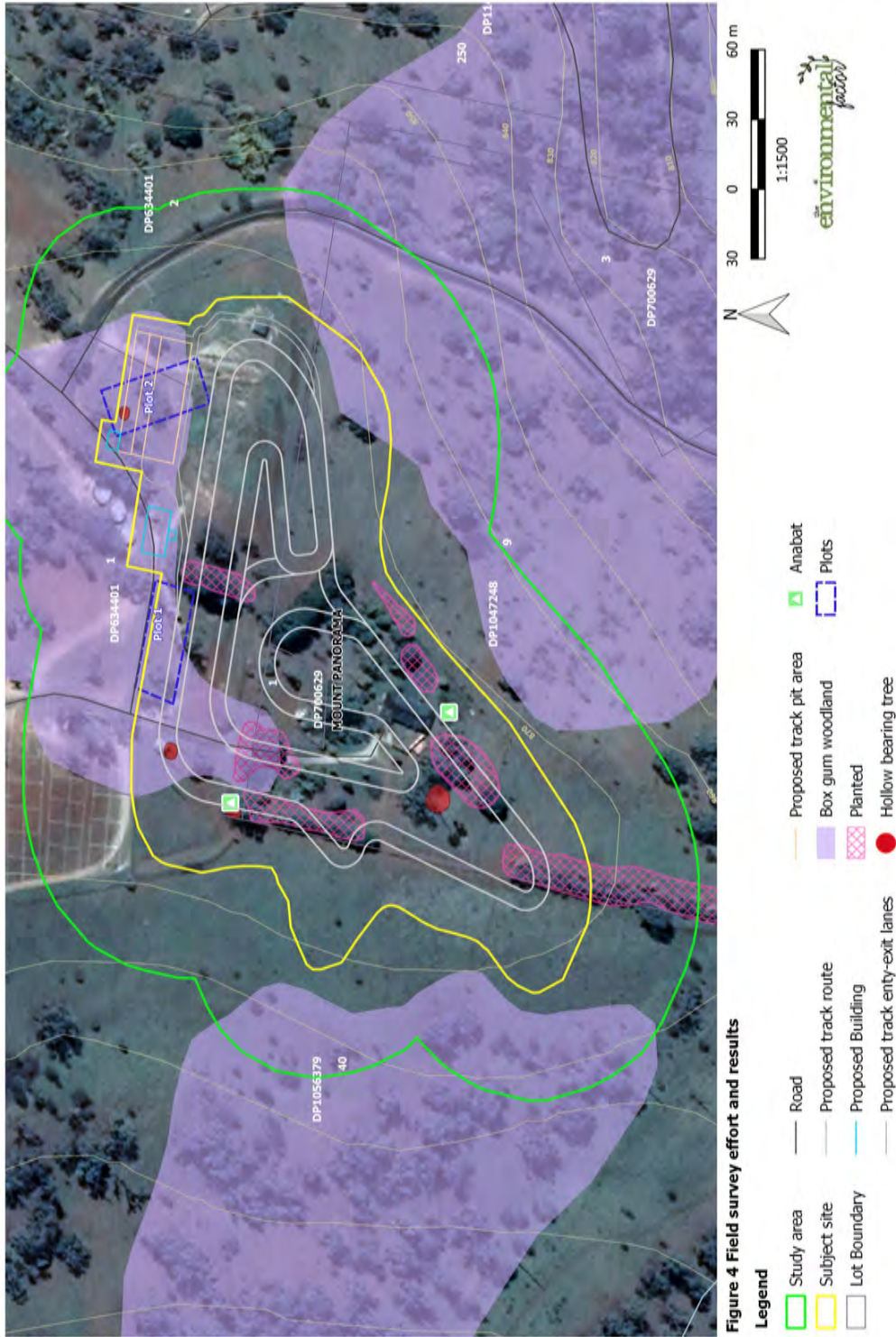
Survey conditions were warm and clear during the day, reaching a maximum recorded temperature of 24.3°C, while evenings were also clear and cool falling to a minimum of 0.5°C. Rain had preceded the survey the previous week, with some wind affecting Anabat call detection on the night of the 16<sup>th</sup> September 2018.

**Table 2 Weather conditions preceding and during field surveys (weather station: 063005 Bathurst)**

Date	Minimum temperature ( ° C)	Maximum temperature ( ° C)	Rain (mm)
1/9/18	7.5	11.8	12.4
2/9/18	2.5	14.4	0
3/9/18	5.8	12.9	0.2
4/9/18	6.3	14.3	0.6
5/9/18	4.5	16	0
6/9/18	6.5	17.6	1
7/9/18	9.2	16.5	<b>14.6</b>
8/9/18	8.2	15.5	<b>6.2</b>
9/9/18	1	15.5	<b>11.4</b>
10/9/18	3.2	19.9	0
11/9/18	3.1	21.5	0
12/9/18	6	23.2	0
13/9/18	4.5	22.5	0
14/9/18	2.5	22.3	0
15/9/18	1.8	<b>24.3</b>	0
16/9/18	<b>0.5</b>	11.3	0
<i>Average</i>	<i>3.83</i>	<i>17.55</i>	<i>2.58</i>

### **Survey limitations**

Given the limited survey effort and timing (early spring), it is likely that some species that occur in the study area either permanently, seasonally or transiently were not detected during the survey. These species may include annual, ephemeral or cryptic flora and fauna species; nocturnal fauna; birds and frogs which call at other times of year; and mobile or transient fauna in general. The habitat assessment conducted allows for identification of habitat resources for such species, in order to make an assessment of their likelihood of occurring within the study area. As such, the survey was not designed to detect all species, rather to provide an overall assessment of the ecological values within the proposal footprint. This information was used to predict potential impacts of the proposal on ecological values and to develop a detailed design and/or tailor mitigation measures to specifically avoid impacts on threatened ecological communities, and, known and potential habitat for threatened species, where practicable.



© 2018. Whilst every care has been taken to prepare this map, TEF make no representations or warranties about its accuracy, reliability, completeness or suitability for any particular purpose and cannot accept liability and responsibility for any kind (whether in contract, tort or otherwise) for any expenses, losses, damages and/or costs (including indirect or consequential damages) which are or may be incurred by any party as a result of the map being inaccurate, incomplete or unsuitable in any way and for any reason. Service Layer Credits: Source: Google Satellite (NSW LPI)

Figure 4 Field survey effort and habitat features recorded on site

## 5 RESULTS

### 5.1 Vegetation

Biometric Vegetation Type (BVT) mapping of the study area and surrounding locality was investigated (sourced from OEH data portal). The results of this database search are presented below.

The study area occurs on the higher gentle slopes of Mount Panorama. The study area was originally mapped as supporting Mountain Gum – Red Stringybark Open Forest at High Altitudes (BVT 4), however on-ground sampling undertaken by TEF confirmed the dominant canopy species present to be Yellow Box (*Eucalyptus melliodora*) and Apple Box (*E. bridgesiana*). No Mountain Gum (*E. dalrympleana*) or Red Stringybark *E. macrorhyncha* was detected within the study area.

Based on the site location, soils and native species present, the woodland vegetation has been reclassified as PCT 654 Apple Box - Yellow Box dry grassy woodland of the South Eastern Highlands Bioregion.

Table 3 Summary of vegetation types within the locality (5km)

Vegetation community (BVT mapping source)	Locality (5km)	NSW Status	EPBC Act status	Area within study area (ha)
Blakely's Red Gum - Yellow Box open-woodland of the tablelands	188.14	E	CE	3.74
Exotic / Planted	88.47			6.37
Blakely's Red Gum - Rough Barked Apple woodland on flats and alluvial terraces	0.04	E	CE	
Mountain Gum - Red Stringybark open-forest at high altitudes	181.90			
Scribbly Gum - Brittle Gum - Box woodland	302.78			
Stringybark - Box - Gum Woodland	48.43			
Yellow Box woodland on flats and alluvial terraces of the slopes	9.71	E	CE	
			Total	10.11

#### 5.1.1 Vegetation communities

##### **Apple Box - Yellow Box Dry Grassy Woodland**

Apple Box - Yellow Box dry grassy woodland is the dominant native vegetation type within the study area (**3.74ha**; Figure 4, Plate 1) and is largely in poor condition. The canopy is partly intact, however understory species diversity is low, and is likely to have been influenced by the adjacent and historical land uses, which include historical grazing by horses and other domestic and agricultural



quadruped species, and current grazing by macropods, residential dwelling and planting of introduced species (*Pinus radiata*, amongst others) and native species to create garden beds and wind break corridors (*Acacia dealbata* and *Brachychiton populeneus*).

Mid story was largely absent with the exception of Hickory Wattle *Acacia implexa* and consisted of introduced shrubs (*Cotoneaster* sp. and Hawthorn *Cractegus monogyna*) and planted Acacia species. The ground storey was dominated by native *Austrostipa* sp and *Rytidosperma* sp. (15-25% cover across plots) however during the time of survey a higher diversity of ground cover was found to be exotic (n=22; 76%).



Plate 1 Apple Box - Yellow Box dry grassy woodland



Plate 2 sparse ground vegetation with 45% litter cover



Plate 3 *Asperula conferta* in understory



Plate 4 several disturbance regimes compromising the condition of the Box Gum Woodland present

### **Exotic and planted vegetation**

The entire study area would historically have supported woodland vegetation but have been extensively modified, particularly in the paddock areas by clearing, grazing and weed encroachment. A variety of common agricultural weeds are prevalent across the site including the highly invasive Serrated Tussock (*Nassella trichotoma*), Common Horehound (*Marrubium vulgare*), Saffron Thistle (*Carthamus lanatus*) and Paterson's Curse (*Echium plantagineum*). It appeared that spraying of Serrated Tussock had occurred relatively recently prior to the site inspection.

Several stockpiles of fill were evident across the site (Plate 5). A residential property including house, fences and established garden beds are present which had been occupied until relatively recently (date occupancy ceased is unknown). Livestock, including cattle and horses, had previously grazed the fenced paddocks. These areas are highly disturbed and dominated by common agricultural weeds.



Plate 5 Stockpiled fill at discrete locations to the north of the study area



Plate 6 Planted rows of *Pinus radiata* and natives



Plate 7 Highly disturbed grazed paddocks



Plate 8 Unoccupied residential house

### 5.1.2 Environmental weeds

The study area contains a number of listed weeds for the Bathurst LGA, which are tabled below.

Table 4 Declared and listed weeds in the Bathurst LGA recorded during the field survey

Scientific Name	Common Name	Control Category	Control Notes
<i>Rubus fruticosus</i> species aggregate	Blackberry	WoNS State Priority Weed	<i>The growth of the plant must be managed in a manner that continuously inhibits the ability of the plant to spread and the plant must not be sold, propagated or knowingly distributed.</i>

Scientific Name	Common Name	Control Category	Control Notes
<i>Nassella trichotoma</i>	Serrated Tussock	WoNS State Priority Weed	General Biosecurity Duty (GBD) compliance; <i>Land managers mitigate the risk of the plant being introduced to their land. Land managers reduce impacts from the plant on priority assets.</i>



Plate 9 Saffron Thistle -common agricultural weed



Plate 10 Patterson's Curse -common agricultural weed



Plate 11 Blackberry WoNS



Plate 12 Serrated Tussock WoNS

## 5.2 Fauna

### 5.2.1 Fauna species

Thirty-three (33) fauna species were recorded within the study area. This included 13 bird species, 19 mammal species and up to 16 bat species. One of the mammal species (dog) is an introduced species.



A full list of fauna species recorded is provided as Appendix C. The Anabat bat call analyses are provided as Appendix D.

### 5.2.2 Fauna habitats

Myrtaceous trees, especially the rough barked species and mature smooth barked gums on site provide foraging resources for a range of birds, including cockatoos, parrots and honeyeaters, and other common arboreal mammals such as Common Brushtail Possums. Few honeyeater species were recorded during the survey, most likely due to the lack of flowering trees at the time of surveys. Birds that were recorded include: Crimson Rosella (*Platycercus elegans*), Eastern Rosella (*Platycercus eximius*), Spotted Pardalote (*Pardalotus punctatus*) and Noisy Miner (*Manorina melanocephala*).

Only a few trees on site were observed to contain hollows or fissures suitable for use by birds and microbats. The trees and stags with hollows however did support many different hollow sizes, ranging from small to medium opening diameter (~5 – 20cm). These hollows are suitable for small to medium sized fauna including parrots such as the Galah (*Eolophus roseicapillus*), Red-rumped Parrot (*Psephotus haematonotus*) and several species of microbat including the threatened Yellow-bellied Sheathtail Bat (*Saccolaimus flaviventris*).

Exotic plantings may also provide seasonal foraging resources in the form of pine cones favoured by parrots (Plate 10), and Hawthorn berries which have been known to be a winter foraging food for the threatened Gang-gang Cockatoo (*Callocephalon fimbriatum*).

Across the highly disturbed paddock to the south and west of the study area, there is plenty of surface rocks and open tussock spaces formed between Common Horehound plants. These open, yet sheltered areas provide ideal habitat for common reptiles.

Primary Koala feed trees present on site include Ribbon Gum (*Eucalyptus viminalis*) in small numbers (>15% canopy species). Secondary feed trees include Apple Box (*E. bridgesiana*) which occurs as one of the dominant canopy species. No Koalas, or signs of recent habitat use (e.g. scratchings or scats) were observed, however Mount Panorama is known to support a population of resident Koalas. Twenty-three (23) records of Koala occur within a 10km radius of the study area with open woodland vegetation adjacent to the study area providing connectivity to intact patches of woodland. Several existing fences and proximity to McPhillamy Park, which is regularly used by the public including for dog walking and camping, may reduce the likelihood of use of resources present within the study area.

Records are concentrated to the south of the study area and do not suggest that there is regular Koala movement through the study area. Resources present are limited to two *E.viminalis* trees and several secondary feed trees in the form of *E.bridgesiana*. The study area supports 'potential Koala habitat' however it is not expected that the local population of Koala will be dependent on resources present within the study area for survival.



Plate 13 Blakely's Red Gum containing several hollows



Plate 14 Nest present in study area



Plate 15 Chewed pine cones



Plate 16 Surface rocks providing habitat for reptiles

### 5.3 Conservation significance

A number of threatened and migratory biota were recorded during field surveys, including a threatened ecological community listed under the BC Act (formerly TSC Act). The status of these threatened biota and MNES within the subject site and study area is described below.

#### 5.3.1 Threatened ecological communities

Apple Box – Yellow Box Dry Grassy woodland is a plant community considered as part of the endangered ecological community listed in the schedules of the NSW TSC Act, / BC Act, namely the *White Box Yellow Box Blakely's Red Gum Woodland endangered ecological community*. This community is also listed under the Commonwealth EPBC Act as the *White Box-Yellow Box-Blakely's Red Gum grassy woodlands and derived native grasslands critically endangered ecological community*. This community is commonly referred to as Box-Gum Woodland. Box-Gum Woodland is widespread on the western slopes and tablelands of New South Wales and was formerly the dominant community in the region around Bathurst. Because it occurs on relatively deep, high fertility soils, historically it has been extensively cleared for cropping and grazing over its entire range.



Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

The Apple Box – Yellow Box Dry Grassy Woodland condition and extent on site was assessed against both state and federal listing criteria for Box Gum Woodland (refer Table 5 and Table 6 below).

The results of the condition criteria and extent assessments confirmed that the Box Gum Woodland present on site meets state but *not* federal threatened ecological community listing criteria.

The assessment for state listing criteria was completed in line with the current legislation (BC Act), as the criteria is consistent with that of the previous legislation (TSC Act) under which this FFA is being completed.

**Table 5 BC Act criteria for identification of Box Gum Woodland EEC within the study area (NPWS 2006 and DECC 2007)**

Criteria	Description	Does the site meet the criteria?
1	Is the site on the tablelands or western slopes of NSW?	Yes; the site is within these bioregions
2	Does the site contain, or would the site have recently been likely to contain, White Box, Yellow Box or Blakely's Red Gum?	Yes; the site contains both White Box and Blakely's Red Gum
3	Is the ground layer mainly grassy?	Yes
4	If the site has been degraded, is there potential for assisted natural regeneration of the tree layer or the understorey (e.g. by removing grazing, weeds, etc)?	Yes

**Table 6 EPBC Act criteria for the identification of Box-Gum Woodland CEEC within the study area (DEH 2008)**

Criteria	Description	Does the site meet the criteria?
1 and	Is, or was previously, at least one of the most common overstorey species White Box, Yellow Box or Blakey's Red Gum (or Western Grey Box or Coastal Grey Box in the Nandewar Bioregion)?	Yes; the site contains both Yellow Box and Blakely's Red Gum
2 and	Does the patch have a predominantly native understorey?	No
3 and	Is the patch 0.1 ha or greater in size?	Yes
4 and	There are 12 or more native understorey species present (excluding grasses). There must be at least one important species.	No
5 or	Is the patch 2ha or greater in size?	No



Criteria	Description	Does the site meet the criteria?
6	Does the patch have an average of 20 or more mature trees per hectare, or is there natural regeneration of the dominant overstorey eucalypts?	Yes

### 5.3.2 Threatened flora species

No threatened flora species are considered to have moderate – high likelihood of occurring within the study area. Searches across the entire study area did not detect any conspicuous threatened plants, and habitat condition across the site was overall too poor to support threatened flora.

### 5.3.3 Threatened fauna species

Five (5) threatened fauna species listed as vulnerable under the BC Act were potentially recorded:

- Eastern Bentwing (*Miniopterus orianae oceanensis*) – definite Anabat record
- Yellow-bellied Sheathtail Bat (*Saccolaimus flaviventris*) - definite Anabat record
- Corben’s Long-eared Bat (*Nyctophilus corbeni*) - probable Anabat record
- Large-footed Myotis (*Myotis macropus*) – probable Anabat record

In addition to the above recorded threatened species, the Koala (*Phascolarctos cinereus*) was also considered to have a moderate – high likelihood of utilising resources within the study area on occasion.

### 5.3.4 Migratory species

The study area would not represent an area of important habitat for the migratory species predicted to occur within the locality of the study area. The removal of **0.79 ha** of woodland and **3.57 ha** of exotic vegetation within the subject site would be highly unlikely to affect the lifecycle of an ecologically significant proportion of any of the identified migratory species.

The proposal would therefore be highly unlikely to result in a significant impact on any of the identified migratory species listed under the EPBC Act, and accordingly a formal assessment of significance has not been prepared for migratory species.

### 5.3.5 Other MNES

The listed additional MNES that are predicted to occur within the locality, are unlikely to be impacted by the proposal.

The assessment indicates that no Ramsar wetlands, World Heritage properties or marine areas occur within the locality of the study area.



## 6 IMPACT ASSESSMENT

This Section assesses the potential impacts of the proposal during construction and operation of the proposal on flora and fauna and their habitats.

### 6.1 Direct Impacts

#### 6.1.1 Vegetation clearing and construction impacts

Table 7 Extent of impact within the subject site and study area

Vegetation type	Locality (10km radius) (ha)	Study Area (ha)	Subject Site (ha)	Proportion of local population impacted within Study Area (%)	Proportion of local population impacted within Subject Site (%)
Blakely's Red Gum - Yellow Box open-woodland of the tablelands	2119.18	3.74	0.79	0.18%	0.04%
Exotic / Planted	400.77	6.37	3.57	1.59%	0.89%
Apple Box - Yellow Box - Mountain Gum open-woodland on flats and low hills of the central tablelands	72.34				
Blakely's Red Gum - Rough Barked Apple woodland on flats and alluvial terraces	26.79				
High altitude gum tall open-forest on fertile soils of the central tablelands	1.32				
Mountain Gum - Red Stringybark open-forest at high altitudes	183.22				
Natural grassland & shrubland - unclass. spp.	8.57				
Red Stringybark - Blakely's Red Gum - Yellow Box woodland	50.26				
Scribbly Gum - Brittle Gum - Box woodland	311.35				
Scribbly Gum woodland	18.27				
Stringybark - Box - Gum Woodland	111.22				





Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

Vegetation type	Locality (10km radius) (ha)	Study Area (ha)	Subject Site (ha)	Proportion of local population impacted within Study Area (%)	Proportion of local population impacted within Subject Site (%)
Yellow Box woodland on flats and alluvial terraces of the slopes	154.34				

Note: vegetation calculations based on OEH BVT mapping and ground truthed vegetation mapping within the study area

### 6.1.2 Fauna habitat removal

Direct impacts on biodiversity resulting from the proposal include:

- **Three (3)** trees containing approximately **eight (8)** hollows and **two (2)** stags suitable for nesting parrots, arboreal mammals and roosting microbats.
- Clearing of approximately **0.79 ha** Box Gum Woodland vegetation community in disturbed condition.
- Removal of surface rock habitat suitable for common reptile species.

### 6.1.3 Habitat fragmentation

The study area is located along the southern, upper slope of Mount Panorama immediately south of McPhillamy Park and the Mount Panorama motor racing circuit. The site is bound to the east by a sealed access road to the Bathurst Waste Management Centre, which is located approximately 500m to the south east.

The subject site is currently mostly fenced, which may pose a barrier and restrict movement for some fauna. However, highly mobile birds, microbats and several larger mammal species (e.g. macropods, foxes, possums) can move freely across the site.

The open woodland vegetation present within the study area forms part of a largely continuous local corridor which extends from the north-west from Evans Plains, connecting to Spring Creek and extending to the south-east towards the Waste Management Centre and further south towards Perthville.

The removal of **0.79 ha** of woodland vegetation adjacent to the regularly used McPhillamy Park is unlikely to affect connectivity for the already mobile species which are expected to frequent the study area, however seasonal heavy use of the site during operation with increased spectators, noise and vibration, and vehicle movements may further restrict mobility of fauna during these periods of active use as an international Go Kart racing circuit.

### 6.1.4 Fauna injury and mortality

The proposal has the potential to result in the injury or mortality of small terrestrial or arboreal fauna that may be sheltering in vegetation and tree hollows within the subject site such as small reptiles, arboreal mammals, and/or nesting and roosting birds and microbats. The proposal also includes the removal of potential foraging resources for a number of threatened fauna species including the Koala



which may intermittently occupy the study area; consequently, there is a minor risk that Koalas could be injured or killed as part of proposal.

Complete removal of existing vegetation within the subject site is unlikely to affect an ecologically significant proportion of local native populations; and, mobile fauna that can either easily move from the subject site or which only use resources on a temporary or seasonal basis are highly unlikely to be affected by the proposal. However, some nocturnal species, while mobile during night time foraging, may temporarily or permanently roost in native vegetation, hollow-bearing trees or in the abandoned house during daylight hours and may potentially be impacted, injured or killed by site preparation for the proposal, if pre-clearing surveys and removal efforts are not undertaken prior to clearance work commencing.

## 6.2 Indirect impacts

Indirect impacts resulting from the works include:

- Indirect impacts to an additional **2.95 ha** of Box gum Woodland through increased activity causing erosion, dust settling on foliage and potential weed introduction.
- Disturbance to nesting birds or arboreal mammals present within vegetation adjacent to the construction works could potentially result in nesting failure / abandonment.
- Soil compaction caused by heavy vehicles, machinery and stockpiling within the study area. These activities will be contained within grassy areas outside of the drip line of trees to be retained within the study area.

## 6.3 Key threatening processes

A key threatening process (KTP) is defined in the BC Act as an action, activity or proposal that:

- Adversely affects two or more threatened species, populations or ecological communities
- Could cause species, populations or ecological communities that are not currently threatened to become threatened.

There are currently thirty-eight (38) KTPs listed under the BC Act (OEH, 2018) and twenty-one (21) under the EPBC Act (DEE 2018). A number of KTPs are listed under more than one Act. Those KTPs potentially relevant to this proposal are discussed in Table 8 below. The proposal is highly unlikely to exacerbate any of the listed KTPs. Mitigation measures to limit the impacts of KTPs of relevance are discussed in Section 7.

**Table 8 Key threatened processes relevant to the proposal**

KTP	Status	Comment
Clearing of native vegetation	BC Act; EPBC Act	Clearing of native vegetation has occurred historically within and around the study area. The proposal would result in the clearing of <b>0.79 ha</b> of native vegetation which constitutes an EEC from within the subject site. The vegetation is in poor condition due to weed infestation and other edge effects. The clearing of this vegetation would comprise an increase in the operation of this KTP. The CEMP



KTP	Status	Comment
		would include measures to minimise impacts on native vegetation and potentially threatened fauna.
Clearing of hollow-bearing trees	BC Act	Approximately <b>3</b> hollow-bearing trees (containing approximately <b>8</b> hollows) and <b>2</b> stags will be removed by the proposal. The proposal would increase the operation of this KTP through the removal of these limiting habitat resources.
Removal of dead wood and dead trees	BC Act	Dead wood and dead trees occur at low quantities throughout the study area that would provide habitat resources for native fauna, including threatened species. The subject site contains stags and woody debris which would be removed as a result of the proposal. The proposal would increase the operation of this KTP.
Invasion of plant communities by perennial exotic grasses	BC Act	The proposal footprint features moderate to severe infestation with perennial exotic grasses. There is the potential for perennial exotic grasses to further invade native vegetation through disturbance during construction of the proposal. Mitigation measures outlined in Section 7 are likely to effectively limit the operation of this KTP.
Infection of native plants by <i>Phytophthora cinnamomi</i>	BC Act; EPBC Act	Construction activities have the potential to introduce the root-rot fungus <i>Phytophthora cinnamomi</i> into the broader study area, which could lead to dieback of vegetation. Mitigation measures are likely to effectively limit the operation of this KTP.
Introduction and establishment of Exotic Rust Fungi of the order Pucciniales pathogenic on plants of the family Myrtaceae	BC Act	Construction activities have the potential to introduce Myrtle Rust to the study area. Mitigation measures are likely to effectively limit the operation of this KTP.

#### 6.4 Impacts on listed threatened biota

Important habitat features present within the study area which may be relied upon by fauna include:

- Mature Eucalypts which provide foraging resources in the form of blossoms, sap and support mistletoe, as well as breeding and sheltering resources in the form of tree hollows.
- Hollow-bearing trees containing multiple tree hollows. Removal of tree hollows is listed as a Key Threatening Process (BC Act) (OEH 2018).

Assessments of Significance (TSC / BC Act) and Significant Impact Criteria (EPBC Act) have been prepared for species with a moderate or higher likelihood of utilising resources within the study area (Appendix F). These assessments conclude that a significant impact is not likely to occur for any of these species. Consequently, a Species Impact Statement (SIS) is not required.



Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

**Table 9 Summary of BC Act assessments of significance**

Common name	BC Act	Summary of assessment of significance
Yellow-bellied Sheathtail Bat	V	No significant impact
Eastern Bentwing Bat	V	No significant impact
Large Footed Myotis	V	No significant impact
Corben's Long-eared Bat	V	No significant impact
White Box Yellow Box Blakelys Red Gum Woodland	E	No significant impact
Koala	V	No significant impact

The results of the assessments of significance (Significant Impact Criteria assessments) with threatened species listed under the EPBC Act are provided in Table 10. The full assessments of significance for affected threatened biota listed under the EPBC Act are provided in Appendix G.

**Table 10 Summary of EPBC Act assessments of significance**

Common name	EPBC Act	Summary of Significant Impact Criteria assessments
Koala	V	No significant impact
Large-footed Myotis	V	No significant impact
Corben's Long-eared Bat	V	No significant impact



## 7 MITIGATION MEASURES

### 7.1 Avoiding and minimising impacts during design

The study area was strategically selected due to its location adjacent to the prominent Mt Panorama race circuit as well as proximal location to camping facilities for spectators at Mc Phillamy Park.

The study area contains **3.74ha** of Box gum Woodland, which is endangered under the BC Act. This ecological community was found to be in poor condition given historical and current land use practices which have left the study area heavily infested with weeds and with few native understory species.

### 7.2 Mitigation of impacts

- Clearly delineate vegetation to be removed with the assistance of an ecologist, or similarly qualified professional, and induct all site personnel as to the approved extent of clearing. No unmarked trees should be removed/trimmed or otherwise damaged as part of the proposed works.
- Locate stockpile sites away from drainage lines and native vegetation. Ensure these are appropriately stabilized
- Appropriate sediment reduction measures should be in place in accordance with the 'Blue Book' (Landcom 2004).
- Heavy vehicles are not to be parked under tree drip lines/ leaf canopy of trees to be retained within the study area to avoid compaction of soil.
- Where additional vegetation clearing is proposed this must first be assessed to consider the cumulative impacts and if appropriate supervised by a qualified ecologist and Council's Environmental Officer.
- All machinery and vehicles are to be clean and inspected prior to arriving on-site to reduce the spread of weeds and disease (*Phytophthora cinnamomic*) to the site.
- Declared noxious weed Blackberry is to be managed according to requirements under the *Biodiversity Security Act 2015*. It is recommended that this Weed of National Significance should be managed to ensure it does not spread.
- Prior to tree lopping / clearing, care should be taken to identify nests and / or roosting sites. If fauna habitat is present (nests or potential tree hollows) the Council or Council's appointed contractor would contact the project ecologist for further advice prior to clearing.
- To avoid nest abandonment, injury or death to native fauna it is recommended to time the works to occur following the fledging of active nests / roosts.
- Prior to clearing, a preclearance survey should be undertaken including inspection of hollows and nests to confirm occupation by fauna.
- Where trees to be removed contain hollows, nests or are inhabited by fauna, a staged clearing approach must be undertaken where hollow limbs are removed carefully and incrementally by a qualified tree surgeon / arborist. Care should be taken to inspect limbs for fauna prior to their removal.
- Where the two **(2)** stags and three **(3)** trees containing eight **(8)** hollows are removed, habitat supplementation is recommended through the installation of nestboxes or prepared hollow logs (3:1 ratio) to maintain habitat availability in adjacent woodland vegetation. Consult project ecologist to determine appropriate size and number and location to be erected.



- Place felled trees strategically and in proximity to the work site to provide refuge and potential habitat in the understorey.
- Undertake revegetation activities to offset the removal of the mature Eucalypts on site at a ratio of at least five tubestock per each tree removed (5:1). These should be planted across a **3.74ha** area to replace Box Gum Woodland impacted as a result of the proposal. In addition to this, a variety of species that complements the current community should be planted adjacent to existing remnant mature trees to supplement the habitat this woodland provides in the area.



## 8 CONCLUSION

The study area includes discrete areas of intact native vegetation and fauna habitats, together with areas disturbed by historical clearing, and stockpiling. Vegetation within the subject site is largely exotic with several Weeds of National Significance present. Away from these disturbed areas within the proposal footprint, the native vegetation is generally in poor condition with few native understory species present.

The proposal has considered the ecological constraints and includes specific design features to avoid impacts on native vegetation and important fauna habitats

The proposal would result in the following ecological impacts:

- The permanent removal of **0.79 ha** of White Box Yellow Box Blakely's Red Gum Woodland listed under the BC Act (formerly TSC Act).
- Removal of **3.57 ha** of exotic and planted vegetation including exotic Hawthorn and Pine trees which may provide over wintering foraging resources for native avian fauna.
- The removal of three (**3**) hollow bearing trees containing approximately eight (8) hollows and two (**2**) dead trees (stags) providing potential habitat for hollow depending fauna including threatened microbats.
- Reduction of **0.79 ha** woodland habitat for Koala (listed as Vulnerable under the BC and EPBC Acts) including the removal of two (**2**) Ribbon Gum trees listed as primary feed trees for the Central Tablelands region.
- Indirect impacts to **2.95 ha** of White Box Yellow Box Blakelys Red Gum Woodland vegetation listed under the BC Act (formerly TSC Act), and
- Potential injury or mortality of small, terrestrial fauna within the proposal footprint.

Based on the desktop assessment, site visit and habitat assessments undertaken the following affected threatened biota were identified:

- White Box Yellow Box Blakely's Red Gum Woodland listed as Endangered under the BC Act
- Koala (*Phascolarctos cinereus*; Vulnerable under BC / EPBC Act)
- Threatened microbats: Yellow-bellied Sheathtail Bat (*Saccolaimus flaviventris*; Vulnerable under BC Act), Eastern Bentwing-bat (*Miniopterus orianae oceanensis*; Vulnerable under BC Act); Large-footed Myotis (*Myotis Macropus*; Vulnerable under BC / EPBC Act); Corben's Large-eared Bat (*Nyctophilus corbeni*; Vulnerable under BC / EPBC Act).

Assessments of significance prepared in accordance with Section 1.7 (formerly 5AA) of the EP&A Act (Assessments of Significance) and the EPBC Act *Matters of National Environmental Significance – Assessment of significance guidelines* (DEWHA, 2009). These assessments have concluded that the proposal is unlikely to have a significant negative effect on the local populations of these threatened species and ecological community.

Specific mitigation measures are warranted to minimise the potential indirect impacts of the proposal on the natural environment outside of the proposal footprint during construction and operation. This would include preparing and implementing a CEMP, including erosion, sediment, habitat management and weed control measures to minimise the potential for adverse impacts on adjoining habitats.



## 9 REFERENCES

Department of Environment 2017, Matters of National Environmental Significance Significant impact guidelines 1.1 Environment Protection and Biodiversity Conservation Act 1999. <http://www.environment.gov.au/epbc/publications/significant-impact-guidelines-11-matters-national-environmental-significance>

Department of the Environment and Energy, 2018 Protected Matters Search Tool for MNES listed under the EPBC Act. <http://www.environment.gov.au/epbc/protected-matters-search-tool>

Department of Planning and the Environment Vegetation Regulatory Map accessed 9/10/18 <https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=NVRMap>

Department of Planning and the Environment Biodiversity Values Map accessed 9/10/18 <https://www.lmbc.nsw.gov.au/Maps/index.html?viewer=BVMap>

Landcom, 2004, Managing Urban Stormwater: Soils and Construction Volume 1, Landcom, Parramatta

NSW Local Land Services, 2017 Central Tablelands Regional Strategic Weed Management Plan 2017 – 2022 <http://www.midwestern.nsw.gov.au/globalassets/weeds/central-tablelands-regional-strategic-weed-management-plan-june-2017.pdf>

OEH 2018 NSW Bionet Atlas <http://www.bionet.nsw.gov.au/> accessed 2018

OEH 2018 NSW Bionet Atlas VIS database accessed 2018

OEH 2018 Key threatening processes <http://www.environment.nsw.gov.au/topics/animals-and-plants/threatened-species/about-threatened-species/key-threatening-processes>, accessed October 2018





## 10 APPENDICES

Appendix	Item
Appendix A	Design Drawings
Appendix B	Native Vegetation Mapping
Appendix C	List of species recorded
Appendix D	Bat identification analysis
Appendix E	Likelihood of occurrence assessment
Appendix F	NSW Test of Significance
Appendix G	MNES Significant Impact Criteria Assessments

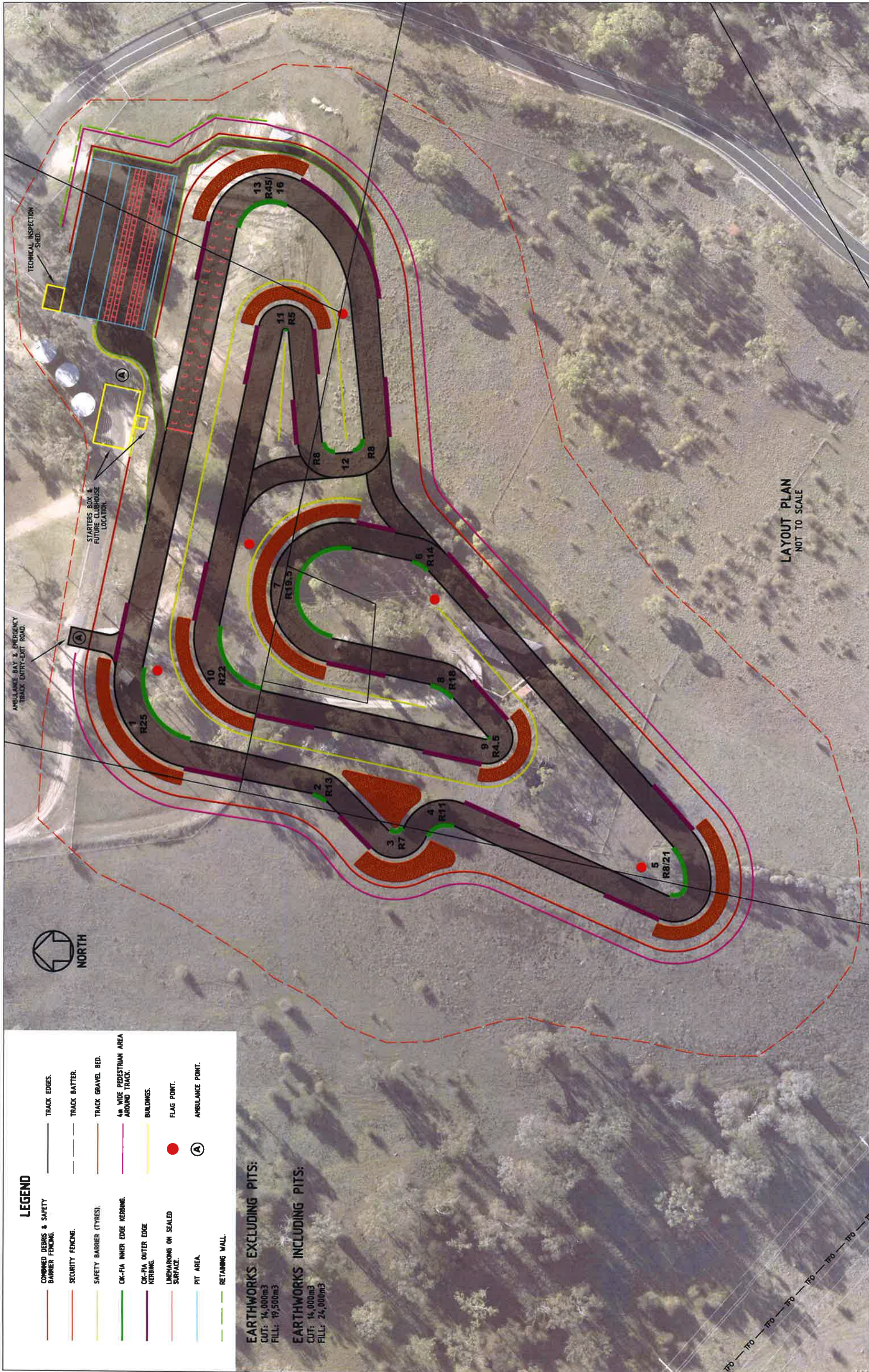


Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

---

## APPENDIX A PRELIMINARY LAYOUT DESIGN DRAWINGS

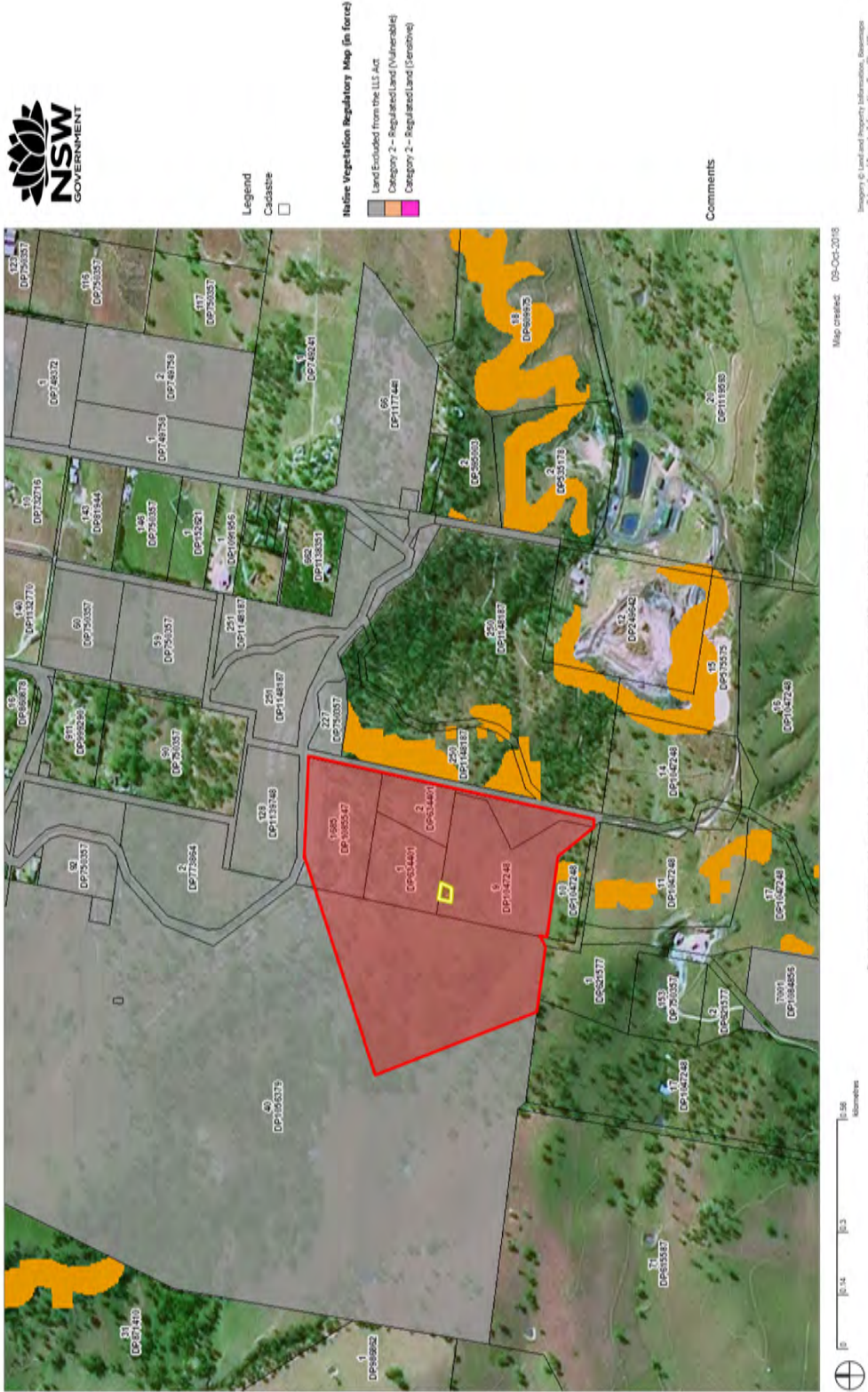
---





Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

# APPENDIX B NATIVE VEGETATION MAP





Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

## APPENDIX C SPECIES RECORDED ON SITE

Table 11 Flora species recorded within study area

Family	Scientific name	Common name	P1	Cover (%)	Abundance	P2	Cover (%)	Abundance	Exotic	Central Tablelands Regional Weed Strategy	Important spp for Box Gum Woodland TEC
Amaryllidaceae	<i>Narcissus pseudonarcissus</i>	Daffodil				*	0.1	5	*		
Asparagaceae	<i>Asparagus sp.</i>					*	0.1	5	*		
Asteraceae	<i>Arctotheca calendula</i>	Capeweed							*		
Asteraceae	<i>Carthamus lanatus</i>	Saffron Thistle							*		
Asteraceae	<i>Hypochoeris radicata</i>	Flatweed	*	0.1	10				*		
Asteraceae	<i>Onopordum acanthium</i>	Scotch Thistle							*	Community concern	
Asteraceae	<i>Soliva sessilis</i>	Bindi Weed				*	0.2	100	*		
Asteraceae	<i>Vittadinia sp</i>	New Holland Daisy	*	0.1	5						*
Asteraceae	<i>Conyza sp.</i>	Fleabane	*	0.1	4				*		
Boraginaceae	<i>Echium plantagineum</i>	Paterson's Curse							*		
Boraginaceae	<i>Heliotropium sp.</i>	Heliotrope	*	1	20	*	0.1	5	*	Community concern	
Brassicaceae	<i>Lepidium sp.</i>	Peppercress	*	0.1	10	*	0.1	30	*		



Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

Family	Scientific name	Common name	P1	Cover (%)	Abundance	P2	Cover (%)	Abundance	Exotic	Central Tablelands Regional Weed Strategy	Important spp for Box Gum Woodland TEC
Caryophyllaceae	<i>Spergularia rubra</i>		*	0.1	4				*		
Chenopodiaceae	<i>Einadia nutans</i>	Climbing Saltbush	*	0.1	30	*	0.1	5			
Cornaceae	<i>Cornus florida</i>	Dogwood							*		
Fabaceae	<i>Chamaecytisus palmensis</i>	Tagasaste							*		
Fabaceae	<i>Acacia dealbata</i>	Black Wattle									*
Fabaceae	<i>Acacia implexa</i>	Lightwood				*	5	6			
Fabaceae	<i>Medicago sp.</i>	Burr Medic	*	0.1	4	*	0.1	5	*		
Fabaceae	<i>Trifolium sp.</i>	Clover	*	0.1	2				*		
Haloragaceae	<i>Brassica sp.</i>	Yellow Top	*	3	100	*	0.1	10	*		
Hemerocallidaceae	<i>Dianella sp.</i>	Flax lily									*
Iridaceae	<i>Romulea rosea</i>	Onion Grass	*	0.1	100				*		
Lamiaceae	<i>Marrubium vulgare</i>	Common Horehound							*		
Lomandraceae	<i>Lomandra multiflora</i>	Lomandra	*	0.1	2	*	0.1	4			
Malvaceae	<i>Brachychiton populeneus</i>										
Malvaceae	<i>Malva sp.</i>	Mallow Weed							*		
Myrtaceae	<i>Eucalyptus bridgesiana</i>	Apple Box				*	3	1			*



Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

Family	Scientific name	Common name	P1	Cover (%)	Abundance	P2	Cover (%)	Abundance	Exotic	Central Tablelands Regional Weed Strategy	Important spp for Box Gum Woodland TEC
Myrtaceae	<i>Eucalyptus melliodora</i>	Yellow Box	*	10	9	*	15	3			*
Myrtaceae	<i>Eucalyptus viminalis</i>	Ribbon Gum									*
Myrtaceae	<i>Eucalyptus blakelyi</i>	Blakelys Red Gum									*
Oxalidaceae	<i>Oxalis perrenans</i>	Oxalis	*	0.1	1						
Pinaceae	<i>Pinus radiata</i>	Monterey Pine							*		
Plantaginaceae	<i>Plantago varia</i>	Plantain	*	10	500	*	0.2	200			
Poaceae	<i>Aurolastipa sp.</i>	Speargrass	*	15	300	*	25	350			*
Poaceae	<i>Elytrigia repens</i>	Couch	*	0.1	50	*	0.1	10	*		
Poaceae	<i>Nassella trichotoma</i>	Serrated Tussock							*	State level priority weed	
Poaceae	<i>Phalaris aquatica</i>	Bulbous Canary Grass	*	0.1	10	*	0.2	10		Weed of National Significance	
Poaceae	<i>Poa labillier</i>	Blue Grass	*	1	25	*	0.1	12	*		*
Poaceae	<i>Rytidosperma</i>	Wallaby Grass	*	1	25	*	0.1	10			*

Family	Scientific name	Common name	P1	Cover (%)	Abundance	P2	Cover (%)	Abundance	Exotic	Central Tablelands Regional Weed Strategy	Important spp for Box Gum Woodland TEC
Polygonaceae	<i>Rumex sp.</i>	Dock	*	0.1	1	*	0.1	5	*		
Primulaceae	<i>Anagallis arvensis</i>	Scarlet Pimpernel	*	0.1	10				*		
Rosaceae	<i>Cotoneaster sp.</i>	Cotoneaster							*		
Rosaceae	<i>Crataegus monogyna</i>	Hawthorn							*		
Rosaceae	<i>Prunus sp.</i>	Prunus							*		
Solanaceae	<i>Brunfelsia sp</i>	Brunfelsia sp							*		

Table 12 Fauna species recorded within study area

Key: O=Seen; W=Heard; AD=definite Anabat recording; AP=Probable Anabat recording; P=Indirect evidence (Burrow, scat, tracks etc)

Taxa	Family	Scientific name	Common name	Exotic	Obs. type	BC Act	EPBC Act
Ave	Accipitridae	<i>Aquila audax</i>	Wedge-tailed Eagle		O		
Ave	Anatidae	<i>Chenonetta jubata</i>	Australian Wood Duck		O		
Ave	Artamidae	<i>Cracticus nigrogularis</i>	Pied Butcherbird		W		
Ave	Artamidae	<i>Cracticus tibicen</i>	Australian Magpie		OW		
Ave	Cacatuidae	<i>Eolophus roseicapillus</i>	Galah		O		
Ave	Columbidae	<i>Ocyphaps lophotes</i>	Crested Pigeon		W		
Ave	Maluridae	<i>Malurus cyaneus</i>	Superb Fairywren		W		





Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

Taxa	Family	Scientific name	Common name	Exotic	Obs. type	BC Act	EPBC Act
Ave	Meliphagidae	<i>Manorina melanocephala</i>	Noisy Miner		OW		
Ave	Pardalotidae	<i>Pardalotus punctatus</i>	Spotted Pardalote		W		
Ave	Psittacidae	<i>Platycercus elegans</i>	Crimson Parrot		OW		
Ave	Psittacidae	<i>Platycercus eximius</i>	Eastern Rosella		W		
Ave	Psittacidae	<i>Psephotus haematonotus</i>	Red-rumped Parrot		W		
Ave	Rhipiduridae	<i>Rhipidura leucophrys</i>	Willy Wagtail		W		
Mammal	Canidae	<i>Canis lupis familiaris</i>	Dog	*	P		
Mammal	Emballonuridae	<i>Saccolaimus flaviventris</i>	Yellow-bellied Sheath-tailed Bat		AD	V	
Mammal	Macropodidae	<i>Macropus giganteus</i>	Eastern Grey Kangaroo		P		
Mammal	Macropodidae	<i>Notamacropus rufogriseus</i>	Red-necked Wallaby		P		
Mammal	Miniopteridae	<i>Miniopterus orianae oceanensis</i>	Eastern Bent-winged Bat		AD	V	
Mammal	Molossidae	<i>Austronomus australis</i>	White-striped Free-tailed Bat		AD		
Mammal	Molossidae	<i>Mormopterus planiceps</i>	Southern Free-tailed Bat		AD		
Mammal	Molossidae	<i>Mormopterus ridei</i>	Ride's Free-tailed Bat		AP		
Mammal	Phalangeridae	<i>Trichosurus vulpecula</i>	Brush-tail Possum		P		
Mammal	Vespertilionidae	<i>Chalinolobus gouldii</i>	Gould's Wattle Bat		AD		
Mammal	Vespertilionidae	<i>Chalinolobus morio</i>	Chocolate Wattle Bat		AD		
Mammal	Vespertilionidae	<i>Myotis macropus</i>	Large-footed Myotis		AP	V	V
Mammal	Vespertilionidae	<i>Nyctophilus corbeni</i>	Corben's Long-eared Bat		AP	V	V



Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

Taxa	Family	Scientific name	Common name	Exotic	Obs. type	BC Act	EPBC Act
Mammal	Vespertilionidae	<i>Nyctophilus geoffroyi</i>	Lesser long-eared bat		AP		
Mammal	Vespertilionidae	<i>Nyctophilus gouldi</i>	Gould's long-eared bat		AP		
Mammal	Vespertilionidae	<i>Scotorepens balstoni</i>	Inland Broad-nosed Bat		AP		
Mammal	Vespertilionidae	<i>Scotorepens greyii</i>	Little Broad-nosed Bat		AD		
Mammal	Vespertilionidae	<i>Vespadelus darlingtoni</i>	Large Forest Bat		AD		
Mammal	Vespertilionidae	<i>Vespadelus regulus</i>	Southern Forest Bat		AP		
Mammal	Vespertilionidae	<i>Vespadelus vulturnus</i>	Little Forest Bat		AP		



Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

---

## APPENDIX D BAT CALL ANALYSIS

---



**ECHO**  
ECOLOGY AND  
SURVEYING

## Bat Call Identification

**Mt Panorama, NSW**

Prepared for  
The Environmental Factor  
PO Box 268  
Bathurst, NSW, 2795

**Job Reference BC\_ENF5 - October 2018**



Bat Call Analysis  
Mt Panorama, NSW

This report has been prepared to document the analysis of digital ultrasonic bat echolocation calls received from a third party. The data was not collected by the author and as such no responsibility is taken for the quality of data collection or for the suitability of its subsequent use.

This report was authored by

A handwritten signature in black ink, appearing to read 'Anna McConville'.

**Dr Anna McConville**

PhD, B.Env.Sc.



## Contents

1.0	Introduction .....	1
2.0	Methods .....	1
2.1	Characteristics Used to Differentiate Species .....	2
3.0	Results .....	3
4.0	Sample Calls .....	6
5.0	References .....	8

## List of Tables

Table 3-1: Results of bat call analysis (number of passes per site per night) .....	4
---	---

## List of Figures

Figure 4-1: <i>Austronomus australis</i> definite call .....	6
Figure 4-2: <i>Chalinolobus gouldii</i> definite call .....	6
Figure 4-3: <i>Chalinolobus morio</i> definite call .....	6
Figure 4-4: <i>Miniopterus orianae oceanensis</i> probable call .....	7
Figure 4-5: <i>Mormopterus planiceps</i> definite call .....	7
Figure 4-6: <i>Saccolaimus flaviventris</i> definite call .....	7
Figure 4-7: <i>Scotorepens greyii</i> probable call .....	8
Figure 4-8: <i>Vespadelus darlingtoni</i> probable call .....	8



## 1.0 INTRODUCTION

This report has been commissioned by The Environmental Factor to analyse bat echolocation call data (Anabat, Titley Electronics) collected from Mt Panorama, NSW. Data was provided electronically to the author. This report documents the methods involved in analysing bat call data and the results obtained only.

## 2.0 METHODS

The identification of full spectrum bat echolocation calls recorded during surveys was undertaken using Anabat Insight (Titley Electronics, Version 1.1.3) software. The calls were recorded using Data Division Ratio 8. Calls were first run through a custom-made noise filter (EE\_bats) and this removed 837 noise files from consideration. The identification of calls was undertaken with reference to Pennay et al. (2004) and through the comparison of recorded reference calls from the western plains region. Reference calls were obtained from the NSW database and from the authors personal collection.

Each call sequence ('pass') was assigned to one of five categories, according to the confidence with which an identification could be made, being:

- Definite - Pass identified to species level and could not be confused with another species
- Probable - Pass identified to species level and there is a low chance of confusion with another species
- Possible - Pass identified to species level but short duration or poor quality of the pass increases the chance of confusion with another species
- Species group - Pass could not be identified to species level and could belong to one of two or more species. Occurs more frequently when passes are short or of poor quality
- Unknown - Either background 'noise' files or passes by bats which are too short and/or of poor quality to confidently identify.

Call sequences that were less than three pulses in length were not analysed and were assigned to 'Unknown' and only search phase calls were analysed. Furthermore, some species are difficult to differentiate using bat call analysis due to overlapping call



frequencies and similar shape of plotted calls and in these cases calls were assigned to species groups.

The total number of passes (call sequences) per unit per night was tallied to give an index of activity.

It should be noted that the activity levels recorded at different sites may not be readily able to be compared. Activity levels should not be compared among species as different species have different detectability due to factors such as call loudness, foraging strategy and call identifying features. Activity comparisons among sites are dependent on many variables which need to be carefully controlled during data collection and statistically analysed. Influential variables include wind, rain, temperature, duration of recording, season, detector and microphone sensitivity, detector placement, weather protection devices etc.

Nomenclature follows the Australian Chiroptera taxonomic list described by Reardon et al. (2015).

## 2.1 Characteristics Used to Differentiate Species

*Chalinolobus morio* calls were differentiated from those of *Vespadelus* sp. by the presence of a down-sweeping tail on the majority of pulses.

Calls from *Miniopterus orianae oceanensis* were differentiated from *Vespadelus* spp. by a combination of uneven consecutive pulses and the presence of down-sweeping tails. Long, high quality call sequences with more regularly-spaced consecutive pulses and fewer down-sweeping tails were assigned to *Vespadelus darlingtoni* or *Vespadelus regulus* depending on characteristic frequency.

Calls from *Mormopterus* spp. were differentiated by the presence of mainly flat pulses. Calls from *Mormopterus planiceps* were distinguished from *Mormopterus ridei* only where they do not overlap in characteristic frequency.

*Chalinolobus gouldii* was differentiated from other species by the presence of curved, alternating call pulses.

*Scotorepens balstoni* was differentiated from other species in long call sequences with curved pulses with little alternation.

*Myotis macropus*, *Nyctophilus corbeni*, *Nyctophilus geoffroyi* and *Nyctophilus gouldi* were unable to be differentiated.

*Saccolaimus flaviventris* and *Austronomus australis* were differentiated from other bat species on the basis of characteristic frequency.





### 3.0 RESULTS

A total of 2,602 call sequences were recorded, of which 142 call sequences were able to be analysed (ie were not 'noise' files or bat calls of short length). Of the bat calls, 83 call sequences (58 %) were able to be confidently identified (those classified as either definite or probable identifications) to species level (Table 3-1). Species recorded confidently within the site include:

- *Austronomus australis* (White-striped Free-tailed Bat)
- *Chalinolobus gouldii* (Gould's Wattled Bat)
- *Chalinolobus morio* (Chocolate Wattled Bat)
- *Miniopterus orianae oceanensis* (Eastern Bent-winged Bat)
- *Mormopterus planiceps* (Southern Free-tailed Bat)
- *Saccolaimus flaviventris* (Yellow-bellied Sheath-tailed Bat)
- *Scotorepens greyii* (Little Broad-nosed Bat)
- *Vespadelus darlingtoni* (Large Forest Bat)

Additionally, the following bat species potentially occurred within the site, but could not be confidently identified (those calls classified as possible or as a species group):

- *Mormopterus ridei* (Ride's Free-tailed Bat)
- *Myotis macropus* (Large-footed Myotis)
- *Nyctophilus corbeni* (Corben's Long-eared Bat)
- *Nyctophilus geoffroyi* (Lesser long-eared bat)
- *Nyctophilus gouldi* (Gould's long-eared bat)
- *Scotorepens balstoni* (Inland Broad-nosed Bat)
- *Vespadelus regulus* (Southern Forest Bat)
- *Vespadelus vulturinus* (Little Forest Bat)

It should be noted that additional bat species may be present within the site but were not recorded by the detectors (or are difficult to identify by bat call) and habitat assessment should be used in conjunction with these results to determine the likelihood of occurrence of other bat species.

Table 3-1 below summarises the results of the bat call analysis.



**Table 3-1: Results of bat call analysis (number of passes per site per night)**

IDENTIFICATION	Anabat 1 (near entrance) 14/09/2018	Anabat 1 (near entrance) 15/09/2018	Anabat 1 (near entrance) 16/09/2018	Anabat 2 (near house) 12/09/2018	Anabat 2 (near house) 15/09/2018
<b>DEFINITE</b>					
<i>Austronomus australis</i>	3	-	-	-	-
<i>Chalinolobus gouldii</i>	6	-	-	-	-
<i>Chalinolobus morio</i>	30	-	1	-	-
<i>Mormopterus planiceps</i>	10	-	-	-	-
<i>Saccolaimus flaviventris</i>	-	1	-	-	-
<b>PROBABLE</b>					
<i>Chalinolobus gouldii</i>	7	-	-	1	-
<i>Chalinolobus morio</i>	16	2	1	-	-
<i>Miniopterus orianae oceanensis</i>	1	-	1	-	-
<i>Mormopterus planiceps</i>	1	-	-	-	-
<i>Scotorepens greyii</i>	1	-	-	-	-
<i>Vespadelus darlingtoni</i>	1	-	-	-	-
<b>POSSIBLE</b>					
<i>Chalinolobus gouldii</i>	1	-	-	-	-
<b>SPECIES GROUPS</b>					
<i>Chalinolobus gouldii</i> / <i>Mormopterus planiceps</i>	13	1	-	-	-
<i>Chalinolobus gouldii</i> / <i>Mormopterus ridei</i> / <i>Mormopterus planiceps</i> / <i>Scotorepens balstoni</i>	7	-	-	-	-
<i>Chalinolobus gouldii</i> / <i>Scotorepens balstoni</i>	1	-	-	-	-
<i>Miniopterus orianae oceanensis</i> / <i>Vespadelus darlingtoni</i> / <i>Vespadelus regulus</i> / <i>Vespadelus vulturnus</i>	5	-	-	-	-



Bat Call Analysis  
Mt Panorama, NSW

IDENTIFICATION	Anabat 1 (near entrance) 14/09/2018	Anabat 1 (near entrance) 15/09/2018	Anabat 1 (near entrance) 16/09/2018	Anabat 2 (near house) 12/09/2018	Anabat 2 (near house) 15/09/2018
<i>Miniopterus orianae oceanensis</i> / <i>Vespadelus regulus</i> / <i>Vespadelus vulturnus</i>	15	-	-	-	-
<i>Miniopterus orianae oceanensis</i> / <i>Vespadelus vulturnus</i>	1	-	-	-	-
<i>Mormopterus ridei</i> / <i>Mormopterus planiceps</i>	1	-	-	-	-
<i>Myotis macropus</i> / <i>Nyctophilus corbeni</i> / <i>Nyctophilus geoffroyi</i> / <i>Nyctophilus gouldi</i>	4	-	1	-	-
<i>Vespadelus darlingtoni</i> / <i>Vespadelus regulus</i> / <i>Vespadelus vulturnus</i>	-	1	-	-	-
<i>Vespadelus darlingtoni</i> / <i>Vespadelus vulturnus</i>	8	-	-	-	-
<b>UNKNOWN</b>					
'Noise' files	35	233	2	29	1211
Unknown	112	1	-	-	-
<b>TOTAL</b>	<b>279</b>	<b>239</b>	<b>6</b>	<b>30</b>	<b>1211</b>



### 4.0 SAMPLE CALLS

A sample of the calls actually identified from the site for each species is given below.



Figure 4-1: *Austronomus australis* definite call



Figure 4-2: *Chalinolobus gouldii* definite call



Figure 4-3: *Chalinolobus morio* definite call



Figure 4-4: *Miniopterus orianae oceanensis* probable call

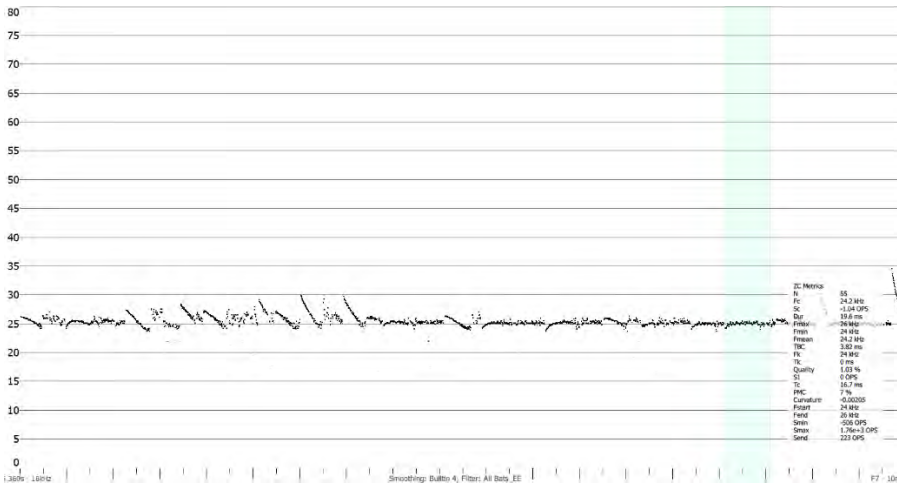


Figure 4-5: *Mormopterus planiceps* definite call



Figure 4-6: *Saccolaimus flaviventris* definite call



Bat Call Analysis  
Mt Panorama, NSW

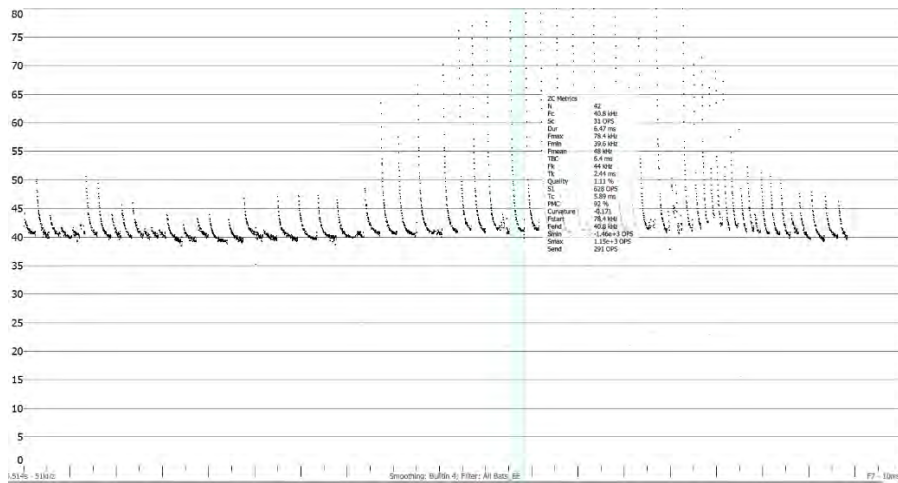


Figure 4-7: *Scotorepens greyii* probable call

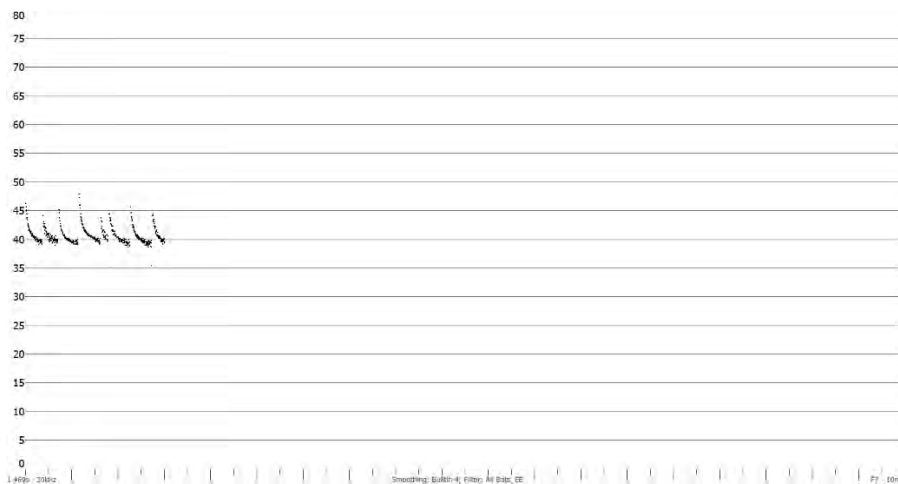


Figure 4-8: *Vespadelus darlingtoni* probable call

## 5.0 REFERENCES

Adams, M. D., Law, B.S., French, K.O. (2009). "Vegetation structure influences the vertical stratification of open- and edge-space aerial-foraging bats in harvested forests." *Forest Ecology and Management* 258(9): 2090-2100.

Adams, M. D., Law, B.S., French, K.O. (2010). Reliable automation of bat call identification for eastern New South Wales, Australia, using classification trees and AnaScheme software. *Acta Chiropterologica* 12(1): 231-245.

Australasian Bat Society Incorporated (undated) *Standards for reporting bat detector surveys*, [http://batcall.csu.edu.au/abs/issues/ABS\\_Anabat\\_survey\\_standards.pdf](http://batcall.csu.edu.au/abs/issues/ABS_Anabat_survey_standards.pdf)



Bat Call Analysis  
Mt Panorama, NSW

- Churchill, S. (2008). *Australian Bats*. Second Edition Allen & Unwin; Crows Nest, NSW.
- Law, B.S., Reinhold, L. and Pennay, M. (2002). Geographic variation in the echolocation calls of *Vespadelus* spp. (Vespertilionidae) from New South Wales and Queensland, Australia. *Acta Chiropterologica* 4: 201-215.
- Pennay, M., Law, B. and Reinhold, L. (2004). *Bat calls of New South Wales: Region based guide to the echolocation calls of Microchiropteran bats*. NSW Department of Environment and Conservation, Hurstville.
- Reardon, T., Armstrong, K., Jackson, S. (2015). *A current taxonomic list of Australian Chiroptera*, Australasian Bat Society, Inc. Version 2015-05-15.
- Reinhold, L., Law, B., Ford, G. and Pennay, M. (2001a). *Key to the bat calls of south-east Queensland and north-east New South Wales*. Queensland Department of Natural Resources and Mines, State Forests of New South Wales, University of Southern Queensland, and New South Wales National Parks and Wildlife Service, Australia.
- Reinhold, L., Herr, A., Lumsden, L., Reardon, T., Corben, C., Law, B., Prevett, P., Ford, G., Conole, L., Kutt, A., Milne, D. and Hoye, G. (2001b). Geographic variation in the echolocation calls of Gould's wattled bat *Chalinolobus gouldii*. *Australian Zoologist* 31: 618-624.
- Van Dyck, S. and Strahan, R. (Eds.) (2008). *The Mammals of Australia: Third Edition*. New Holland; Sydney.



Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

## APPENDIX E THREATENED BIOTA AND MNES 'LIKELIHOOD OF OCCURRENCE' ASSESSMENTS

The below assessment includes national and state significant species from the following sources:

- Atlas of NSW Wildlife (publicly available data accessed on 12/09/2018)
- DEE database (PMST accessed on 12/09/2018)
- Wildlife Atlas records: only records from 1980 or later were considered. The date of the last record is included for any species which have not been recorded
- Current survey
- Search area is 10 km radius.
- Not considered further pelagic seabirds, shorebirds, sandpipers, turtles, whales, sharks - no preferred marine or coastal habitat in study area.

All habitat information in this table is taken from NSW OEH and Commonwealth DEE Threatened Species profiles (OEH 2018 DEE 2018) unless otherwise stated. The codes used in this table are:

- CE – Critically Endangered
- E – Endangered
- V – Vulnerable
- EP – Endangered Population
- C – CAMBA
- J – JAMBA
- R – ROKAMBA
- CEEC – Critically Endangered Ecological Community
- EEC – Endangered Ecological Community

Likelihood	Definition
<b>Known</b>	Species recorded in the subject site.
<b>Likely</b>	Species previously recorded within a 10 kilometre radius of the subject site and suitable habitat occurs within the subject site.
<b>Possible</b>	Species previously recorded within a 10 kilometre radius of the subject site but only marginal suitable habitat recorded, OR Species not previously recorded within a 10 kilometre radius of the subject site, but the proposal footprint is within the species known distribution and suitable habitat occurs within the subject site.
<b>Unlikely</b>	Species previously recorded within a 10 kilometre radius of the subject site but no suitable habitat recorded.
<b>Nil</b>	Species not previously recorded within a 10 kilometre radius of the subject site
<b>Likelihood of impact by the proposal (subject site)</b>	
<b>Nil</b>	Species/ community will not be impacted by the proposal
<b>Low</b>	Species / community is unlikely to be impacted by the proposal.
<b>Moderate</b>	Species / community is known or likely to occur within the study area however the proposal does not impact on important habitat resources.





Go Kart Track Development, McPhillamy Park – Flora and Fauna Assessment

---

<b>High</b>	Species / community is known or likely to occur within the study area and the proposal will impact on important habitat resources.
-------------	--

All information in the following tables are taken from NSW OEH and Commonwealth DEE Threatened Species profiles (OEH 2018, DEE 2018, DEE 2018) unless otherwise stated. The codes used in this table are: CE – Critically endangered; E – endangered; V – vulnerable; EP – endangered Population; CEEC – Critically endangered Ecological Community; EEC – Endangered Ecological Community.

Table 13 Threatened Ecological Communities and species known or predicted from the locality, habitat association and suitable habitat present within the study area and subject site.

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<b>Amphibians</b>							
<i>Litoria aurea</i>	Green and Golden Bell Frog	V	E	The Green and Golden Bell Frog requires deep pools with fringing aquatic vegetation to breed. This species finds refuge beneath artificial debris, logs and rocks in proximity to breeding habitat.	BioNet, PMST	Unlikely	Nil
<i>Litoria booroolanensis</i>	Booroolong Frog	E	E	The Booroolong Frog inhabits riffle habitat in pristine rivers and streams. Water quality is important for this species as it does not tolerate high turbidity and pollution levels.	BioNet	Unlikely	Nil
<i>Litoria castanea</i>	Yellow-spotted Tree Frog	E	CE	The Yellow-spotted Tree Frog has similar habitat requirements to the other two Bell Frog species, including deep pools with fringing and emergent aquatic vegetation to breed and nearby refuge habitat to shelter.	PMST	Nil	Nil
<b>Birds</b>							

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<i>Anseranas semipalmata</i>	Maggie Goose		V	The Magpie Goose prefers shallow wetlands (less than 1 metre deep) with dense rushes and sedges. It forages on grasses, bulbs and rhizomes often seen in paddocks. It occurs on the floodplains of rivers with breeding occurring both during winter or summer dependent on rainfall, however breeding is unlikely in south-eastern NSW.	BioNet	Unlikely - Species has previously been recorded within a 10 km radius, however, no suitable habitat recorded.	Nil
<i>Anthoacera phrygia</i>	Regent Honeyeater	CE		The Regent Honeyeater is a migratory woodland bird moving across the landscape in response to climatic conditions and food availability. This species breeds has only three key breeding locations. The closest breeding colony is located near the Capertee Valley. This species prefers Box-Ironbark woodland and riparian forests particularly habitats with mature trees, high canopy cover and abundance of mistletoes.	PMST	Possible – marginal foraging habitat	Low
<i>Calidris ferruginea</i>	Curlew Sandpiper	CE, M		Mainly occur on intertidal mudflats in sheltered coastal areas, such as estuaries, bays, inlets and lagoons, and also around non-tidal swamps, lakes and lagoons near the coast, and ponds in saltworks and sewage farms. They are also recorded inland, though less often, including around ephemeral and	PMST	<b>Unlikely</b> - No water body nearby which is required by this species for foraging and breeding.	Nil

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<i>Callocephalon fimbriatum</i>	Gang-gang Cockatoo		V	permanent lakes, dams, waterholes and bore drains, usually with bare edges of mud or sand. The Gang-gang Cockatoo favours old growth forests for roosting and requires tree hollows for nesting. During summer it is found in tall mountain forests and wet sclerophyll forests while during winter it moves into drier woodlands and can be found in more urban areas.	BioNet	Possible – one suitable hollow bearing tree present and exotic winter foraging resources	Low
<i>Grantiella picta</i>	Painted Honeyeater	V		The Painted Honeyeater is typically rare throughout its range occupying dense dry open forests with an abundance of mistletoe.	PMST	Unlikely	Low
<i>Lathamus discolor</i>	Swift Parrot	CE		The Swift Parrot breeds in Tasmania and returns to the south-eastern mainland to forage over the cooler months (March – October). They move across the landscape to forage on lerp infestations or an abundance of eucalypt flowers. Preferred feed trees include <i>Eucalyptus robusta</i> , <i>Corymbia maculata</i> , <i>C. gummifera</i> , <i>E. sideroxylon</i> and <i>E. albens</i> .	PMST	Unlikely	Low
<i>Leipoa ocellata</i>	Malleefowl	V		The Malleefowl typically occupies mallee communities with a spinifex understory but occasionally uses woodlands with a denser	PMST	Nil	Nil

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<i>Melithreptus gularis gularis</i>	Black-chinned Honeyeater (eastern subspecies)		V	The Black-chinned Honeyeater occupies open woodland habitats and open forests of smooth gums, stringybarks, ironbarks and Casuarinas and Melaleucas. They require large foraging territories of woodland patches at least 5 hectares large.	BioNet	Unlikely	Low
<i>Numenius madagascariensis</i>	Eastern Curlew	CE, M		The Eastern Curlew is found on intertidal mudflats and sandflats, often with beds of seagrass, on sheltered coasts, especially estuaries, mangrove swamps, bays, harbours and lagoons. It is rarely found inland. The Eastern Curlew occurs only in our flyway, and about 75 per cent of the world's curlews winter in Australia.	PMST	Unlikely	Nil
<i>Polytelis swainsonii</i>	Superb Parrot	V		The Superb Parrot requires tree hollows to breed. They typically nest in colonies and return to the same location over generations. The closest known breeding colonies occur at Cowra. During the summer they return from wintering in northern NSW to breed, often in open box-woodland or isolated	PMST	Unlikely	Low

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<i>Rostratula australis</i>	Australian Painted-snipe	E		The Australian Painted Snipe occupies wetland and swamp habitats, preferring the fringes of swamps and dams with a cover of grasses, lignum or open timber. Breeding occurs anytime during spring and summer when conditions are favourable. It nests on the ground amongst tall vegetation.	PMST	Unlikely	Nil
<i>Stagonopleura guttata</i>	Diamond Firetail		V	The Diamond Firetail tends to occur in proximity to watercourses building small dome nests in shrubs and dense foliage. It is found within Box-Gum Woodlands, Snow Gum Woodlands, open forests, mallee, Natural Temperate Grassland and in secondary grasslands derived from other communities. This species forages on grasses, forbs and insects along the ground.	BioNet	Unlikely	Low
<b>Fish</b>							
<i>Maccullochella macquarieensis</i>	Trout Cod	E		The Trout Cod is endemic to the Murray Darling River system. The closest record occurs from the Macquarie River dating from 2006. This species requires deep water habitat with plenty of cover and	PMST	Nil	Nil

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<i>Maccullochella peelii</i>	Murray Cod	V		refuge including undercut banks, snags (large woody debris) and prefer waterways with relatively fast currents. They typically have small home ranges and remain in the same area.  The Murray Cod is known to occur within the Macquarie River and Lachlan Rivers. They move upstream to breed in small, clear, rocky streams with a variety of riffle and pool structure. At other times of the year they occupy large, slow-flowing often silty rivers of the Murray-Darling Basin. During this time they prefer habitats that provide adequate shelter in the form of deep holes vegetative cover, snags and overhanging vegetation.	PMST	Nil	Nil
<i>Macquaria australasica</i>	Macquarie Perch	E		This species of freshwater fish inhabits river and lake habitats, especially the upper reaches of rivers and their tributaries. Spawning occurs in spring and summer in shallow upland streams or flowing sections of river systems. This species is found in the upper reaches of the Lachlan, Murrumbidgee and Murray Rivers, and in parts of the Hawkesbury and Shoalhaven catchment areas. The species requires clear water with deep, rocky holes with abundant	PMST	Nil	Nil

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<b>Mammals</b>							
<i>Chalinolobus dwyeri</i>	Large-eared Pied Bat	V		The Large-eared Pied Bat primarily roosts beneath cliff overhangs, within disused mine shafts and may use tree hollows. Only two maternity roosts are known to occur within NSW. This species requires a combination of sandstone cliff for roosting habitat adjacent to Box-Gum Woodland or riparian corridors to provide appropriate foraging grounds.	PMST Anabat record	Likely – possible anabat recording	High
<i>Miniopterus schreibersii oceanensis</i>	Eastern Bentwing-bat	V		The Eastern Bentwing-bat relies on large maternity caves for breeding. Outside of the breeding season individuals disperse up to 300 km from the maternity cave and may occupy disused mines, storm-water tunnels, buildings and other man-made infrastructure. They tend to forage above the tree canopy throughout a variety of habitat types including urban areas.	Anabat record	Known	High
<i>Saccolaimus flaviventris</i>	Yellow-bellied	V		The Yellow-bellied Sheath-tail Bat is found throughout south-east Australia. It roosts in tree hollows and buildings and occasionally in mammal burrows where	Anabat record	Known	High



Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
	Sheath-tail bat			roost sites area scarce. When foraging for insects, flies high and fast over the forest canopy, but lower in more open country. Breeding has been recorded from December to mid-March, when a single young is born.			
Large-footed Myotis	<i>Myotis macropus</i>	V	V	The Southern Myotis roosts in tree hollows, mine shafts, storm water channels, buildings, under bridges as well as amongst dense emergent riparian vegetation. This species is strongly associated with waterways foraging for small fish and insects over streams by raking their feet across the water surface.	Anabat record	<b>Likely – possible anabat recording</b>	<b>High</b>
<i>Dasyurus maculatus</i>	Spotted-tailed Quoll	E	V	The Spotted-tailed Quoll has been recorded across a variety of habitats including rainforest, heath, woodlands and riparian forests. They require den sites found amongst fallen logs, small caves, rocky outcrops or within tree hollows to shelter and breed. Females occupy home ranges up to 750 ha while males' territories can extend up to 3500 ha.	BioNet, PMST	Possible	Low
Petaurus volans	Greater Glider	V		Found in tall eucalypt forests and woodlands. This species is dependent on large tracts of undisturbed	PMST	Unlikely	Low

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<i>Petrogale penicillata</i>	Brush-tailed Rock wallaby	V		tall forest with suitably large nesting hollows. Each animal requires approximately 1.5 ha of land. The Brush-tailed Rock Wallaby is found in fragmented populations throughout the Great Dividing Range. They live on rocky escarpments, granite outcrops and cliffs, which have caves and ledges facing north for warmth. They graze on native grasses, foliage, fruits of shrubs, roots and bark found in surrounding habitat.	PMST	Nil	Nil
<i>Phascolarctos cinereus</i>	Koala	V	V	The Koala occupies open eucalypt woodlands and forests feeding exclusively on preferred feed trees.	PMST	Likely	Moderate
<i>Pteropus poliocephalus</i>	Grey-headed Flying Fox	V		They Grey-headed Flying Fox roosts in conspicuous colonies often along watercourses. They forage on a range of fruits and blossoms travelling up to 50 km in an evening to feed.	PMST	Possible	Low
<b>Reptiles</b>							
<i>Aprasia parapulchella</i>	Pink-tailed Worm-lizard	V		The Pink-tailed Worm Lizard requires surface rocks typically occurring within native grasses under which to shelter and breed. They feed on invertebrates and have been observed to have a strong association with	PMST	Unlikely	Low

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<i>Delma impar</i>	Striped Legless Lizard	V		<p>ants and termites often using the burrows formed by these invertebrates.</p> <p>The Striped Legless Lizard is a grassland specialist. Potential habitat for the Striped Legless Lizard includes all areas which have, or once had, native grasslands or grassy woodlands (including derived grasslands) across the historical range of the species, provided that area retains suitable tussock structure, the soil is of appropriate type and structure, and the site has not had major disturbance such as ploughing. All occupied sites have a grassy ground cover, often with a mixture of native and exotic perennial and annual species of tussock-forming grasses (often &gt;20–50% cover). The species is now known to occur in some areas dominated by introduced species such as <i>Phalaris aquatica</i>, Serated Tussock (<i>Nasella trichotoma</i>) and <i>Hypochaeris radicata</i> and at sites with a history of grazing and pasture improvement. Striped Legless Lizards shelter in grass tussocks, thick ground cover, soil cracks, under rocks, spider burrows, and under ground debris such as timber. The majority of sites in Victoria and NSW occur on</p>	PMST	Unlikely	Low

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<b>Flora</b>							
<i>Dichanthium setosum</i>	Bluegrass	V		<i>Dichanthium setosum</i> occurs in heavy soils (predominantly cracking clays or alluvium, often in gilgai) in woodland or open woodland usually dominated by Acacia (brigalow) and/or Eucalyptus species. The climate is tropical to subtropical and markedly seasonal with the habitat drying out for part of the year.	PMST	Unlikely	Low
<i>Eucalyptus aggregata</i>	Black Gum	V	V	The Black Gum tends to grow on flats and in frost hollows on the lowest part of the landscape often adjacent to creeks and rivers. It occurs in open woodland with grassy understorey but can also occur as isolated paddock trees in modified or exotic pastures. It is a cold adapted eucalypt and grows in associated with other similar cold adapted species i.e. <i>Eucalyptus pauciflora</i> , <i>E. viminalis</i> , <i>E. rubida</i> , <i>E. stellulata</i> and <i>E. ovata</i> .	BioNet	Unlikely	Low

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<i>Eucalyptus pulverulenta</i>	Silver-leafed Gum	V	V	The Silver-leafed Gum occurs on hill crests and upper slopes at altitudes of 800-1000 m above sea level on well drained soils with rock outcrops. It tends to occur as an understory plant within open woodlands.	BioNet, PMST	Unlikely	Low
<i>Euphrasia arguta</i>		CE		<i>Euphrasia arguta</i> is a disturbance coloniser requiring some disturbance to allow germination to occur. This species is restricted to the Nundle State Forest but historically has been recorded along the plains and woodlands of Bathurst.	PMST	Unlikely	Low
<i>Lepidium hyssopifolium</i>	Aromatic Peppercress, Basalt Peppercress	E	E	A population of Aromatic Peppercress is known to occur on private property within the Bathurst area. This species tends to germinate following disturbance when open areas of bare ground provide suitable access to light without the competition from other species. It has been found within grassy Eucalypt woodlands, low open Casuarina woodlands as well as weed infested areas with high degradation and soil disturbance i.e. road and rail corridors.	BioNet, PMST	Unlikely	Low
<i>Leucochrysum albicans</i>	Hoary Sunray	E		The Hoary Sunray occurs in a wide variety of grassland, woodland and forest habitats, generally on relatively heavy soils, often on roadsides. It requires bare ground and disturbance for germination. In	PMST, P1, P2	Unlikely	Low

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
<i>var. tricolor</i>				NSW it currently occurs on the Southern Tablelands adjacent areas in an area roughly bounded by Albury, Bega and Goulburn, with a few scattered localities know from beyond this region.			
<i>Thesium australe</i>	Austral Toadflax	V		Australe Toadflax has been recorded from the Lithgow area to the east of Bathurst. This species does not tolerate high intensity grazing or dominate weeds such as Blackberry well. It occurs along coastal headlands or grassy woodland habitats inland. It is a root parasite plant with a strong association with Kangaroo Grass ( <i>Themeda australis</i> ).	PMST	Unlikely	Low
<b>Threatened Ecological Communities</b>							
	Natural Temperate Grassland of the South Eastern Highlands	CE		Natural temperate grassland is grassy vegetation dominated by moderately tall (25–50 cm) to tall (50–100 cm), dense to open tussock grasses in the genera <i>Austrodanthonia</i> , <i>Austrostipa</i> , <i>Bothriochloa</i> , <i>Poa</i> and <i>Themeda</i> . Up to 70% of all plant species may be forbs (i.e. herbaceous, non-grassy/non-grass-like plants). The community may be treeless or contain up to 10% cover of trees, shrubs or sedges. It occurs within the geographical region of the Southern Tablelands of NSW and the ACT at altitudes between 560 metres in	PMST	Unlikely	Nil

Scientific name	Common name	EPBC Act	NSW Status	Habitat	Nature of record	Likelihood of occurrence within study area	Likelihood of impact within study area
	White Box - Yellow Box - Blakely's Red Gum Grassy Woodland and Derived Native Grassland	CE	E	central and northern parts of its distribution and 1200 metres in the south. White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland can occur as either grassland or woodland is characterised by a species diverse understorey of grasses, herbs and sparse shrubs. Dominant canopy species include <i>Eucalyptus albens</i> , <i>E. melliodora</i> and <i>E. blakelyi</i> .	PMST	Known	High

Table 14 Migratory fauna known or predicted from locality, habitat association and likelihood of occurring at the site

Scientific Name	Common Name	Comm. status	Habitat Association	Nature Records	Likelihood of occurrence within site
<b>Migratory Marine</b>					
<i>Apus pacificus</i>	Fork-tailed Swift	M; Marine	Recorded in all regions of NSW. Non-breeding, and almost exclusively aerial while in Australia. Occurs over urban and rural areas as well as areas of native vegetation.	Species or species habitat likely to occur within area	Unlikely May forage on occasion high above the study area.
<i>Haliaeetus leucogaster</i>	White-bellied Sea-Eagle	M	Primarily coastal but may extend inland over major river systems. Breeds close to water, mainly in tall open forest/woodland but also in dense forest, rainforest, closed scrub or remnant trees. Usually forages over large expanses of open water, but also over open terrestrial habitats (e.g. grasslands).	Species or species habitat likely to occur within area	Unlikely
<i>Ardea ibis</i>	Cattle Egret	M; Marine	Occurs across NSW. Principal breeding sites are the central east coast from Newcastle to Bundaberg. Also breeds in major inland wetlands in north NSW (notably the Macquarie Marshes). Occurs in tropical and temperate grasslands, wooded lands and terrestrial wetlands. Uses predominately shallow, open and fresh wetlands with low emergent vegetation and abundant aquatic flora. Sometimes observed in swamps with tall emergent vegetation and commonly use areas of tall pasture in moist, low-lying areas.	Species or species habitat may occur within area	Unlikely



Scientific Name	Common Name	Comm. status	Habitat Association	Nature Records	Likelihood of occurrence within subject site
<i>Ardea modesta</i>	Eastern Great Egret	M; Marine listed as <i>Ardea alba</i>	Occurs across NSW. Within NSW there are breeding colonies within the Darling Riverine Plains and Riverina regions, and minor colonies across its range including the north and north-east of the state. Reported from a wide range of wetland habitats (for example inland and coastal, freshwater and saline, permanent and ephemeral, open and vegetated, large and small, natural and artificial).	Species or species habitat may occur within area.	Unlikely
<b>Migratory Wetland</b>					
<i>Gallinago hardwickii</i>	Latham's Snipe	M; Marine	Occurs along the coast and west of the great dividing range. Non breeding visitor to Australia. Inhabit permanent and ephemeral wetlands up to 2000 m asl. Typically in open, freshwater wetlands with low, dense vegetation (incl. swamps, flooded grasslands and heathlands). Can also occur in saline/brackish habitats and in modified or artificial habitats close to human activity.	Species or species habitat may occur within area.	Unlikely
<i>Calidris ferruginea</i>	Curlw Sandpiper	CE; Marine	Curlw Sandpipers mainly occur on intertidal mudflats in sheltered coastal areas, such as estuaries, bays, inlets and lagoons, and also around non-tidal swamps, lakes and lagoons near the coast, and ponds in saltworks and sewage farms.	Species or species habitat may occur within area.	Unlikely Study area is not near preferred coastal location.
<i>Numenius madagascariensis</i>	Eastern Curlew, Far Eastern Curlew	CE	During the non-breeding season in Australia, the eastern curlew is most commonly associated with sheltered coasts, especially estuaries, bays, harbours, inlets and coastal	Species or species habitat may occur within area.	Unlikely

## Appendix D – Assessments of Significance for State Listed Threatened Biota

Scientific Name	Common Name	Comm. status	Habitat Association	Nature Records	Likelihood of occurrence within subject site
Migratory Terrestrial			lagoons, with large intertidal mudflats or sandflats, often with beds of seagrass		No coastal habitats present.
<i>Hirundapus caudacutus</i>	White-throated Needletail	M; Marine	Recorded along NSW coast to the western slopes and occasionally from the inland plains. Breeds in northern hemisphere. Almost exclusively aerial while in Australia. Occur above most habitat types, but are more frequently recorded above more densely vegetated habitats (rainforest, open forest and heathland) than over woodland or treeless areas.	1 record within 10km of study area. Species or habitat likely to occur within area	Unlikely May forage on occasion high above the study area.
<i>Myiagra cyanoleuca</i>	Satin Flycatcher	M	In NSW widespread on and east of the Great Divide, sparsely scattered on the western slopes, very occasional records on the western plains. Inhabit heavily vegetated gullies in eucalypt-dominated forests and taller woodlands, often near wetlands and watercourses. On migration, occur in coastal forests, woodlands, mangroves and drier woodlands and open forests. Generally not in rainforests.	Species or species habitat likely to occur within area	Unlikely
<i>Motacilla flava</i>	Yellow Wagtail	M; Marine	The Yellow Wagtail is a rare visitor to Australia and may be recorded as a vagrant on occasion.	Species or species habitat may occur within area	Nil Rare visitor to the Central West CMA / LLS

Scientific Name	Common Name	Comm. status	Habitat Association	Nature Records	Likelihood of occurrence within site
<i>Merops ornatus</i>	Rainbow Bee-eater	M; Marine	Widespread across mainland Australia. Mainly inhabits open forests and woodlands and shrublands, often in proximity to permanent water. Also occurs in cleared/semi-cleared habitats including farmland and residential areas. Excavates a nest burrow in flat/sloping ground in banks of waterways, dams, roadside cuttings, gravel pits or cliff faces. Southern populations migrate north for winter after breeding	Species or species habitat may occur within area	Unlikely
<i>Rhipidura rufifrons</i>	Rufous Fantail	M; Marine	Found along NSW coast and ranges. Inhabits rainforest, dense wet forests, swamp woodlands and mangroves. During migration, it may be found in more open habitats or urban areas.	Species or species habitat likely to occur within area	Unlikely



## APPENDIX F TEST OF SIGNIFICANCE FOR STATE LISTED THREATENED BIOTA

*Biodiversity Conservation Act 2016* Part 7.3 (formerly TSC Act) sets out the following Test of Significance considerations which must be addressed to determine whether a significant impact is likely to occur.

The Test of Significance is a test for determining whether a proposed development or activity is likely to significantly affect threatened species or ecological communities, or their habitats.

---

### ***White Box Yellow Box Blakely's Red Gum Woodland – Endangered Ecological Community***

---

**In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,**

Not applicable to this Endangered Ecological Community.

**In the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:**

- I. **is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or**
- II. **is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,**

Approximately **37%** of the study area is White Box Yellow Box Blakely's Red Gum Woodland Endangered Ecological Community (Box Gum Woodland or BGW EEC), with the remainder comprised of cleared land with a high proportion of weeds (**59%**) and discrete areas of planted natives and exotics (**4%**).

Over 400 native plant species can form part of the BGW EEC, however the present site lacks diversity and complexity (minimal understorey recorded within the study area). The proposed Go Kart track involves direct impact to the entire subject site (**4.35 ha**) which includes removal of approximately **0.79 ha** of BGW EEC. The study area (50 m buffer on the subject site) includes an additional **2.95 ha** of BGW EEC which will potentially be subject to indirect impacts as part of works, including machinery movements, parking, dust and other air emissions, noise and vibration and other typical indirect impacts associated with construction activities.

Local occurrence of the BGW EEC is not likely to be placed at risk of extinction as a consequence of these works as the area to be removed constitutes only **0.18%** of the community within the locality (recorded BVT within 10km radius of study area).



## Appendix D – Assessments of Significance for State Listed Threatened Biota

Areas and proportions of vegetation to be impacted are presented in Table 1 below.

Table 15 Vegetation type and area at the proposed Go Kart track site.

Vegetation community	Locality (10km radius) (ha)	Study Area (ha)	Subject Site (ha)	Proportion of local population impacted within Study Area (%)	Proportion of local population impacted within Subject Site (%)
Blakely's Red Gum - Yellow Box open-woodland of the tablelands	2119.18	3.74	0.79	0.18	0.04
Exotic / Planted	400.77	6.37	3.57	1.59	0.89
Apple Box - Yellow Box - Mountain Gum open-woodland on flats and low hills of the central tablelands	72.34				
Blakely's Red Gum - Rough Barked Apple woodland on flats and alluvial terraces	26.79				
High altitude gum tall open-forest on fertile soils of the central tablelands	1.32				
Mountain Gum - Red Stringybark open-forest at high altitudes	183.22				
Natural grassland & shrubland - unclass. spp.	8.57				
Red Stringybark - Blakely's Red Gum - Yellow Box woodland	50.26				
Scribbly Gum - Brittle Gum - Box woodland	311.35				
Scribbly Gum woodland	18.27				
Stringybark - Box - Gum Woodland	111.22				
Yellow Box woodland on flats and alluvial terraces of the slopes	154.34				

**In relation to the habitat of a threatened species or ecological community:**

**(i) the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and**

**(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and**

**the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,**

The proposed Go Kart track will involve removal of approximately **0.79 ha** of Box Gum Woodland in heavily disturbed condition, as the current management regime for the site includes agriculture (grazing) to the south and west, mowing and public recreation to the north, and fragmentation by



access roads, housing and other infrastructure throughout. McPhillamy Park at the top of Mount Panorama, occurs adjacent to the study area and the existing international motor racing circuit located in the Mount Panorama Precinct. This area of BGW is located on the fringe of a larger tract of BGW EEC, mapped as extending up to **2119.18 ha** within a 10km radius of the site.

The importance of this tract of BGW to the long-term survival of the EEC in the locality is not high, given its patchy and disturbed nature. Existing land use and degradation of the site has resulted in low diversity and ecological complexity, and removal of a small proportion of this degraded woodland will not result in significant direct or indirect impacts to the surrounding vegetation. The surrounding areas have been developed for low density housing, agriculture and as part of camping facilities for the international motor racing circuit within the Mount Panorama precinct, and are already subject to impact such as weed incursions, erosion and structural changes, and substantial fragmentation from roads and other developments.

**Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),**

The site does not support any declared registered areas of outstanding biodiversity value (formerly critical habitat):

<https://www.environment.nsw.gov.au/criticalhabitat/CriticalHabitatProtectionByDoctype.htm>

**Whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.**

The following listed Key threatening processes have the potential to occur or increase as a result of the proposed Go Kart track, if appropriate mitigation measures are not implemented:

- Loss of hollow bearing trees
- Infection of native plants by *Phytophthora cinnamomic*.
- Introduction and establishment of exotic rust fungi of the order Pucciniales pathogenic on plants of the family Myrtaceae.
- Invasion and establishment of exotic vines and scramblers.
- Loss and degradation of native plant and animal habitat by invasion of escaped garden plants, including aquatic plants.
- Anthropogenic climate change
- Invasion of native plant communities by exotic perennial grasses

**Conclusion**

Based on the location, quality and area of BGW proposed to be cleared, the current disturbed state and management regime of the community on site, and the proposed application of strict mitigation measures during the construction phase of the Go Kart track, it is unlikely that the proposal will have a significant impact on the BGW community present.



**Threatened microbats - Yellow-bellied Sheathtail Bat *Saccolaimus flaviventris*, Eastern Bentwing-bat *Miniopterus schreibersii oceanensis*, Large-footed Myotis *Myotis macropus* and Corben's Long-eared Bat *Nyctophilus corbeni***

***These microbats have been grouped together based on similar habitat requirements occupying eucalypt forests and woodlands and three of these bats requiring tree hollows in which to breed and / or roost.***

**In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,**

The Yellow-bellied Sheathtail Bat and Eastern Bentwing-bat were both confidently recorded within the study area during the survey period based on anabat analyses. The Large-footed Myotis and Corben's Long-eared Bat were also recorded on anabat with a probable likelihood. Given the difficulty with positively differentiating *Nyctophilus* species by call alone a conservative approach has been taken and presence assumed within the study area.

The Yellow-bellied Sheathtail bat often roosts in hollows, either singly or in groups of up to six. It forages across a broad range of habitats across its very wide range (occurring throughout much of NSW), with and without trees; appears to defend an aerial territory. It had not been recorded within 10km of the study area previously.

The Eastern Bentwing-bat occurs along the east and north-west coasts of Australia. This species is essentially a cave bat but also utilises man-made structures (such as culverts, buildings, storm water tunnels) outside of breeding season. Breeding occurs from typically October to April where females congregate at maternity cave (OEH 2018). This species forages over forested areas, catching flying invertebrates. This species has not been known to use tree hollows for roosting.

Corben's Long-eared Bat occupies a variety of habitat types however is most closely associated with the Murray Darling Basin and Pilliga Scrub region forming the stronghold for the species. It has not been recorded within the Bathurst region previously. It roosts in tree hollows, crevices, and under loose bark.

The Large-footed Myotis (also known as the fishing bat) has also not been recorded within the locality and is known to forage and roost in proximity to waterbodies for aquatic insects and vertebrate prey. It is rarely found more than 100 km inland, except along major rivers. The Large-footed Myotis generally roost in groups of 10 - 15 close to water in caves, mine shafts, hollow-bearing trees, storm water channels, buildings, under bridges and in dense foliage.

The proposal involves the clearing of trees including the removal of **three (3)** hollow bearing trees containing approximately **eight (8)** hollows and **two (2)** stags. These trees may provide roosting and breeding habitat for each of these bats at some stage in their life history. While tree hollows and large culverts may support shelter and roost sites for Eastern Bentwing-bats on occasion (particularly males during the winter dispersal season). There are no known maternity colonies in the Central West CMA (OEH 2018), nor are there caves within the study area that would be suitable for breeding regardless.

The subject site would only comprise a small proportion of the home range of these wide-ranging bat species. These species are likely to forage throughout the study area but would not rely on these habitats solely given the large areas present within the study area an locality. While every measure would be taken to avoid direct fatalities and abandonment of juveniles, modified behaviour of



Appendix D – Assessments of Significance for State Listed Threatened Biota

---

individuals may occur. As such, the proposal is unlikely to place viable local populations of these species at risk of extinction.

**In the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:**

- I. is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or
- II. is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,

Not applicable to these threatened species.

**In relation to the habitat of a threatened species or ecological community:**

**(i) the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and**

**(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and**

**the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,**

Potential habitat for these microbats include the woodland habitat and open country within and adjacent to the study area. Approximately **0.79 ha** woodland habitat including **three (3)** hollow bearing trees and **two (2)** stags are proposed to be cleared. These trees provide potential roosting and foraging habitat for each of these species. The study contains a mixture of cleared land and eucalypt woodland. To the west and south of the study area are extensive areas of native open woodland vegetation persists, which supports potential habitat for these species.

Fragmentation from existing tracks, electricity easements and past agricultural activities is already present within the study area. These species are highly mobile and the proposed Go Kart development will not disrupt the dispersal capabilities of these bats. Large areas of high quality potential habitat will remain throughout the locality.

Hollow bearing trees provide important refuge and shelter for roosting microbats. The proposal will remove **4.35 ha** of foraging habitat (open country and woodland) (representing **<0.18%** of habitats available within the locality) and up to **three (3)** hollow bearing trees and **two (2)** stags, however this a small proportion of the habitat available throughout the locality and is not likely to be important for the long survival of these species.

**Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),**

The site does not support any declared registered areas of outstanding biodiversity value (formerly critical habitat):

<https://www.environment.nsw.gov.au/criticalhabitat/CriticalHabitatProtectionByDoctype.htm>

**Whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.**






---

 Appendix D – Assessments of Significance for State Listed Threatened Biota
 

---

The following listed Key threatening processes have the potential to occur or increase as a result of the proposed Go Kart track, if appropriate mitigation measures are not implemented:

- Loss of hollow bearing trees
- Infection of native plants by *Phytophthora cinnamomic*.
- Introduction and establishment of exotic rust fungi of the order Pucciniales pathogenic on plants of the family Myrtaceae.
- Invasion and establishment of exotic vines and scramblers.
- Loss and degradation of native plant and animal habitat by invasion of escaped garden plants, including aquatic plants.
- Anthropogenic climate change
- Invasion of native plant communities by exotic perennial grasses

### Conclusion

Given only a small area of habitat would be removed (<0.18% of foraging habitat within the locality), that supplementary habitat measures would be undertaken (installation of bat boxes / trees hollows) and that the pre clearing surveys would be undertaken to ensure no loss of life, the proposed works would be unlikely to result in a significant impact on the Yellow-bellied Sheathtail Bat, Large-footed Myotis, Corben's Long-eared Bat and the Eastern Bentwing-bat.

---

### *Koala Phascolarctos cinereus*

---

**In the case of a threatened species, whether the proposed development or activity is likely to have an adverse effect on the life cycle of the species such that a viable local population of the species is likely to be placed at risk of extinction,**

**Twenty-three (23)** records of Koala have been recorded within the surrounding 10km locality. The closest of these records occurs approximately 2 km to the east on a private property dating from spring 2002. The remainder of the records are largely to the south adjoining Perthville.

Based on records of Koala within the locality it is not suggestive that the study area forms part of a regular movement path for the local population. Consequently, the removal of **0.79ha** of woodland containing Koala feed trees is unlikely to remove important resources or disrupt connectivity with the Koala.

The Koala may occasionally traverse the throughout the study area but would not rely on these habitats solely given the large areas present within the locality. As such, the proposal is unlikely to place viable local populations of the Koala at risk of extinction.

**In the case of an endangered ecological community or critically endangered ecological community, whether the proposed development or activity:**

- I. **is likely to have an adverse effect on the extent of the ecological community such that its local occurrence is likely to be placed at risk of extinction, or**
- II. **is likely to substantially and adversely modify the composition of the ecological community such that its local occurrence is likely to be placed at risk of extinction,**

Not applicable to these threatened species.

---



**In relation to the habitat of a threatened species or ecological community:**

**(i) the extent to which habitat is likely to be removed or modified as a result of the proposed development or activity, and**

**(ii) whether an area of habitat is likely to become fragmented or isolated from other areas of habitat as a result of the proposed development or activity, and**

**the importance of the habitat to be removed, modified, fragmented or isolated to the long-term survival of the species or ecological community in the locality,**

Native vegetation within the study area consists of a mixture of primary and secondary feed trees associated with Apple Box Yellow Box-gum open woodland. No evidence of Koala (i.e. scats or scratch marks on trees) were observed during the surveys.

Two (2) *E. viminalis* primary feed trees were recorded on site. One of these occurs immediately adjacent to residential house with a former cultivated garden bed beneath. The dominant canopy species which occur sparsely through the study area are Yellow Box *E. melliodora* and Apple Box *E. bridgesiana*, both of which are secondary food tree species for the Koala within the Central and Southern Tablelands.

The study contains a mixture of cleared land and eucalypt woodland. To the west and south of the study area are extensive areas of native open woodland vegetation persists, which supports potential habitat for the Koala.

Fragmentation from existing tracks, electricity easements and past agricultural activities is already present within the study area. The study area and immediate surrounds are not known to support a regular Koala movement corridor. The proposed Go Kart development will not disrupt the dispersal capabilities of the Koala. Large areas of high quality potential habitat will remain throughout the locality.

The proposal will remove **0.79ha** of foraging habitat containing largely secondary feed tree species (representing **>0.1%** of habitats available within the locality). This a small proportion of the habitat available throughout the locality and is not likely to be important for the long survival of these species.

**Whether the proposed development or activity is likely to have an adverse effect on any declared area of outstanding biodiversity value (either directly or indirectly),**

The site does not support any declared registered areas of outstanding biodiversity value (formerly critical habitat):

<https://www.environment.nsw.gov.au/criticalhabitat/CriticalHabitatProtectionByDoctype.htm>

**Whether the proposed development or activity is or is part of a key threatening process or is likely to increase the impact of a key threatening process.**

The following listed Key threatening processes have the potential to occur or increase as a result of the proposed Go Kart track, if appropriate mitigation measures are not implemented:

- Loss of hollow bearing trees
- Infection of native plants by *Phytophthora cinnamomic*.



Appendix D – Assessments of Significance for State Listed Threatened Biota

---

- Introduction and establishment of exotic rust fungi of the order Pucciniales pathogenic on plants of the family Myrtaceae.
- Invasion and establishment of exotic vines and scramblers.
- Loss and degradation of native plant and animal habitat by invasion of escaped garden plants, including aquatic plants.
- Anthropogenic climate change
- Invasion of native plant communities by exotic perennial grasses

**Conclusion**

Given only a small area of habitat would be removed (>0.1% of foraging habitat within the locality), that supplementary habitat measures (revegetation with suitable species) would be undertaken and that the pre-clearing surveys would be undertaken to ensure no loss of life, the proposed works would be unlikely to result in a significant impact on the Koala.



## APPENDIX G EPBC ACT SIGNIFICANT IMPACT CRITERIA ASSESSMENTS

### EPBC Act Significant Impact Criteria Assessments

Species listed as Vulnerable under the EPBC Act – Large-footed Myotis & Corben's Long-eared Bat	
Criteria	Comments
<p><i>According to the DEWHA (2009) Significant Impact Guidelines, an action is likely to have a significant impact on a vulnerable species if there is a real chance or possibility that it will:</i></p> <p>i) <i>lead to a long-term decrease in the size of an important population of a species;</i></p>	<p>The Large-footed Myotis and Corben's Long-eared Bat were detected as probable anabat recordings during the three (3) nights of anabat survey. It is difficult to confidently differentiate Nyctophilus species calls and a conservative approach has been taken to assume presence within the study area however there have been no confirmed records of this species within the Bathurst region previously. Similarly, the Large-footed Myotis is generally associated with waterbodies and a local population is unlikely to be reliant on resources within the study area. For these reasons this assessment has determine that there are no important populations of either species that would be at risk as a result of the proposal.</p>
<p>ii) <i>reduce the area of occupancy of an important population;</i></p>	No known important populations present
<p>iii) <i>fragment an existing important population into two or more populations;</i></p>	No known important populations present
<p>iv) <i>adversely affect habitat critical to the survival of a species</i></p>	No critical habitat declared however the proposal will remove three (3) hollow bearing trees which are an important habitat resource for the Large-footed Myotis.
<p>v) <i>disrupt the breeding cycle of an important population;</i></p>	No known important populations present
<p>vi) <i>modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline;</i></p>	The proposal requires the removal of <b>0.79 ha</b> of woodland vegetation in poor condition. This represents <b>&lt;0.18%</b> of similar habitats within the locality. The removal of this habitat is unlikely to decrease the availability or quality of habitat such that a local population of either species would decline.
<p>vii) <i>result in invasive species that are harmful to a vulnerable species becoming established in the vulnerable species' habitat;</i></p>	The proposal will follow strict hygiene protocols to manage potential invasive weeds / species. These measures should prevent harmful species becoming established in the study area.
<p>viii) <i>introduce disease that may cause the species to decline; or</i></p>	The proposal will follow strict hygiene protocols to manage potential diseases and invasive weeds / species. These measures should prevent diseases becoming established in the study area.



Species listed as Vulnerable under the EPBC Act – Large-footed Myotis & Corben’s Long-eared Bat	
Criteria	Comments
ix) <i>interfere substantially with the recovery of a species.</i>	The removal of native vegetation and hollow bearing trees are listed Key Threatening Processes which will occur as part of the proposal. Although minor (removal of <b>0.79ha</b> vegetation and three hollow bearing trees) supplementary habitat actions have been included as part of these works to ensure minimal loss of habitat. Consequently the works are unlikely to interfere with the recovery of these species.
Conclusion	Given only a small area of habitat would be removed ( <b>0.18%</b> of similar habitats within the locality and <b>three (3)</b> hollow bearing trees), that supplementary habitat measures (revegetation with suitable species) would be undertaken and that the pre-clearing surveys would ensure no loss of life, the proposed works would be unlikely to result in a significant impact on Corben’s Long-eared Bat or Large-footed Myotis.

Species listed as Vulnerable under the EPBC Act - Koala	
Criteria	Comments
<p>According to the DEWHA (2009) Significant Impact Guidelines, an action is likely to have a significant impact on a vulnerable species if there is a real chance or possibility that it will:</p> <p>x) <i>lead to a long-term decrease in the size of an important population of a species;</i></p>	<p>Twenty-three (23) records of Koala occur within 10km of the study area including recent records. The closest record occurs approximately 2 km east dating from 2002. The majority of these records occur to the south of the site adjoining Perthville where there is a known and regionally important population.</p> <p>The study area is dominated by secondary Koala feed trees (Yellow Box / Apple Box) with only two primary feed trees Ribbon Gum.</p> <p>Based on the records of Koala sightings and lack of any evidence of Koala recent habitation (scats, scratches), the study area is not known to support regular Koala occupation or transit pathway. Therefore the proposal is unlikely to lead to a long-term decrease in the size of the important population of Koala in the locality.</p>
xi) <i>reduce the area of occupancy of an important population;</i>	The removal of habitat is restricted to poor quality Box Gum Woodland ( <b>0.79ha</b> ) adjoining McPhillamy Park and the Bathurst international raceway to the north. Based on the records of Koala, the population present on Mt Panorama does not regularly extend to the Study Area and McPhillamy Park. Therefore the proposal would not be reducing the area of occupancy for the important Koala population present.
xii) <i>fragment an existing important population into two or more populations;</i>	The proposal would remove <b>0.79ha</b> of woodland adjoining McPhillamy Park to the north. Records of Koala are concentrated approximately 8km to the south. The proposal is not expected to fragment the existing population.



## Appendix E – EPBC Act Significant Impact Criteria Assessments

Species listed as Vulnerable under the EPBC Act - Koala	
Criteria	Comments
xiii) <i>adversely affect habitat critical to the survival of a species</i>	The loss of > 2 ha of habitat critical to the survival may have a significant impact on the koala for the purposes of the EPBC Act. Furthermore the study area is unlikely to support critical habitat for the Koala given the existing pressures in the adjacent McPhillamy Park which are expected to increase further over time i.e. dog walking, human occupation, littering, feed tree die back and existing edge effects.
xiv) <i>disrupt the breeding cycle of an important population;</i>	The study area is not expected to support a regular transit route for Koala movement or satisfactory resources to support Koalas over a medium to long-term duration of the breeding season.
xv) <i>modify, destroy, remove or isolate or decrease the availability or quality of habitat to the extent that the species is likely to decline;</i>	The proposal requires the removal of <b>0.79ha</b> of woodland vegetation dominated by secondary Koala feed trees. The removal of this habitat represents <b>&gt;0.18%</b> of similar habitat within the locality. This habitat removal is unlikely to lead the species to decline.
xvi) <i>result in invasive species that are harmful to a vulnerable species becoming established in the vulnerable species' habitat;</i>	The proposal will follow strict hygiene protocols to manage potential invasive weeds / species. These measures should prevent harmful species becoming established in the study area.
xvii) <i>introduce disease that may cause the species to decline; or</i>	The proposal will follow strict hygiene protocols to manage potential diseases and invasive weeds / species. These measures should prevent diseases becoming established in the study area.
xviii) <i>interfere substantially with the recovery of a species.</i>	The removal of native vegetation and hollow bearing trees are listed Key Threatening Processes which will occur as part of the proposal. Although minor (removal of <b>0.79ha</b> vegetation) supplementary habitat actions have been included as part of these works to ensure minimal loss of habitat. Consequently the works are unlikely to interfere with the recovery of this species.
<i>Conclusion</i>	Given only a small area of habitat would be removed ( <b>0.79ha</b> representing <b>&gt;0.18%</b> of similar habitats within the locality), that supplementary habitat measures (revegetation with suitable species) would be undertaken adjacent to the study area and that the pre-clearing surveys would ensure no loss of life, the proposed works would be unlikely to result in a significant impact on the Koala.

2015/196-003/00



**Fwd: FW: Development Application No. 2015/196 - modification to development application for recreation facility - go kart track and associated infrastructure**

**Jade Flynn** to: Louise.Windsor, EPB.Secretary,  
david.sherley, council

25/10/2018 01:47 PM

Cc: Malllyan, Dinawan, Wirribee Carr-Smith

From: Jade Flynn <jadeyanha@gmail.com>

To: Louise.Windsor@bathurst.nsw.gov.au, EPB.Secretary@bathurst.nsw.gov.au,  
david.sherley@bathurst.nsw.gov.au, council@bathurst.nsw.gov.au

Cc: Malllyan <bringail@westnet.com.au>, Dinawan <bill.allen47@yahoo.com.au>, Wirribee Carr-Smith <mummad\_21@hotmail.com>

Dear Louise, I can confirm receipt of the attached file 0543\_001.pdf.

The Bathurst Wiradyuri and Aboriginal Community Elders and Bathurst Wiradyuri Traditional Owners unequivocally oppose the development of Bathurst Go Kart (DA 2015/196) Track located at Mount Panorama Brock Skyline, Mount Panorama Lot 1 DP:634401 Lot 2 DP:633401 Lot 9 DP:1047248 Lot 1 DP:700629 Lot 40 DP:1056379. The proposed development is located on a known Aboriginal site relating to Womens lore and ceremony. There is a registered site card (44-3-0182-1 WAHLUU WOMENS SITE) in the direct vicinity of the proposed development.

The whole of Wahluu/Mt Panorama is subject to being gazetted as an 'Aboriginal Place' through the Office of Environment and Heritage which is currently under ongoing consideration with OEH.

Yours faithfully

Yanhadarrambal Jade Flynn  
0450496916  
PO BOX 9108 Bathurst West NSW 2795

On 25/10/18, 8:48 am, "[Louise.Windsor@bathurst.nsw.gov.au](mailto:Louise.Windsor@bathurst.nsw.gov.au) on behalf of [EPB.Secretary@bathurst.nsw.gov.au](mailto:EPB.Secretary@bathurst.nsw.gov.au)" <[Louise.Windsor@bathurst.nsw.gov.au](mailto:Louise.Windsor@bathurst.nsw.gov.au) on behalf of [EPB.Secretary@bathurst.nsw.gov.au](mailto:EPB.Secretary@bathurst.nsw.gov.au)> wrote:

>  
>Please find letter in relation to the above mentioned DA attached:  
>  
>  
>(See attached file: 0543\_001.pdf)  
>

>  
 >  
 >Louise Windsor  
 >Planning & Development Assistant  
 >Bathurst Regional Council  
 >158 Russell Street Bathurst 2795  
 >Phone: 02 6333 6211  
 >Fax: 02 6332 9960  
 >[www.bathurst.nsw.gov.au](http://www.bathurst.nsw.gov.au)

>--  
 >\*\*\*\*\*

>"This message is intended for the addressee named and may contain  
 >confidential information. If you are not the intended recipient,  
 >please delete it and notify the sender. Views expressed in this  
 >message are those of the individual sender, and are not necessarily  
 >the views of Bathurst Regional Council, unless otherwise stated.  
 >For the purposes of the Copyright Act, the permission of the holder  
 >of copyright in this communication may be taken to have been granted,  
 >unless stated otherwise, for the copying or forwarding of this  
 >message, as long as both the content of this communication and  
 >the purpose for which it is copied or forwarded are work related."

>\*\*\*\*\*  
 >  
 >  
 >

--

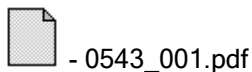
Mandang Guuwu! (thank you!)

Yanhadarrambal Jade

Gunhigal Mayiny Wiradyuri-Dyilang Enterprise

ABN: 912 637 49091  
 VENDOR NUMBER 0100455357

[Report this message as spam](#)







Civic Centre  
158 Russell Street  
Private Mail Bag 17  
Bathurst NSW 2795

Telephone 02 6333 6111  
Facsimile 02 6331 7211  
council@bathurst.nsw.gov.au  
www.bathurst.nsw.gov.au

24 October 2018

Mr Jade Flynn  
Bathurst Wiradyuri and Aboriginal Community Elders  
Email: jflynn@csu.edu.au

Dear Mr Flynn

**Development Application No 2015/196**

**Proposed Development: Modification to development application 2015/196 for recreation facility - go kart track and associated infrastructure**

**Premises: Lot 1 DP634401, Lot 2 DP634401, Lot 1 DP700629, Lot 9 DP1047248, Lot 40 DP1056379, Brocks Skyline MOUNT PANORAMA,**

**Name of applicant: Bathurst Regional Council**

Council has received a modification application for the above proposed development.

Plans and documentation submitted with this application can be viewed on Council's online DA tracking system (<http://masterview.bathurst.nsw.gov.au>). Alternately you can inspect the application at Council's Environmental, Planning & Building Services Department, Civic Centre, 158 Russell Street, Bathurst between 8:30am and 4:45pm Monday to Friday (public holidays excepted) between 29 October to 8 November 2018. Please note that residential floor plans are excluded from the DA tracking system but are available to view at Council's offices.

The proposal is brought to your attention to enable you to make a submission, in writing, to the Council should you so desire. *However, a reply is not necessary if you do not want to make a submission concerning the proposal.*

**Any submission that you wish to make to Council must be in writing (including your name and address) and must be received by Council prior to 4.00 pm on 8 November 2018.**

When dealing with a development application, the Council must have regard to the following criteria:

- a) The Council must deal with a development application in accordance with the relevant Statutes, Regulations and Codes.
- b) In forming an opinion on the application, the Council will take into consideration the effect that the proposed development would have, after its development, including the following:
  - i) the views to and the views from surrounding land;
  - ii) potential overshadowing of surrounding land;
  - iii) privacy of surrounding land;
  - iv) potential noise transmission to the surrounding land;
  - v) the likely visual impact of the proposal in relation to the streetscape; and

Reference: RDEN:LMW:DA/2015/196

Enquiries: Mr R Denyer 02 6333 6276

2015 - to development application 2015 196 for a recreation facility for a Go Kart track & associated infrastructure at Brocks Skyline, Mt Panorama, Bathurst

BATHURST REGION... FULL OF LIFE

Proud to be an evocity

2

Mr Jade Flynn  
Bathurst Wiradyuri and Aboriginal Community Elders  
24 October 2018

---

- vi) any other issues considered by Council to be relevant to the application.
- c) The Council will consider all submissions made to it, but to influence the Council's decision such submissions must be relevant and well founded. Therefore, it is essential that submissions spell out clearly the grounds upon which they are based, and be accompanied by supporting documentation, where appropriate.
- d) The Council's final decision will be the result of a balanced consideration of the rights of both the applicant and the adjoining land owner(s).

**Any submission that you make on this proposal may be included without alteration (including names and addresses) in reports that are available to the public, in Council business papers, on Council's website and also made available to the applicant for comment during consideration of this development application.**

Your attention is drawn to the Department of Planning's Guidelines on Political Donations and Gifts. The Guidelines require the following:

A person who makes a *relevant public submission* in relation to a planning application lodged with the Council must make a disclosure of any reportable political donation or gift made in the previous 2 years (and up to the time the matter is determined) to anyone by that person or any associate of that person including:

- (i) all reportable political donations made to any local councillor of the council;
- (ii) all gifts made to any local councillor or employee of that council.

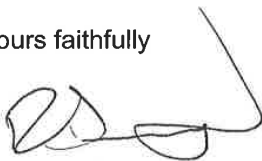
A reportable political donation made to a local councillor of any local council includes any donation made at the time the person was a candidate for election to the council.

A *relevant public submission* means a written submission made by a person objecting to or supporting a planning application or any development that would be authorised by the granting of the application.

Disclosure forms are available on Council's website.

If you require any further information please contact Richard Denyer of Council's Environmental, Planning & Building Services Department on 02 6333 6276.

Yours faithfully



R Denyer  
**MANAGER DEVELOPMENT ASSESSMENT**

2015/196-03/009



**Submission of support for DA application Kart Track Bathurst**  
**Brewster, Lyle** to: council@bathurst.nsw.gov.au

06/11/2018 09:04 PM

From: "Brewster, Lyle" <lbrewster@csu.edu.au>  
To: "council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>

---

Dear Mr Sherley,

Please accept my email submission of support for the DA Application which is currently on public display by the Bathurst Regional Council.

My letter is attached for your viewing.

Regards

Lyle

**Lyle Brewster**

Lecturer | Paramedicine

School of Biomedical Science

Charles Sturt University

Panorama Avenue

Bathurst, NSW

Australia 2795

Phone: 02 6338 4643

Email: [lbrewster@csu.edu.au](mailto:lbrewster@csu.edu.au)

[www.csu.edu.au](http://www.csu.edu.au)



| ALBURY-WODONGA | BATHURST | CANBERRA | DUBBO | GOULBURN  
| MELBOURNE | ORANGE | PORT MACQUARIE | SYDNEY | WAGGA  
WAGGA |

---

#### LEGAL NOTICE

This email (and any attachment) is confidential and is intended for the use of the addressee(s) only. If you are not the intended recipient of this email, you must not copy, distribute, take any action in reliance on it or disclose it to anyone. Any confidentiality is not waived or lost by reason of mistaken delivery. Email should be checked for viruses and defects before opening. Charles Sturt University (CSU) does not accept liability for viruses or any consequence which arise as a result of this email transmission. Email communications with CSU may be subject to automated email filtering, which could result in the delay or deletion of a legitimate email before it is read at CSU. The views expressed in this email are not necessarily those of CSU.

[Charles Sturt University in Australia](#) The Grange Chancellery, Panorama Avenue, Bathurst NSW Australia 2795 (ABN: 83 878 708 551; CRICOS Provider Number: 00005F (National)). TEQSA Provider Number: PV12018

Consider the environment before printing this email.



- Lyle Brewster DA Application Submission Kart Track.docx

Lyle Brewster  
50 Hartwood Avenue  
Robin Hill  
NSW 2795

**General Manager  
Bathurst Regional Council  
158 Russell Street  
Bathurst  
NSW 2795**

RE: DA application number – S96 (10 – 2015 – 196 – 2) Go Kart Track Bathurst

Dear Mr David Sherley,

I am writing to you to express my support for the DA application currently on public display by the Bathurst Regional Council (BRC). I am a resident of Bathurst and have been residing here for over six years now.

I have watched the application for a go kart track with interest over the past years, from varying personal views. One being a fan of motorsport, two being a father and grandfather with young children who have interest in motorsport hobbies and thirdly as a kart racer myself.

The proposed track would bring massive benefits to the community of Bathurst. By allowing families and single people the opportunity to enjoy safe fun activities in a low cost environment, all while learning lifelong skills, such as driving skills and ways to deal with winning and losing humbly. Important personality traits for young people in my opinion.

In my time living in Bathurst I have come to know and love the city as a motorsport mecca in Australia. We are known worldwide for the racing track at Waahlu/Mount Panorama. Few other Australian regional locations can claim to be world known as we can here at Bathurst. With the advent of the second race track I believe that we will again become famous and synonymous with amazing motorsports in Australia and around the world. The only thing that we are currently missing is a breeding ground for young people from our city and region to practice not only their driving skills but life skills, allowing us to home grow the next Peter Brock, Daniel Ricciardo, Leanne Tander or Kelly Bettis (First Australian Woman to race a drag car at 500 kilometres per hour, wow, that is quick!).

A karting complex such as the one proposed would offer local kids a chance to not only enjoy themselves in a kart, but potentially forge an national or international racing career. What an amazing opportunity this would be for these children and for Bathurst.

While I understand there has been some contention to building the track, I do believe that these obstacles can be overcome, and with proper liaison and ongoing engagement with community groups and indigenous elders the track and the facility can become a great success story for Bathurst.

The track is designed to allow Bathurst to hold international level racing (CIK), further exposing our local community to international exposure, large sources of income locally and maybe, just maybe a young person to show how good they can be on a local but international stage.

Please accept my submission as a submission of support for the application to build the karting complex in Bathurst.

If you require clarification of my submission or for me to speak at a council meeting then I am happy to do so.

Regards,

Lyle Brewster

[lbrewster@csu.edu.au](mailto:lbrewster@csu.edu.au)

02 6338 4643

0466 457 605

Date: 01/11/2018 01:12 PM  
Subject: Fw: Bathurst Regional Council: Proposed Go Kart track (MAIL)  
DOCUMENT NO: 20.00311/205  
Sent by: Kellie Borland

---

--- Forwarded by Kellie Borland/BathurstCC on 01/11/2018 01:12 PM ----

From: Bathurst Regional Council <noreply@bathurst.nsw.gov.au>  
To: council@bathurst.nsw.gov.au  
Date: 01/11/2018 12:54 PM  
Subject: Bathurst Regional Council: Proposed Go Kart track

---

This is an enquiry email via <https://www.bathurst.nsw.gov.au/>  
from:  
Jennifer Graham <bolditch@westserv.net.au>

For tens of thousands of years, Wahluu has been and still is a place of deep spiritual significance and ceremony to the Wiradjuri people. Many of the tangible booras, stone pathways and artefacts have been dismantled and destroyed over the years because of ignorant land management practices, cultural vandalism and neglect. Wahluu is used for ceremony, the knowledge passed on in the old way, by mouth, from one generation to the next. No matter how many sites have been destroyed on Wahluu, and no matter how many artefacts are taken away, it will always be a sacred place of deep spiritual importance to the Wiradyuri.

Wahluu should be saved and gazetted as an Aboriginal Place and acknowledged as a Womens Area, not turned into a Go Kart track! Entering into an Indigenous Land Use Agreement (ILUA) with Traditional Owners would clear up many matters in the Bathurst area concerning cultural heritage.

--

Click here to report this message as spam:  
<https://console.mailguard.com.au/ras/1UpBIDlOsr/500DKldSVA6fBOFqfL9bVT/8.1>

**Fw: consultation regarding plans for 2nd track**

David Sherley to: Council

26/11/2018 11:36 AM

Sent by: Aimee Ford

Cc: Kylie J Denyer

Bcc: Council-Out-Mail

File Number: 09.00031-10, 20.00324, 20.00278 &amp; 2015/196.

External Ref.

Full Name: Mr Jade Flynn

Title.

Organisation: Gunhigal Mayiny Wiradyuri-Dyilang Enterprise

Return To Me: 

---

Please reply to : council@bathurst.nsw.gov.au

From: Jade Flynn <jadeyanha@gmail.com>  
To: david.sherley@bathurst.nsw.gov.au  
Cc: Malllyan <bringail@westnet.com.au>, Wirribee Carr-Smith <mummad\_21@hotmail.com>, Dinawan <bill.allen47@yahoo.com.au>  
Date: 22/11/2018 10:49 AM  
Subject: consultation regarding plans for 2nd track

---

Dear Mr Sherley, does Council intend to consult with local Bathurst based Aboriginal Traditional Owners regarding the proposed plans for the 2nd Wahluu/Mt panorama Race Track?

I politely remind you, that the Local Aboriginal Land Council CEO (according to the anthropological report Council commissioned ) is Not a Traditional Owner and has no cultural authority to speak for Country here.

I would also like to officially inform Bathurst Regional Council that several registered Traditional Owners of the Bathurst area have withdrawn any permissions for Council or any other entity for use of Crown Land for the proposed Go Kart Track or any other development without prior consultation with Traditional Owners, we have informed the Minister and the office of OEH.

regards  
Yanhadarrambal

--

Mandang Guuwu! (thank you!)

Yanhadarrambal Jade

**Gunhigal Mayiny Wiradyuri-Dyilang Enterprise**

ABN: 912 637 49091

VENDOR NUMBER 0100455357