

30 May 2018

His Worship the Mayor & Councillors

**Notice of Policy Committee Meeting of Bathurst Regional Council -
Wednesday, 6 June 2018**

I have to advise that a **Policy Committee Meeting** will be held in the Council Chambers on Wednesday, 6 June 2018 commencing at 6.00 pm.



D J Sherley
GENERAL MANAGER

BUSINESS AGENDA

POLICY COMMITTEE

TO BE HELD ON WEDNESDAY, 6 JUNE 2018

1. 6:00 PM - MEETING COMMENCES

2. APOLOGIES

3. REPORT OF PREVIOUS MEETING

* MINUTES - POLICY COMMITTEE MEETING - 2 MAY 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

* DIRECTOR CORPORATE SERVICES & FINANCE'S REPORT

6. GENERAL BUSINESS

7. DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS

* DEVELOPMENT APPLICATION 2018/122 – SHED AT 14 IRONSTONE AVENUE, WHITE ROCK. APPLICANT – LAYNE MOULDS. OWNER – MR L R MOULDS

* DEVELOPMENT APPLICATION NO. 2018/21 – CONCEPT APPLICATION FOR MIXED USE DEVELOPMENT INCLUDING EDUCATION ESTABLISHMENT, INFORMATION AND EDUCATIONAL FACILITY, TOURIST AND VISITOR ACCOMMODATION, RECREATIONAL FACILITY (OUTDOOR) AND CARAVAN PARK AT 624 LIMEKILNS ROAD, FOREST GROVE. APPLICANT: EDUCATIONAL LEARNING PTY LTD. OWNER: HERITAGE HILLS PTY LTD

8. DISCUSSION FORUM OTHER - Nil

9. MEETING CLOSE

MINUTE

1 MEETING COMMENCES

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

MINUTE

2 APOLOGIES

Nil.

REPORT OF PREVIOUS MEETING AND MINUTES

POLICY COMMITTEE

1 MINUTES - POLICY COMMITTEE MEETING - 2 MAY 2018 (07.00064)

Recommendation: That the Minutes of the Policy Committee Meeting held on 2 May 2018 be adopted.

Report: The Minutes of the Policy Committee Meeting held 2 May 2018, are **attached**.

Financial Implications: N/A

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

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 - 2 MAY 2018 (07.00064)
MOVED: Cr J Rudge SECONDED: Cr I North

RESOLVED: That the Minutes of the Policy Committee Meeting held on 2 May 2018 be adopted.

MINUTES OF THE POLICY COMMITTEE
HELD ON 2 MAY 2018

MEETING COMMENCES

1 MEETING COMMENCES 6:00 PM

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

APOLOGIES

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

RESOLVED: That the apologies from Crs Christian and Jennings be accepted and leave of absence granted.

REPORT OF PREVIOUS MEETING

3 Item 1 MINUTES - POLICY COMMITTEE MEETING - 4 APRIL 2018 (07.00064)
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

RESOLVED: That the Minutes of the Policy Committee Meeting held on 4 April 2018 be adopted.

DECLARATION OF INTEREST

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

RESOLVED: That the Declaration of Interest be noted.

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

Director Environmental Planning & Building Services' Report

5 Item 1 ABANDONED SHOPPING TROLLEYS (28.00006)
MOVED Cr W Aubin and **SECONDED** Cr B Bourke

RESOLVED: That Council review its current practices for trolley retrieval.

Director Corporate Services & Finance's Report

6 Item 1 REPORT OF AUDIT AND RISK MANAGEMENT COMMITTEE - 28 MARCH 2018 (07.00096)

MOVED Cr B Bourke

and **SECONDED** Cr M Morse

RESOLVED: That the recommendations of the Audit & Risk Management Committee Meeting held on 28 March 2018 be adopted.

GENERAL BUSINESS

7 MEETING PROTOCOL FOR ABSENT COUNCILLORS (11.00005)

Cr Bourke (on behalf of Cr Jennings) - requests Deputy Mayor be able to speak on items on behalf of Councillors who are absent.

The Mayor noted this can occur already.

8 Item 2 SELF DRIVING SHUTTLE SERVICE - CBD (28.00009)

Cr Bourke (on behalf of Cr Jennings) - requests option be explored for the provision of this service in Bathurst. Noted cost per shuttle would be \$16,000 per month and the service should be free for customers.

9 Item 3 CEMETERY WATER FEATURE (09.00009)

Cr Bourke (on behalf of Cr Jennings) - raised concerns about safety at the dam. Could this be looked into?

10 Item 4 RAGLAN RAILWAY STATION (22.00159)

Cr Bourke (on behalf of Cr Jennings) - asked what is the status of this facility, who owns it and maintains it?

11 Item 5 COLES/HUNGRY JACKS ENTRANCE (25.00332)

Cr Bourke (on behalf of Cr Jennings) - advises works have not been undertaken, has this been followed up?

12 **Item 6 NRL GAME - CHILDREN INVOLVEMENT (18.00296)**

Cr Bourke (on behalf of Cr Jennings) - would like to see increased numbers of children involved in the event.

13 **Item 7 POPULARLY ELECTED MAYOR (12.00005)**

Cr Bourke - requests matter be considered at a Working Party.

14 **Item 8 WHEELCHAIR ACCESSIBLE SWING AT ADVENTURE PLAYGROUND (04.00121)**

Cr Bourke - asked could the installation of one of these facilities be considered and a report come back to Council.

15 **Item 9 PUBLIC ART POLICY (11.00038)**

Cr Rudge - this should support original and high quality projects in the public domain. This will beautify the city and be a tourism attraction. Noted a consultant has been appointed and a Working Party has been scheduled. Spoke to mirrors in laneways, eg Lapin Lane which need replacement or installation.

16 **Item 10 CLEANING OF FOOTPATHS IN THE CBD (28.00016)**

Cr Rudge - spoke to efforts of Council in this area and issues of noise in Keppel Street.

17 **Item 11 COMMERCIAL SIGNAGE (23.00045)**

Cr Rudge - noted actions being taken in regards to signage, needs to be followed up. Some businesses need to be aware of streetscape issues. This will improve look of CBD.

18 **Item 12 SENIOR CITIZENS WEEK (07.00016)**

Cr Rudge - this went very well. Noted input into the city of community groups.

19 **Item 13 HERITAGE TRADES TRAIL (23.00060)**

Cr Rudge - seeks support of everyone for this event in Bathurst.

20 **Item 14 BUILDINGS - CBD (2016/124)**

Cr Aubin - spoke to concerns about the Presbyterian Church Building on the corner of Howick and George Streets. How did the extension get approved?

21 **Item 15 RMS TRAFFIC REVIEW (23.00036)**

Cr Aubin - can we apply for funds for Brilliant/Stewart Street roundabout to be replaced with traffic lights. This is getting more dangerous.

22 **Item 16 FOOTPATH REPAIRING (28.00016)**

Cr Aubin - asked how this project is going?

The Director Engineering Services spoke to work occurring at this time.

23 **Item 17 GEORGE/HOWICK STREET ROUNDABOUT (25.00007)**

Cr Aubin - queried the schedule for works.

The Director Engineering Services advised a report to the Traffic Committee is due in the near future.

24 **Item 18 DAN MURPHY'S ENTRANCE (22.02657)**

Cr Aubin - can we stop entry off Durham Street. Can signs be installed?

25 **Item 19 RSL CARPARK (28.00026)**

Cr Aubin - advised line marking needs renewal in carpark. Can a pedestrian Crossing be put in at entry from George Street.

26 **Item 20 KERB AND GUTTERING, EGLINTON (16.00061)**

Cr Aubin - good to see works occurring. Will road reconstruction occur?

The Director Engineering Services advised the works are part kerb and guttering and part road construction.

27 **Item 21 BMX NSW STATE SERIES (04.00140)**

Cr Aubin - The event was sensational - congratulations to all involved.

28 **Item 22 WATER AVAILABILITY (32.00017)**

Cr Morse - noted problems in Cape Town. We should be looking at water restrictions. Requests Council review how to bring in restrictions earlier. Spoke also to problems with a sewerage type smell at Rockley Weir. Could we check this. Also noted Hill View and Sofala water problems.

The Director Engineering Services advised Council provided a one-off reservoir refill at Hill View as per normal practices.

29 **Item 23 STREET TREES (13.00019)**

Cr Morse - residents in Eglinton requested input into the type of trees planted. Could a report come back to Council on resident input into tree types.

30 **Item 24 HILL END FESTIVAL AND EGLINTON SCHOOL LAND (20.00170)**

Cr Morse - the Festival was a great success.

Further, noted growth of Eglinton. Is Council lobbying the Education Department for an expansion of the school or reserving land? Spoke to open space needs.

The Director Environmental, Planning & Building Services spoke to DCP for the

area allowing for expansion. Lobbying has occurred to the Education Department for expansion and their non-agreement to the need for expansion was noted.

31 **Item 25 CARILLON (04.00021)**

Cr Morse - the Carillon was played on Anzac Day - went well. Could Council develop a policy for access by Carillonners.

32 **Item 26 BMEC EXHIBITIONS - WASTE TO ART AND BRIDAL EXHIBITION (21.00012)**

Cr Morse - advised these are both fantastic exhibitions.

33 **Item 27 NON-FOSSIL FUEL INVESTMENTS (11.00006)**

Cr Fry - thanks for development of draft policy. Looks forward to it coming to Council.

34 **Item 28 WATER - CENTENNIAL COAL MINE (32.00001)**

Cr Fry - asked can this also go into Sofala catchment and be put into the Turon River. Could we look at a policy in this area. Could we also look at infrastructure for emergency tanks in villages, particularly for fire fighting.

35 **Item 29 ELECTRIC VEHICLE CAR SPACES (28.00006)**

Cr Fry - encourages review into the possibility of "Go Get" car sharing spaces for Electric Vehicles. Will also allow for electric vehicle power charging to occur.

36 **Item 30 OFF-LEASH DOG AREAS (04.00034)**

Cr Fry - asked do we have enough of these?

The Director Environmental, Planning & Building Services spoke to statutory requirements in place.

37 **Item 31 STREET ART (11.00038)**

Cr Fry - spoke to opportunities and input to occur.

38 **Item 32 MITRE/SUTOR/LAMBERT STREET INTERSECTION (25.00095, 37.00585)**

Cr Fry - noted misinformation that is occurring. Wants all options examined so as to get the best result - this may be a roundabout.

39 **Item 33 WATER (32.00017)**

Cr North - spoke to Drought Management Plan and that Council can bring in restrictions whenever they feel appropriate. This should be in this document as previously raised by Council.

40 **Item 34 RIVER WALK (04.00017)**

Cr North - received representations about distance markers in 100 metre increments, please review as appear to have gone.

41 **Item 35 CARRINGTON PARK - POSSIBLE CAR PARK (20.00116)**

Cr North - asked can we do a review into putting a car park into Carrington Park (Bentinck Street side). Possibly seek Expressions of Interest to see if anyone is interested.

42 **Item 36 TREMAIN MILL EVENT (2018/113)**

Cr North - asked where is this going with fire issues?

The Director Environmental, Planning & Business Services provided details on processes to date and work with proponent and consultants. Noted measures still to be completed and reviews to occur.

43 **Item 37 ACCESS COMMITTEE (07.00031)**

Cr North - spoke to issues such as Cardiology site. Where are we at?

44 **Item 38 CREMATORIUM HEARING LOOP (2010/0436)**

Cr North - advised hearing loop is still not working. What can we do to address this?

The Director Environmental, Planning & Building Services spoke to contact made with the operators and possible actions available.

45 **Item 39 COFFEE SHOPS - HOLES IN THE WALL (28.00016)**

Cr North - raised concerns about how pedestrian access is often restricted through these operations. How do we ensure people can get through on the footpath? Noted need for signs. Could we hold some training days for owners and developers as to requirements.

The Director Environmental, Planning & Building Services spoke to concerns and Council's policy which is two or three metres of clearance, depending on business location/type. Staff are talking to owners.

46 **Item 40 RECONCILIATION ACTION PLAN (09.00031)**

Cr North - queried the timing of the new Reconciliation Action Plan and when it is to occur.

The General Manager noted draft went to Reconciliation Action Australia in November 2017.

47 **Item 41 RURAL FIRE SERVICE HEADQUARTERS (18.00233)**

Cr North - have had approaches from Rural Fire Service that they are not getting responses to their queries. They feel there are 20-25 issues outstanding. Requests a meeting be held with RFS to discuss the problems.

48 **Item 42 DIRT FOR PANORAMA MOTOR CYCLE CLUB (18.00030)**

Cr North - asked is there any available soil for this user group?

The Director Engineering Services advised not at this time, but will keep a

watching brief.

49 **Item 43 NAMING OF SPORTING FIELDS (20.00038)**

Cr North - need to develop a policy on the naming of Council facilities, that any proposal to name has to be approved by Council.

50 **Item 44 GREAT WESTERN WALK (20.00153)**

Cr North - this is a tremendous concept. Would like to see it progressed further. Could we contact the State Government to make them aware of this proposal.

51 **Item 45 DRUG AND ALCOHOL TESTING (19.00089)**

Cr North - Cr Christian has asked if this proposal could be referred to a Working Party.

52 **Item 46 ANZAC DAY SERVICE (23.00076)**

Cr North - Mr Triming forwarded his thanks to staff for accessible ramps at Anzac Day Services.

MEETING CLOSE

53 **MEETING CLOSE**

The Meeting closed at 7.05 pm.

CHAIRMAN: _____

MINUTE

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

RESOLVED: That the Declaration of Interest be noted.

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

POLICY COMMITTEE

6 JUNE 2018

1 PUBLIC WI-FI ACCEPTABLE USE POLICY (20.00315, 41.00089)

Recommendation: That Council

- (a) Place the Public Wi-Fi Acceptable Use Policy on public exhibition for 28 days,
- (b) adopt the Public Wi-Fi Acceptable Use Policy and update the Council Policy Manual, if no submissions are received.

Report: As Councillors would be aware the Council recently secured funding for the installation of a public Wi-Fi system throughout certain areas of the Central Business District (CBD). This will allow members of the public (both local and visitors) to access free Wi-Fi via their mobile devices when in the CBD. Tenders have been called for the installation of the system.

In order to ensure that the Wi-Fi system is used for the intended purpose Council has developed a policy that governs the use of the system. The policy - titled Public Wi-Fi Acceptable Use Policy - will be made known to intending users as they log on to the Wi-Fi system and they will have to accept the policy in order to be connected to the system. Council has had the policy reviewed by its solicitors and sought advice from the Information and Privacy Commission. A copy of the draft policy is provided at **attachment 1**.

It is recommended that Council

- (a) Place the Public Wi-Fi Acceptable Use Policy on public exhibition for 28 days
- (b) adopt the Public Wi-Fi Acceptable Use Policy and update the Council Policy Manual, if no submissions are received.

In the event that a submission(s) is received during the exhibition period, then a further report will be presented for Council to consider the content of each submission.

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

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

- Objective 23: To encourage a supportive and inclusive community. Strategy 23.7
- Objective 28: To plan for the growth of the region and the protection of the region's environmental, economic, social and cultural assets. Strategy 28.2
- Objective 29: To guide the construction and provision of new infrastructure/facilities and services and the management and upgrading of existing assets and service levels. Strategy 29.7

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 PUBLIC WI-FI ACCEPTABLE USE POLICY (20.00315, 41.00089)
MOVED: Cr J Jennings SECONDED: Cr W Aubin

RESOLVED: That Council

- (a) Place the Public Wi-Fi Acceptable Use Policy on public exhibition for 28 days, and
- (b) adopt the Public Wi-Fi Acceptable Use Policy and update the Council Policy Manual, if no submissions are received.

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

GENERAL BUSINESS

POLICY COMMITTEE

MINUTE

6 Item 1 PLAYGROUND EQUIPMENT (04.00121 & 04.00034)

Cr Bourke - spoke to Kurrawa Park, which he recently visited while at the Floodplain Management Conference, and the facilities that were there. Suggests Council have a look at this park to see what was available in this space. Noted accessible attractions in the park, better than just a Liberty Swing, perhaps should look as this for the next stage of the Adventure Playground.

MINUTE

7 Item 2 MISCELLANEOUS MATTERS - UPDATE (08.00008)

Cr Bourke - asked could an update be made to the Councillors Portal on items such as the former TAFE Building, former Gasworks site, and Second Circuit proposal.

MINUTE

8 Item 3 GRAFFITI (20.00045)

Cr Bourke - considers that graffiti is on the increase, can we be more aware of this? Noted the "tags" being used. Perhaps CCTV cameras could pick some of these incidents up.

MINUTE

9 Item 4 WATER (32.00017 & 13.00031)

Cr Bourke - supports any sensible solutions in water issues.

MINUTE

10 Item 5 HERITAGE TRADES TRAIL 2018 (23.00060)

Cr Rudge - noted thanks has been expressed by the Committee to Council.

MINUTE

11 Item 6 ST PATS & BULLDOGS CLUBS (04.00146)

Cr Rudge - road between the clubs, asked are we considering speed humps and is there lighting to go in this area?

MINUTE

12 Item 7 HERITAGE LIGHT STANDS IN CBD (28.00014)

Cr Rudge - asked can we put in guards to protect the lights?

MINUTE

13 **Item 8** **STREETLIGHTS (28.00014)**

Cr Rudge - noted the lights seem to be dim, can this be reviewed?

MINUTE

14 Item 9 LIBERTY SWING (04.00121 & 04.00034)

Cr Rudge - noted the playground needs accessible facilities, can we look at this in next years budget?

MINUTE

15 Item 10 DUMP POINTS (26.00011)

Cr Rudge - noted there is a demand for more dump points. Perhaps the Lions Park area is suitable and appropriate.

MINUTE

16 Item 11 COLES CARPARK DRIVEWAY (25.00332)

Cr Jennings - asked is there any update on the Coles carpark driveway.

The Director Engineering Services noted Council has written to the shops and they have written back. Expect repairs will occur.

MINUTE

17 Item 12 HERITAGE ADVISOR REPORTS (10.00004)

Cr Jennings - would like a report back on these being placed on the public record.

MINUTE

18 Item 13 MOTORSPORT MATTERS (04.00019 & 04.00102)

Cr Jennings - raised a number of issues:

1. Asked could we investigate a local produce area at car racing events?
2. Asked could we construct, as part of the Boardwalk, a shrine to Peter Brock at Skyline?
3. Requests a costing for an LEP sign for Mount Panorama, which is changeable.
4. Invite Hyper EV to Bathurst as discussed at recent Cities Power Partnership to an event at Mount Panorama.
5. Invite China EV race to Bathurst.

MINUTE

19 Item 14 SELF DRIVING VEHICLES (13.00065)

Cr Jennings - asked Council through Cities Power Partnership process to partner with ACT Government in assessing self driving vehicles.

Meeting was suspended at 6.18 pm for the commencement of the Discussion Forums.

General Business resumed at 7.28 pm following the conclusion of the Discussion Forums.

MINUTE

20 Item 15 ELECTRIC VEHICLES (13.00065 & 30.00002)

Cr Jennings - requests a report on transitioning the Council fleet to battery power e.g. small cars and garbage trucks.

MINUTE

21 Item 16 ELECTRIC VEHICLE CHARGING STATIONS (13.00065)

Cr Jennings - asked can we notify businesses of the benefit of putting in charging stations. Perhaps through Economic Development newsletter.

MINUTE

22 Item 17 DROUGHT SUPPORT (32.00017 & 13.00031)

Cr Jennings - requests Council activates 50% rebate on water sales Item #357 of the Revenue Policy.

MOVED Cr J Jennings **SECONDED** Cr North

That Council:

- (a) Implement the 50% rebate for Water sold as per item # 357 of the water services;
and
- (b) The General Manager be delegated the authority to implement the measure
immediately .

Cr Jennings - requests a report back on making water free for stock and domestic use for primary producers.

Would also like water restrictions trigger level to go from 40% to 50% dam capacity.

MINUTE

23 Item 18 VILLAGES EVENT FUNDING (16.00104 & 20.00071)

Cr Jennings - would like Council to move to 3 - 4 year funding program for village events.

MINUTE

24 Item 19 ALCOHOL FREE ZONES (20.00126)

Cr Jennings - noted people in Keppel Street would like Alcohol Free Zones to have greater publicity and signage. Would like lighting in thoroughfare near Stitches and could pavement cleaner go there more often.

MINUTE

**25 Item 20 BATHURST DISTRICT SPORT & RECREATION COUNCIL GRANTS
(18.00279)**

Cr Jennings - asked could this go back to the previous level of \$30,000 p.a.

MINUTE

26 Item 21 BURNT OUT MOTOR VEHICLES (04.00068)

Cr Aubin - asked who is responsible for removal? There is one at Walmer Park, can this be removed?

The General Manager will follow this up.

MINUTE

27 Item 22 SHOPPING TROLLEYS (28.00006)

Cr Aubin - great to see publicity occurring. Can we get someone out there to hand out some fines?

MINUTE

28 Item 23 UPDATE ON MATTERS (08.00008)

Cr Morse - asked could Councillors get updates on matters raised in minutes. Put on the Councillors Portal.

MINUTE

29 Item 24 ADVENTURE PLAYGROUND (04.00104)

Cr Morse - people will not go as too dangerous, no way can supervise all the children.

MINUTE

30 Item 25 BUS FROM SYDNEY - AUSTRALIA WIDE COACHES DROP-OFF POINT (28.00009)

Cr Morse - asked is there any resolution in this matter?

The General Manager advised current status of discussions.

MINUTE

31 Item 26 PETER BROCK MEMORIAL WALL (23.00122)

Cr Morse - photos taken of the wall at the top of Mount Panorama. Where is the video that was to be produced to show at the National Motor Racing Museum?

MINUTE

32 Item 27 TRAFFIC STUDY (28.00017)

Cr Morse - asked what is process for revised traffic study?

The General Manager advised of discussions occurring with RMS in developing a traffic model.

MINUTE

33 Item 28 STREET TREES (13.00019)

Cr Fry - feels there is a need for more trees in the city. Landscape drying is occurring.

MINUTE

34 Item 29 SMART STREET LIGHTS TRIAL (28.00014)

Cr Fry - would like to see this occur, not just LED's.

MINUTE

35 **Item 30** **MOUNT PANORAMA - WESTERN SIDE - GATE (04.00029)**

Cr Fry - asked can we look at a gate going into this area?

MINUTE

36 Item 31 ROADSIDE WOOD COLLECTION - HABITATS (13.00001)

Cr Fry - noted this is being advertised. Can we double the fines and increase profile of this problem?

MINUTE

37 Item 32 WATER RESTRICTIONS (32.00017)

Cr Fry - suggests we go straight to Level 2 water restrictions.

MINUTE

38 Item 33 STREET SIGNS (28.00007)

Cr Christian - Vittoria to Durham and Stewart to Mitre Street signs - there are problems, could this be checked and action taken as needed?

MINUTE

39 Item 34 TROLLEY BAYS (28.00006)

Cr Christian - asked who builds these? Outside Target in William Street there are many trolleys left there and also outside Pantanos. Can we put in bays there as well? Council should collect these trolleys and then charge for their release.

MINUTE

40 Item 35 FOOTPATHS (28.00016)

Cr Christian - noted the footpath opposite the Courthouse needs repairs to be undertaken (Kings Parade side).

MINUTE

41 Item 36 COUNCILLORS PORTAL (08.00008)

Cr North - would like to see topics of interest go onto the portal.

MINUTE

42 Item 37 GRAFFITI (20.00045)

Cr North - feels CCTV's will help catch people, these need to be installed.

MINUTE

43 Item 38 LIQUOR ACCORD (07.00101 & 20.00126)

Cr North - spoke to vandalism in Keppel Street and need for an alcohol free zone from the railway all the way up Keppel Street.

MINUTE

44 Item 39 LIBERTY SWING (04.00121 & 04.00034)

Cr North - everyone has agreed to it, it is in the plan for the Adventure Playground, but due to costs the works did not occur. Need to find the money.

MINUTE

45 Item 40 AUTOMATIC EXTERNAL DEFIBRILLATOR (AED) AT SPORT FACILITIES (04.00034)

Cr North - would like money put away to help sporting groups with these facilities.

MINUTE

46 **Item 41 VALE CREEK ISSUES (31.00011)**

Cr North - this is a problem, what are we going to do about it? Need to be aware of possible impacts.

The Director Engineering Services advised this is in private ownership and based on computer modelling will not impact Perthville. The road impacted is an RMS road. Contact has been made with RMS, Council is helping to do an environmental assessment.

MINUTE

47 Item 42 DUMP POINT (26.00011)

Cr North - need a dump point in conjunction with a rest area. Perhaps Hereford Street is suitable, can we get a report on this?

MINUTE

48 Item 43 SOLAR PANELS - BREWONGLE PROPOSAL (16.00007)

Cr North - spoke to electricity costs incurred by Council. could we look at identifying land for large scale solar farm to be owned by Council. This will cut Council's costs.

MINUTE

49 Item 44 WATER RESTRICTIONS (32.00017)

Cr North - noted has a Notice of Motion to the next meeting for consideration of water restrictions timing.

MINUTE

50 Item 45 RFS - FIRE CONTROL CENTRE (18.00233)

Cr North - thanked Director Engineering Services for meeting with RFS and noted this went well. Can we meet again with them in the next two weeks to finalise timelines and a list.

MINUTE

51 Item 46 HONOUR BOARD - SPORTS (21.00007)

Cr North - noted need for another board to be installed on the First Floor of the Civic Centre. Also can Bathurst District Sport & Recreation Council minutes be emailed?

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

POLICY COMMITTEE

1 DEVELOPMENT APPLICATION 2018/122 – SHED AT 14 IRONSTONE AVENUE, WHITE ROCK. APPLICANT – LAYNE MOULDS. OWNER – MR L R MOULDS (DA/2018/122)

Recommendation: That the information be noted.

Report: Council has received a Development Application for a proposed shed at 14 Ironstone Avenue, White Rock.

The site

The development site is 14 Ironstone Avenue, White Rock.

The site has an area of 4003m² and contains a 7 x 12 metre shed at the rear of the site. The shed previously had consent as a temporary dwelling which has since lapsed. A locality plan and aerial image is provided at **attachment 1**.

The proposal

The Development Application relates to the construction of a 15 metres x 22 metres shed to the rear of the site. The shed will have an eave height of 5.5 metres and a total height of 6.67 metres at the apex of the roof. The shed is proposed to be located 5 metres from the side and rear boundary (see **attachment 2**).

The shed will be used to store the owners truck and trailer, caravan, boat, ute and yard equipment as described in the letter submitted with the Development Application (see **attachment 3**).

A separate Development Application has been lodged for a dwelling and retaining walls on the site, which is currently under consideration.

Public Notification

The Development Application was notified to adjoining property owners from 25 April 2018 to 7 May 2018. Following the notification period 11 submissions were received (see **attachment 4**).

The issues raised in the submissions included:

- The size of the shed is representative of an industrial shed or farm shed;
- The noise impact of a truck being stored on site;
- Views to and from the site;
- Height of the shed;
- The proximity of the shed to the lot boundaries;
- Inconsistent with the R5 Large Lot Residential Zone objectives;
- The impact on the road network in the estate with heavy vehicle movements to the shed;
- Overshadowing;
- The intended use of the shed to operate a transport business;
- The current use of the site to operate a transport business;
- Environmental impact of washing the vehicles on site;
- The plans do not include earthworks for the shed, which may alter the height of the shed from natural ground level; and
- Devaluing property values.

Following the Discussion Forum a report will be prepared for the next available Council meeting for determination of the Development Application.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

Community Engagement

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

MINUTE

52 Item 1 DEVELOPMENT APPLICATION 2018/122 – SHED AT 14 IRONSTONE AVENUE, WHITE ROCK. APPLICANT – LAYNE MOULDS. OWNER – MR L R MOULDS (DA/2018/122)

Discussion included:

L Moulds – proponent - 14 Ironstone Avenue

Spoke to the proposal before Council. Has owned the property for around 10 years. Is an owner/driver, does not operate business from the property. Noted works in Sydney and only comes home with the truck. Same as a plumber or a taxi driver bringing home vehicles, does not operate a depot.

Currently building a house and it makes sense to bring the truck home.

P Gorrick – resident - 18 Ironstone Avenue

Have taken independent advice and have forwarded this to Council. Have retired to Bathurst and spoke to establishing their house in the location. The proposed shed size and location will have a significant detriment such as overshadowing, noise transmission, will cause conflict between neighbours, the shed is an eyesore and does not address correctly Council planning instruments such as the DCP. This is a commercial purpose. There is no screening of the garage and its location will not allow this to occur. No concessions should be allowed to Council standards.

C Hunt – resident - 25 Ironstone Avenue

Raised concerns including; impact on standard of living including size of the shed, it is commercial, scenic values not preserved, the development is unlawful - a truck depot is not allowed, inconsistent with residential zone, safety concerns with heavy vehicles in the Blue Ridge Estate, noise impacts, devaluation of properties.

T Phillips – resident - 98 Blue Ridge Drive

Has made a submission to Council. Main issues include size of the development, adverse impact on amenity of adjoining properties, no Statement of Environmental Effects has been submitted, there is no information on screening. There is a need for a properly documented submission which includes details of impacts.

Y Thurtell – resident - 22 Ironstone Avenue

The proposal is visually awful, this is an industrial development, the truck should not be parked here. Spoke to noise problems from the truck.

F Telfser, on behalf of G Clements

Concerns about the development include; visual impact, commercial use that will occur with such a structure, neighbourhood harmony problems that will result, additional noise, road damage from large vehicles, lack of consultation with adjoining neighbours.

J Stewart – resident - Blue Ridge Drive

Has a number of concerns with the development such as; noise from vehicles, safety issues from heavy vehicles, visual impact of a substantial building, reduction in setbacks proposed, roads within the estate are not made for heavy vehicles.

J Peak – resident - 94 Blue Ridge Drive

Happy for shed that meets estate covenant, this does not. Spoke to setbacks required of covenant and this should be adhered to as well as DCP.

C Telfser

Spoke to standards of the estate and the covenants imposed. The proposal is not consistent with the estate guidelines - covenants and the DCP. The shed is double the size allowable and is 1 metre higher than allowed. The setback proposal is a concern and there are visual impacts that are inappropriate. The neighbourhood has adhered to the rules, one person should not be allowed to change the standards. Also referred to heavy vehicle movements in residential areas.

2 DEVELOPMENT APPLICATION NO. 2018/21 – CONCEPT APPLICATION FOR MIXED USE DEVELOPMENT INCLUDING EDUCATION ESTABLISHMENT, INFORMATION AND EDUCATIONAL FACILITY, TOURIST AND VISITOR ACCOMMODATION, RECREATIONAL FACILITY (OUTDOOR) AND CARAVAN PARK AT 624 LIMEKILNS ROAD, FOREST GROVE. APPLICANT: EDUCATIONAL LEARNING PTY LTD. OWNER: HERITAGE HILLS PTY LTD (DA/2018/21)

Recommendation: That the information be noted.

Report: The Site

Council has received a Development Application for a mixed use development at 624 Limekilns Road, Forest Grove, described as Lot B1 DP 403344, Lot 1 DP 126025, Lot 270 DP 861476, Lot 1 DP 1047459, and Lot 34 DP 1012860. A location plan and aerial image are provided at **attachment 1**.

A Concept Development Application is one which seeks concept approval for multiple stages or parts of a proposal, each one also subject to its own subsequent Development Application for each specific land use.

The subject site is known as the Sheep and Cattle Drome and is accessed off Limekilns Road. The site is approximately 172 hectares.

At the entrance to the site is the Migrant Camp and War Service Training Memorial. This site is listed on the State Heritage Inventory (1080094).

The site currently contains the Sheep and Cattle Drome, as well as tourist and visitor accommodation and a partially constructed golf course. There are also a number of dwellings on the property.

Surrounding the site is small scale agriculture and lifestyle allotments. Bathurst Airport is 800 metres to the south at its closest point. The Winburndale pipeline traverses the site.

History of the Site

There is a long history of attempts to develop Rossmore Park into various forms of residential and non permanent accommodation types. These developments have typically centred around the development of a golf course and expansion of tourism related facilities.

Development consent (2002/0736) has previously been granted for the subdivision of the land under the Community Land Development Act into 19 allotments. Those lots include the following uses:

- Lot 1 – Public Road
- Lot 2 – Golf Course
- Lot 3 – 40 individual dwellings (non-permanent)
- Lot 4 – 60 cabin/villas (non-permanent) and conference centre
- Lot 5 – 40 villas (non-permanent)
- Lot 6 – 30 villas (non-permanent)
- Lot 7 – Observatory
- Lot 8 – New Agrodome
- Lot 9 – 120 unit retirement village – (non-permanent)

- Lot 10 – 50 terrace homes – (non-permanent)
- Lot 11 – New clubhouse and commerce centre
- Lot 12 – Dormitory accommodation – (non-permanent)
- Lot 13 – Car parking
- Lot 14 – 20 terrace homes – (non-permanent)
- Lot 15 – Memorial Parkland
- Lot 16 – 30 villas – (non-permanent)
- Lot 17 – Crematorium
- Lot 18 – Cricket Ground
- Lot 19 – Reserve land
- Lot 20 – Horse stables and equestrian centre
- Lot 21 – Reserve lands
- Lot 22 – Reserve lands

The application has been physically commenced and remains capable of being acted upon by the owners. Note that this previous subdivision only involves the subdivision of the land with further development consent being required for the development of each allotment.

The proposal

The Development Application has been lodged as a “concept development application” under the provisions of Section 4.22 of the EP&A Act (formerly Section 83B) repeated below.

4.22 Concept development applications

- (1) *For the purposes of this Act, a concept development application is a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications.*
- (2) *In the case of a staged development, the application may set out detailed proposals for the first stage of development.*
- (3) *A development application is not to be treated as a concept development application unless the applicant requests it to be treated as a concept development application.*
- (4) *If consent is granted on the determination of a concept development application, the consent does not authorise the carrying out of development on any part of the site concerned unless:*
 - (a) *consent is subsequently granted to carry out development on that part of the site following a further development application in respect of that part of the site, or*
 - (b) *the concept development application also provided the requisite details of the development on that part of the site and consent is granted for that first stage of development without the need for further consent.*

The terms of a consent granted on the determination of a concept development application are to reflect the operation of this subsection.

- (5) *The consent authority, when considering under section 4.15 the likely*

impact of the development the subject of a concept development application, need only consider the likely impact of the concept proposals (and any first stage of development included in the application) and does not need to consider the likely impact of the carrying out of development that may be the subject of subsequent development applications.

Note. The proposals for detailed development of the site will require further consideration under section 4.15 when a subsequent development application is lodged (subject to subsection (2)).

The proposal involves the establishment of several precincts on the site to be carried out at different stages. Further Development Applications would be required for the development of any of the precincts identified in the concept plan.

Note that the current proposal does not involve the subdivision of the land into allotments. Earlier iterations of the current application involved the subdivision of the land however this aspect of the development is not permissible under the current LEP provisions relating to minimum lot size. It has subsequently been removed by the applicant.

The application identifies the following precincts.

Precincts	Use Characteristics
1	Bathurst Experience and Wiradjuri Aboriginal Cultural and Educational Centre
2	Golf Facilities & Academy and Stage 1 – Caravan Park (194 sites)
3	Stage 2 Caravan Park (98 sites and Sports Facilities)
4	Stage 3 Caravan Park (98 sites and Sports Facilities)
5	18 Hole Golf Course, golf club house and academy building
6	Site manager and future expansion of Precinct 1
7	Animal agistment, paddock and Bushland Regeneration Nursery

Refer to **attachment 2** for copy of proposed plan.

Public Notification

The Development Application was advertised and notified to adjoining property owners from 10 April 2018 to 20 April 2018. Following the advertising and notification period a total of sixteen (16) submissions were received (see submissions at **attachment 3**).

Submissions raised concerns in the following areas:

- Consistency with rural character;
- Impact upon rural views;
- Impacts upon privacy;
- Adequacy of Limekilns Road to accommodate additional traffic;
- Responsibility for ongoing maintenance of Limekilns Road;
- Provision of boundary fencing to a suitable standard;
- Permissibility under current zoning;
- Need for additional caravan parks;
- Whether the site will be used for permanent residents;
- Potential use of bore water;
- Hours of operation;
- Potential impacts upon operational aspects of existing observatory;
- Changes to current property and water access arrangements;
- Lighting impacts associated with additional street and house lighting and vehicle lighting;
- Dust generation during construction phase;

- Potential odours associated with proposed sewage treatment plant;
- Land use conflict with agricultural properties surrounding;
- Noise;
- Increased night time light impacts;
- Length of time people stay in caravan park and moveable dwelling site;
- Rubbish generated;
- Impact on cycling route of Limekilns Road;
- Water usage;
- Sewerage disposal;
- Impact on property values;
- Arrangements for rubbish removal;
- Potential conflicts with airport operations;
- Weed controls;
- Costs and timing of future development;
- Potential impact on Windburndale pipeline;
- Responsibility for ongoing maintenance of proposed sewage treatment plant;
- Quarry operations on the site;
- Additional traffic using Yarras Lane in major events; and
- Bushfire safety.

Conclusion

The Development Application will be reported to a future Ordinary Council Meeting for determination.

Financial Implications: Nil.

Bathurst 2036 Community Strategic Plan - Objectives and Strategies

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

Community Engagement

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

MINUTE

53 Item 2 DEVELOPMENT APPLICATION NO. 2018/21 – CONCEPT APPLICATION FOR MIXED USE DEVELOPMENT INCLUDING EDUCATION ESTABLISHMENT, INFORMATION AND EDUCATIONAL FACILITY, TOURIST AND VISITOR ACCOMMODATION, RECREATIONAL FACILITY (OUTDOOR) AND CARAVAN PARK AT 624 LIMEKILNS ROAD, FOREST GROVE. APPLICANT: EDUCATIONAL LEARNING PTY LTD. OWNER: HERITAGE HILLS PTY LTD (DA/2018/21)

Discussion included:

M Coleman – resident - 21 Kooyong Place, Forest Grove

Against the proposal, will take away views, will reduce property values.

B Goldsmith – consultant

Prepared the documentation for the DA. This is a concept document which is based on a prior 2002 DA and contains many of the prior concepts. Spoke to moving between transportable homes and tourist villas. There will be future DAs for all constructions. Noted Mr Pickards objections to the development. Conditions can be imposed to address his concerns, referred to prior report from Prof McKinnon. This is a joint project with Wiradyuri Traditional Owners.

Prof D McKinnon

Spoke on behalf of Wiradyuri Traditional Owners. Noted proposed educational facility and the meeting of school curriculum needs which will have a significant impact on education provision. The facility will become a major draw card. Lighting issues have previously been addressed in an earlier study.

R Carroll – owner of adjacent farming property

Objects to proposal, this is a rural farming precinct. This could lead to subdivision. DA does not contain any costings or timelines, this is a virtual mini-city. Raised noise concerns. There will be increased night time light. Traffic concerns with cattle. Winburndale pipeline, will there be increased use which will impact this service. Noted sewer plant concerns e.g. smell and water contamination. How will camper vans etc. be managed - will this lead to permanent housing. Waste Management will possibly cause problems. What access will be used. Proximity to aerodrome needs to be considered. Property value concerns and non-compliance with zone.

R Williams – resident - 626 Limekilns Road

Not sure of process with a concept application and how is this different to a normal DA. A lot of questions have arisen. Noted difficulty in getting information and that it is confusing, maps difficult to read, fonts unreadable. Noted effluent concerns, native animals impacts, access availability to their property, will property be rezoned, safety problems with aerodrome. One of the proponents is listed on ASIC database as de-registered. Also referred to PFAs concerns which is not yet resolved.

K Gunning – resident - 587 Limekilns Road

Opposes the development. There are issues with visual, noise, traffic, and valuation matters. Concern at caravan park operations and likely tenants. There is a possible increase in crime and anti-social behaviour. The proposal is not consistent with the neighbouring land use in the area. Raised concerns at costs for water, sewer and waste.

T Hicks, on behalf of G Webster & R Webster

Main concerns are fence line is not substantial and people transgress into their properties. Would like something to happen so money can go to people who sold them the property. The golf course is already there, things have not happened as the owner has not been able to finance. Questions whether there is interest in the history/heritage of the location which was a migrant camp. The current business does not deal with local schools. The designated managers house - there are already two there on Heritage Park.

J Edmonds – resident - 555 Limekilns Road

Concern at additional traffic proposed, this is a safety issue. Do not want a satellite city built, it is not in keeping with area. Sewerage system and rubbish removal are a concern.

D Pratty – resident - Yarris Lane

Main concern is with biosecurity and animal welfare that will occur. Primary producers have to abide by a number of rules. These developments bring environmental issues e.g. contamination and dogs, given their size. Objection is to the caravan park and proposed agistment. Also weed control is a problem.

B Seike – resident - 148 Limekilns Road

The development is not suitable for the area. Worried about sewerage smells and impacts on precinct 4. Referred to proposed accommodation, which is extensive. Noted PFAs concerns. The proposed development will create noise issues, rubbish will be a problem, traffic matters, visual impacts, disease impacts, property prices, weeds.

C Pickard – Bathurst Observatory

Concerns include; have not been invited to be part of this. Caravan park is not where originally proposed. Spoke to noise, access to property, dust, smoke, lighting, access to Winburndale water and existing easement. There must be a dust mitigation strategy. The proposal for so many caravans and light that comes with this will impact observatory operations. A full lighting model needs to be done. Must ensure no wood fires and noise controls need to be put in place. Adequate buffer zones must be put in place and the telescope must be able to view the whole of the night sky. The access road needs to be relocated.



N Southorn
DIRECTOR
ENVIRONMENTAL, PLANNING & BUILDING SERVICES

MINUTE

54 MEETING CLOSE

The Meeting closed at 8.05 pm.

CHAIRMAN: _____

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

POLICY COMMITTEE

6 JUNE 2018

POLICY: PUBLIC WI-FI ACCEPTABLE USE POLICY

DATE ADOPTED:

ORIGINAL ADOPTION: Director Corporate Services Report #1
Policy 6 June 2018
Council
Minute Book No

FILE REFERENCE: 20.00315

OBJECTIVE: To establish conditions of use for Council's public Wi-Fi system.

1. PURPOSE

The purpose of the Public Wi-Fi Acceptable Use Policy ("Policy") is to ensure that users of Bathurst Regional Council's Public Wi-Fi facility ("Public Wi-Fi Service") understand that:

- By accessing or using Bathurst Regional Council's Public Wi-Fi Service, users agree to the terms and conditions of this 'Public Wi-Fi Acceptable Use Policy' without limitations, and accordingly users should read this Policy carefully before connecting;
- This Policy may be updated by Bathurst Regional Council from time to time.
- Use of the Public Wi-Fi Service is subject to the terms and conditions of this Policy as they exist when the user accessed the Public Wi-Fi Service; and
- If an individual does not agree to these terms and conditions then they must not access or use the Public Wi-Fi Service.

2. SCOPE

This policy applies to all users of the Public Wi-Fi Service.

3. CONTEXT

Bathurst Regional Council continues to adopt new technologies to align with Council's business plans and provision of services to community. To align with Council's digital strategy and Smart City plans, Council provides a free Internet service through Wi-Fi in a number of locations within Bathurst. This digital initiative from Council helps to improve the visitor experience and also enhance internet availability for local residents in public areas.

Bathurst Regional Council will take reasonable action to endeavour to provide reliable, secure and stable access to the Public Wi-Fi Service, but cannot guarantee that the Public Wi-Fi Service will be available, un-interrupted, fault-free, secure or otherwise suitable for its intended purpose.

Council encourages users to save your work regularly while using the Public Wi-Fi Service, and take precautions to prevent loss of information.

Users are responsible for setting up their own equipment to access the Public Wi-Fi Service. Council staff will not provide technical assistance and will not assume any responsibility for personal hardware configurations, security or changes to data files resulting from connecting to the Public Wi-Fi Service. It is recommended that users make a backup copy of any settings before configuring their equipment on the Public Wi-Fi Service.

To the extent permitted by law, Bathurst Regional Council is not under any liability in respect to any loss or damage to any person or property whether direct, indirect, incidental, exemplary or consequential (including, but not limited to, loss of data, use, profits, interruption, or safety of equipment) however caused arising in any way out of the use of the Public Wi-Fi Service, even if advised of the possibility of such damage.

The Public Wi-Fi Service is currently free of charge however Bathurst Regional Council reserves the right to charge for this service in the future.

4. POLICY

4.1. Accessing the Public Wi-Fi Service

To use the Bathurst Regional Council Public Wi-Fi Service users must:

- Connect to the Wi-Fi hotspot using a wireless enabled device, and
- Read the terms and conditions that apply, and
- Accept those terms and conditions.

When a user's session expires the user will automatically be logged out of the Public Wi-Fi Service, and will need to start a new session to regain access.

4.2. Non-Compliance

At any time, Bathurst Regional Council, may refuse access to any individual. Individuals not complying with this Policy may be subject to loss of access without warning. Bathurst Regional Council will determine when the individual may be granted renewed access.

Where a breach of this policy is reasonably suspected by Bathurst Regional Council to involve criminal action or otherwise placing any person or property in danger, Bathurst Regional Council may refer the matter to the police or to other authorities or agencies for investigation.

4.3. Reliability

The Public Wi-Fi Service is not suitable for supporting any application or use which requires continuous, fault-free or secure network connectivity, or uninterrupted data traffic flow. Bathurst Regional Council will not be liable if access to the Public Wi-Fi Service becomes unstable, unsecured, slow, unreliable or unavailable for any reason whatsoever. Users in the process of downloading a file should be aware that should the user lose connection to the Public Wi-Fi Service, any partially downloaded file will likely be lost. Bathurst Regional Council encourages users to save your work

regularly while using the Public Wi-Fi Service, and take precautions to prevent loss of information.

Bathurst Regional Council will take reasonable steps to monitor and attend to any faults, malfunctions or other problems associated with the Public Wi-Fi Service, but will not be liable if such faults, malfunctions or problems occur, and shall not be obligated to rectify any such faults within any specified timeframes.

Bathurst Regional Council may suspend or withdraw the Public Wi-Fi Service at any time and without prior notice should it decide to do so.

4.4. Security

Bathurst Regional Council will take reasonable action to provide secure access to the Public Wi-Fi Service. However, due to the nature of Wi-Fi Bathurst Regional Council cannot guarantee the security of a user's connection to the Public Wi-Fi Service. Please be aware that there is a risk of third parties gaining un-authorized access to a user's device or data through the Public Wi-Fi Service.

4.5. Private and Sensitive Data

Users are solely responsible for any information or data uploaded, downloaded or otherwise communicated using the Public Wi-Fi Service, and are responsible for keeping all user names, passwords and other security-based information secure and private at all times.

4.6. User Obligations

Users of the Bathurst Wi-Fi Service are liable for any kind of loss or damage incurred directly or indirectly as a result of their use of the Public Wi-Fi Service. It is strongly recommended that users install a personal antivirus and firewall on their wireless enabled device to block unwanted traffic and potentially malicious files.

4.7. Blacklisted Websites

Bathurst Regional Council may, at its discretion, block access to certain websites and services as they may create a hostile environment for others in the surrounding space. This includes but is not limited to websites and/or services that may:

- be used to harass or attempt to harass other people
- promote conduct that is abusive, threatening, obscene, defamatory or libellous,
- promote any criminal activity or enterprise, or provide instructional information about illegal activities

4.8. Prohibited Use

Users must not use the Public Wi-Fi Service to:

- engage in (or attempt to engage in) any illegal act;
- unlawfully interfere with any communication network or computer system;
- disrupt the use of the Public Wi-Fi Service by any other person;
- send spam emails;

- send unsolicited advertising;
- use software or applications that may assist in breaching this Policy.

When connected to the Public Wi-Fi System you must not access websites and/or internet services that:

- may obviously contain any viruses, malware or other computer programming routines that may damage, modify, delete, detrimentally interfere with, or access without authority any Bathurst Regional Council system, data or personal information
- may provide access to, create, store, distribute or display illegal text, graphics, audio or video
- may be used to harass or attempt to harass other people
- may promote racism, bigotry, hatred, discrimination or physical harm of any kind against any group or individual
- may promote conduct that is abusive, threatening, obscene, defamatory or libellous,
- may further or promote any criminal activity or enterprise, or provide instructional information about illegal activities.

4.9. Privacy

Bathurst Regional Council reserves the right to collect personal information about you in relation to your access to and use of the Public Wi-Fi Service. The following information is collected:

- your email address
- your device's MAC and IP address
- the addresses of the websites and webpages you visit while you are connected to the Public Wi-Fi Service
- the date and time when you accessed the Public Wi-Fi System; and
- any other personal information that may be reasonably required to establish the identity of the person using a device connected to the Public Wi-Fi Service.

Any information collected will be done so in accordance with the Privacy and Personal Information Protection Act 1998 (NSW) and Regulation.

Bathurst Regional Council collects users' browser history during their time using the free public Wi-Fi Service for the purpose of verifying that users' use of the Public Wi-Fi Service complies with this policy. Council's response to external requests from law enforcement or integrity agencies for access to data about persons using the Public Wi-Fi System will be overseen by Council's General Manager.

4.10. Disclosure and Publication of Personal Information

Bathurst Regional Council will not disclose users personal information for any purpose, but may disclose personal information to Council's technology providers, police and other law enforcement agencies where relevant in connection to:

1. the investigation of a potential crime, or otherwise in connection with a breach or suspected breach of this Policy
2. a court or tribunal order for production of documents or information

3. Australian law (for example, disclosure under the Government Information (Public Access) Act 2009 (NSW) and Regulation).

4.11. Accessing Personal Information

Bathurst Regional Council's Privacy Management Plan contains information about how users may access personal information about themselves that is held by Bathurst Regional Council, and seek correction of such information.

5. ADMINISTRATIVE UPDATES

It is recognised that, from time to time, circumstances may change leading to the need for administrative changes to this Policy. Where an update does not materially alter this Policy, such a change may be made administratively. Examples include a change to the name of a Council department, a change to the name of a Federal or State Government department, and a minor update to legislation which does not have a material impact. However, any change or update which materially alters this Policy will be by resolution of Council.

6. REVIEW

The next review of this Policy is scheduled for completion by 30 June 2021.

7. DEFINITIONS

Key terms

Key Term	Definition
Access	The ability to view or modify data.
Access control	The rules and mechanisms that control access to information systems.
Anti-virus	Software specially designed to detect and eliminate viruses and 'malware' before they cause harm.
Auditing	The process of capturing user activity and other events on the system, storing this information and producing system activity reports.
Audit Trail	A log file that provides the date and time stamped record of the usage of a system. An audit log can record what a computer was used for, allowing a systems administrator to monitor the actions of every user and can assist in determining if a security violation has occurred.
Availability	The assurance of the accessibility of systems and information to authorised users; when they require it.
Council	means Bathurst Regional Council, being a body politic constituted as a local Council under the Local Government Act 1993 (NSW) and includes Councillors and Council Officers.
Councillors	means the individuals holding the office of a Councillor of Bathurst Regional Council
Council Officers	means the General Manager and staff of Council.
Firewall	A combination of hardware and software that provides security to a network. Generally used to prevent unauthorised access from external networks to an internal network.

Internet	A global network connecting millions of computers.
IP Address	The numeric address (i.e., 203.18.49.193) that identifies an entity on the Internet (for example, computer, server, network device, etc) that guides all Internet traffic, such as email and Web traffic, to its destination.
User	Any person connecting to Bathurst Regional Council Public Wi-Fi service after acceptance of the Public Wi-Fi terms and conditions.
Password	A string of characters entered by a user to verify their identity to a network or application.
Policy	The rules and practices that regulate how an organisation manages and protects its information systems infrastructure.
Privacy	At a corporate level, the need to keep data confidential while in transit and in storage. At an individual level, it is the control a person has over the collection, use, and distribution of his or her personal information.

Linked Bathurst Regional Council policies or guidelines:

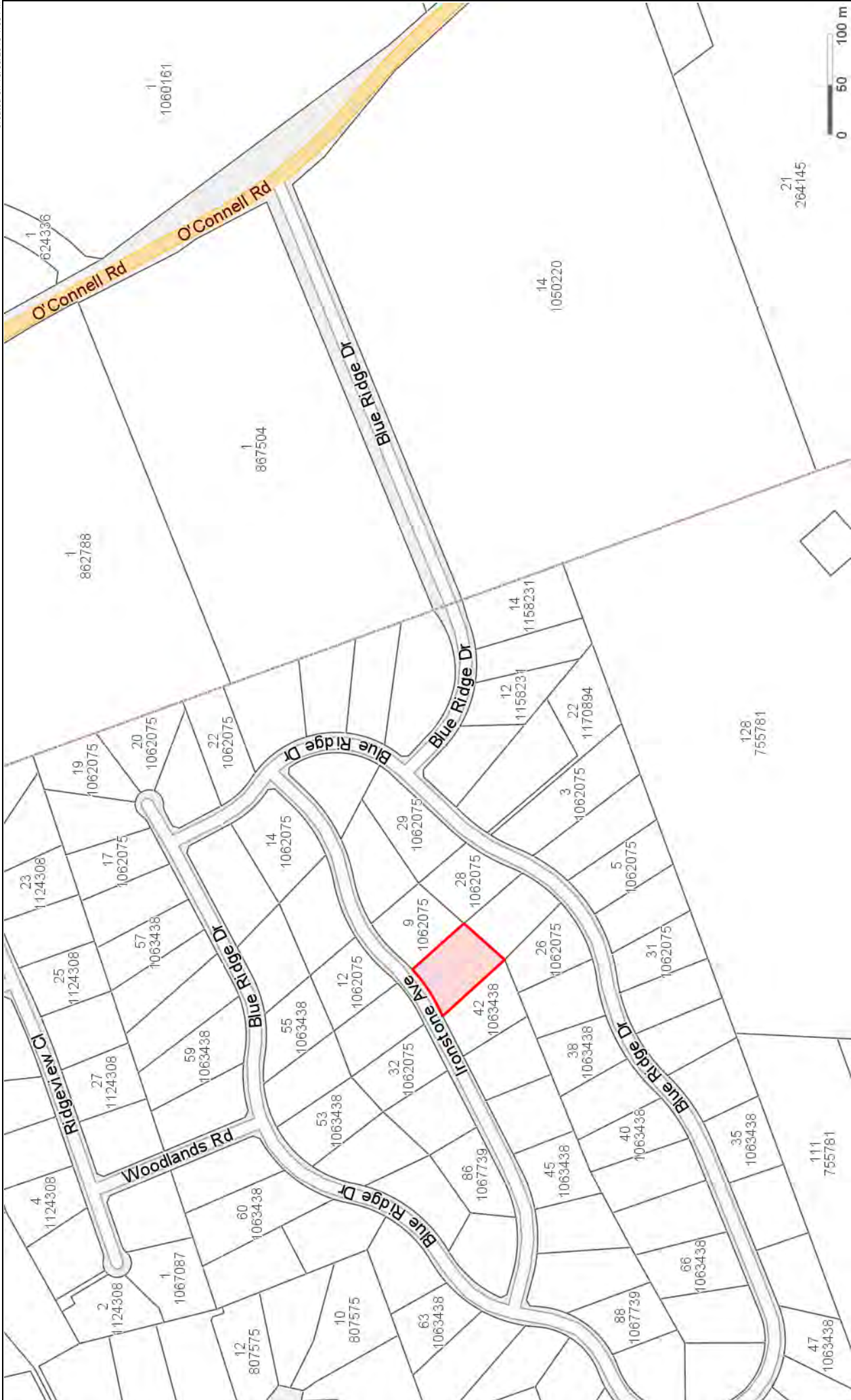
BRC Privacy Management Plan 2013

https://www.bathurst.nsw.gov.au/images/stories/council/public_docs/privacy_management.pdf

DISCUSSION FORUM - DEVELOPMENT APPLICATION SUBMISSIONS - ATTACHMENTS

POLICY COMMITTEE

Created on 15/05/2018 4:38 PM



Drawn By: McLeanL

Date: 15/05/2018

Projection: GDA94 / MGA zone 55

Map Scale: 1:5000 @ A4



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Created on 15/05/2018 4:39 PM



Drawn By: McLeanL

Date: 15/05/2018

Projection: GDA94 / MGA zone 55

Map Scale: 1:5000 @ A4

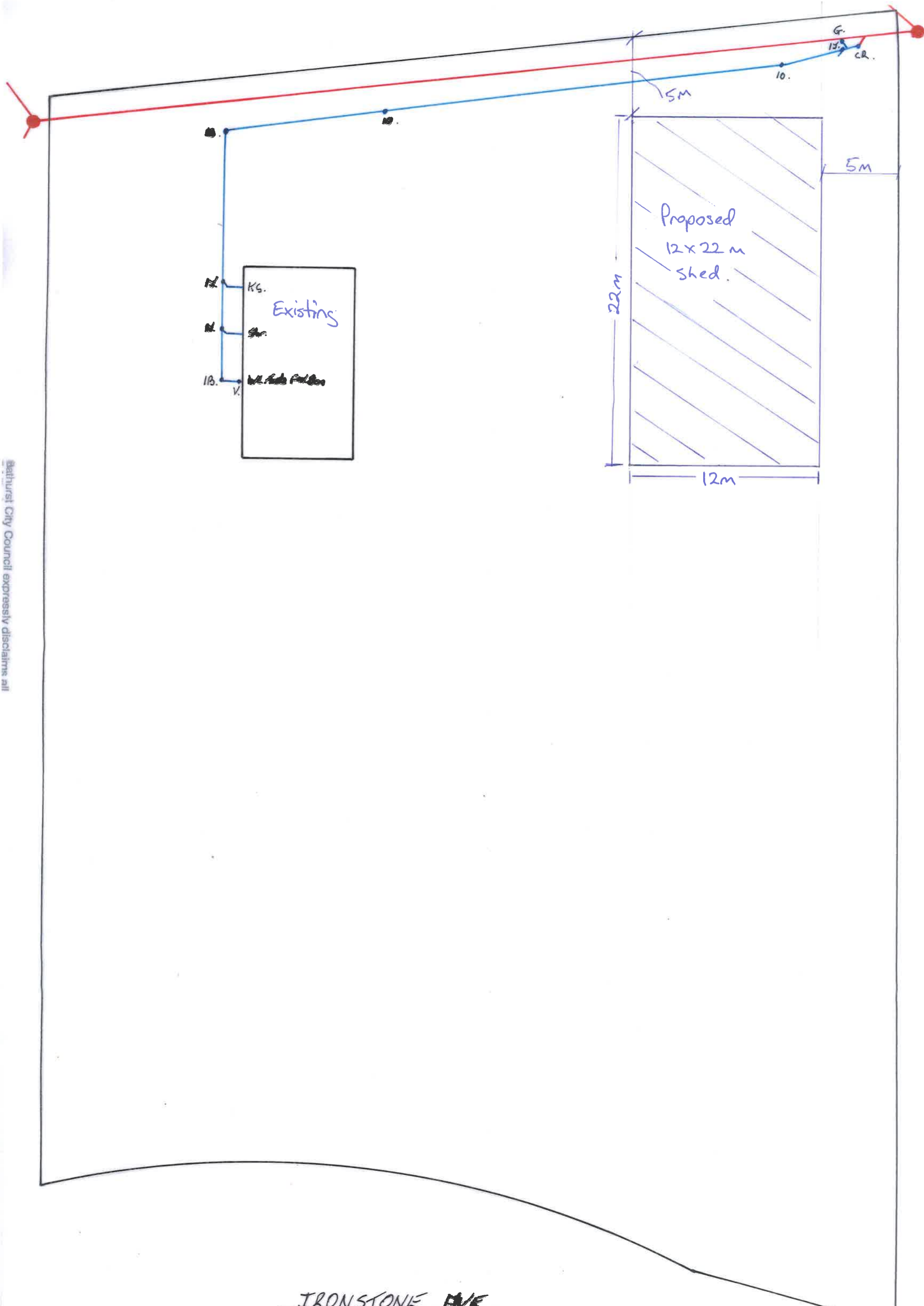


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Bathurst City Council expressly disclaims all



IRONSTONE FIVE

 BATHURST SHEDS	<i>Real Sheds - Real Value</i>		 <small>AUTHORISED DISTRIBUTOR</small> Fairdinkum SHEDS
5475 Sydney Road, Raglan, NSW 2795 P- 02 6331 9405 E- sales@bathurstsheds.com.au • www.bathurstsheds.com.au		Lic No: 300768C A.B.N: 76 611 944 140	

SHED QUOTE

Dear Layne Moulds,

Thank you for your enquiry. We are pleased to present our quote for your new steel Building.
 As a Fairdinkum Distributor we pride ourselves on supplying quality sheds using only Australian made Bluescope steel.

CUSTOMER DETAILS:	CUSTOMER CONTACT:	QUOTE/ JOB NUMBER:
Layne Moulds 49 Ironstone Ave White Rock 2795 0427101778	admin@layandatransport.com.au	13192 28/03/2018 Valid for 30 days
		Sales Person: Cheleen

BUILDING SUMMARY:			
Span:	12m		
Length:	22m		
Eave Height:	5.5m		
Bay Width:	5.5m x 4 bay(s) at 6m each		
Roof Pitch:	11Deg°		
Left Lean-to:			
Right Lean-to:			
DESIGN FACTORS:			
Importance Level:	2	Topography:	1
Wind Region:	Reg A	Shielding Factor:	1
Terrain Category:	TCat 3	Int Pressure Co-efficient:	-0.3, 0
Snow Loading:	Building Designed for snow region AC @ 700m above sea level.	Site wind speed in m/s:	37.35 (ultimate limit state)

QUOTATION:			
Base Price	\$39,142.05	Installation inc. GST	\$17,500.00
Total ex GST	\$39,202.00	Approx: Concrete inc. GST pending site inspection.	\$20,000.00
GST	\$3,920.21	Home Warranty Insurance inc GST	\$1,117.00
Shed Kit	\$43,122.00	Total inc GST	\$80,739.00

BUILDING DETAILS:	
Walls	COLORBOND® CLASSIC_CREAM Corrugated 0.42 CB
Roof	COLORBOND® BASALT Corrugated 0.42 CB 11Deg
Gutter	COLORBOND® BASALT M Pattern Gutter Slotted Gutter CB
Downpipe	COLORBOND® BASALT
Barge	COLORBOND® BASALT
Corner Flashings	COLORBOND® BASALT
Door Flashings	COLORBOND® BASALT
Skylights	
Whirlybirds	
Glass Sliding Doors	
Roller Doors	COLORBOND® BASALT 2 x 5.10h X 5.10 CB NovaTaur Commercial "Inc Plan Gears"
Roller Door Motors	
PA Doors	Personal Access Door in CENTRE of Bay 1 of BACK wall. Sentry Access Door Kit CB
Sliding Door	
Windows	
Window Extras	
Insulation	COMFORT - SISAL FOAMCELL SHED LINER 4MM (30m2) for ROOFMAIN for area 268.9412m2 TAPE VAPASTOP 883 50M X 48MM for ROOFMAIN for area 268.9412m2
Extras	
Open Bays	
Mezzanine	
Stairs	
Divider Walls	

MATERIALS:			
Columns:	2C25019	Purlins:	Z15012
Rafters:	C25024	Side Girts:	Z15012
Knee/Apex Brace:	C15019	End Girts:	Z15012
Left Lean-to Column:		Right Lean-to Column:	
Left Lean-to Rafter:		Right Lean-to Rafter:	
Mezzanine Bearer:		Mezzanine Joists:	
FOOTING:			
SLAB			
Min 100mm Slab thickened locally under each column by BORED footing			
Concrete in Vertical Bored hole locally under each column 600mm x 400mm Diameter x Depth			
The above foundation details are only suitable for soil classification A.S. or M and S.B.V. 100 kPa min. For other soil types refer to a registered structural engineer.			
Refer to sheet No '4' in plans for details other than shown on specification sheet and footing diagram sheet			

EXCAVATION ESTIMATE:
The excavation costs for Bathurst Sheds Quote Number: 13192.
Our Concreter will need to carry out a site inspection and advise of any site works that may be required prior to commencement.

CONCRETE ESTIMATE:	
The concrete costs for Bathurst Sheds Quote Number: 13192.	\$20,000.00
Concrete requirements.	
Slab Dimensions:	
Piers – Number Required:	
The Concreting Team's estimate assumes the following:	Extra charges may apply for the following:
Level site with good access for machinery & concrete truck.	H1 & 2, E or P class soils Concrete Pump.
Soil type AS or M.	No Rock.
Soil type to be confirmed prior to calling for plans.	Rebated Slabs.
Site inspection required for firm price.	Aprons and Laybacks.

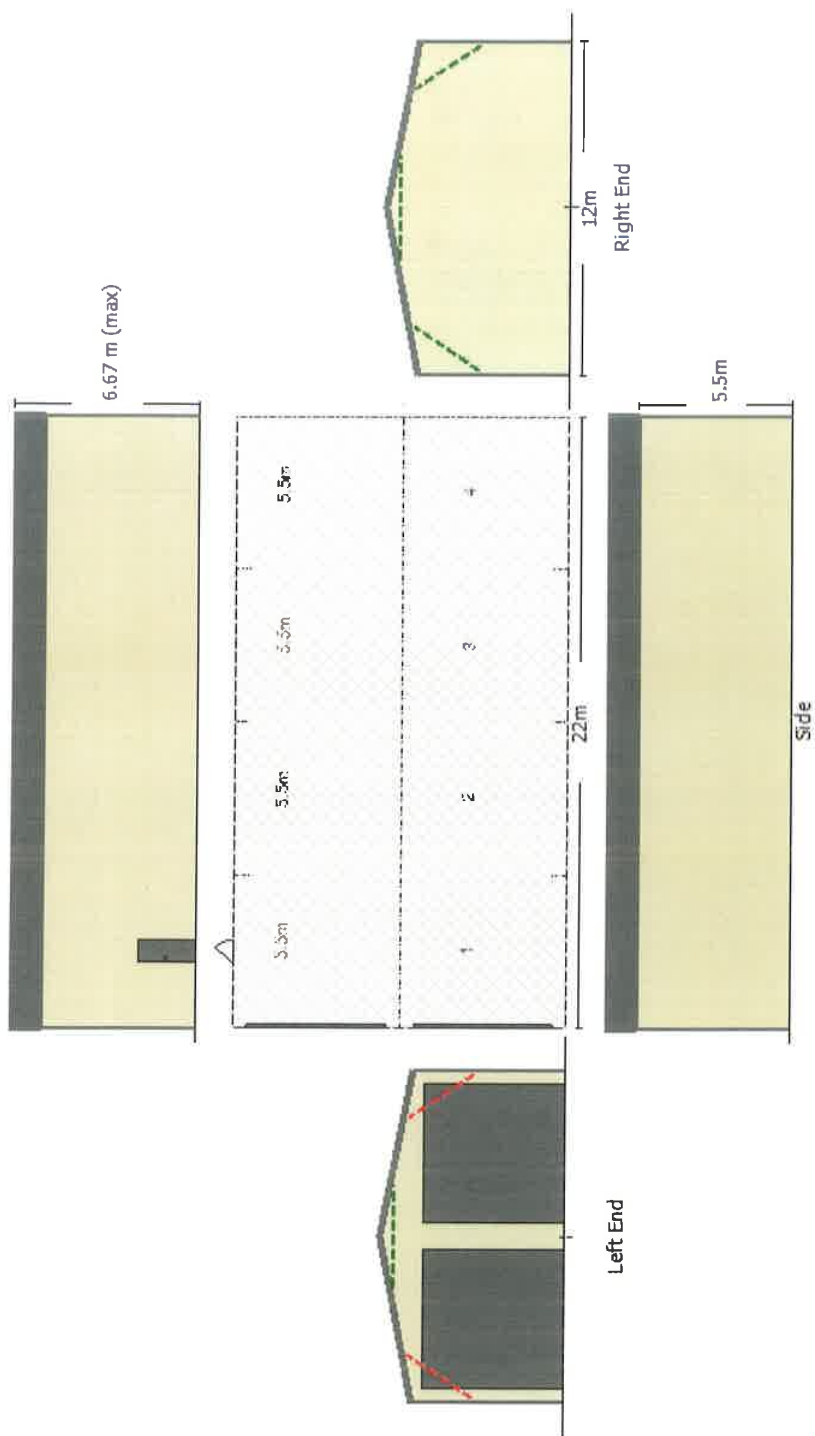
INSTALLATION ESTIMATE:	
The Installation costs for Bathurst Sheds Quote Number: 13192.	\$17,500.00
Any special Construction requirements:	
<p>If power not available a generator charge may be applied. If a toilet is not available for builder's use a portable toilet will be necessary at an extra charge. If working at heights equipment and machinery is required at an extra charge.</p>	

TERMS, CONDITIONS AND GENERAL MATTERS:	
<ol style="list-style-type: none"> 1. Council Exemptions to full Development Applications can be organised for \$165.00 for Exemptions and between \$550.00 for DA administration fees plus any Council Fees. The customer agrees to pay any extra costs incurred by Council to make any necessary changes. 2. Engineering Requirements are \$165.00 for administration fees plus Engineering or Blue-Ink Fees. 3. Concrete Quote is based on a m x m slab pending a site inspection. Upon confirmation of sale, all concrete costs are to be arranged with the Concreting Contractor. Connell Concreting – Adam Connell Licence No: 216908C Mob: 0427 410 834 4. If the customer cancels or changes the layout/colours of their shed after materials have been ordered, they will be liable for all costs incurred. 5. Ownership of the ordered goods does not pass over to the customer until full amount is paid. 6. Home Warranty Insurance is required for all work exceeding \$20,000.00. If this is required, it will be added to the overall quotation. 7. Account fees of 1.5% will be applicable to overdue amounts past 7 days of invoice. This will be handled by accounts management. 	

PAYMENT SCHEDULE WITH BATHURST SHEDS:	
The following deposit and payment schedule will be required.	
Engineering Plans for Council Approval.	\$150.00
On Order.	50% of the Shed Kit Price and Engineering/Council Fees.
3 days prior to Delivery of Shed Kit to Bathurst Sheds yard or to customer site (kit only).	Remainder of the Shed Kit Price.
Erection of Shed.	50% of the quoted Erection payable on day of commencement by Bathurst Sheds.
Erection of Shed.	Remainder of the quoted Erection payable on day of completion by Bathurst Sheds.

To learn more about the Fair Dinkum Sheds range of products, please visit www.bathurstsheds.com.au





Re: DA for Layne Moulds shed Lot 10. 14 Ironstone Ave White Rock

The size and location of this shed have been carefully considered as outlined below:

- The location in the bottom corner of the block is the lowest point of the property and sits below the surrounding properties. We have carefully considered other residents and believe it will not impact on anyone's view or enjoyment of their own property.
- The size of the shed has been chosen so that it can house my truck and trailer, caravan, boat, ute, and yard equipment etc. This is important to protect the equipment and ensure my property is kept tidy.
- We size and location will also ensure we do not store anything stacked up around the shed.

30th April 2018
 Bathurst Regional Council
 158 Russell Street or PMB 17 Bathurst NSW 2795

BATHURST REGIONAL COUNCIL

- 1 MAY 2018

Dear Sir/Madam

REF. 2018/122/015

Attention Ms L M McLean

Reference: Development Application No 2018/122, Lot 10 DP1062075, 14 Ironstone Avenue, White Rock

We write in response to Bathurst Regional Council's letter of the 23rd April 2018 regarding DA 2018/122 requesting written submissions of objection to the proposed DA. We live on the adjoining property (low side) and will be significantly impacted should this DA proceed. The impact will be as follows:

Potential overshadowing of surrounding land. The proposed height and size and proximity of the shed (22m along the length of our common boundary) will result in significant overshadowing of our property including reduced winter sunlight and loss of the current borrowed landscape in keeping with the area

Privacy of surrounding land. The proposed size and proximity of the shed to our common boundary will result in decreased privacy due to the activities associated with the shed and the proposed business activity of a heavy haulage business including comings and goings of vehicles and drivers.

Potential noise transmission to the surrounding land. There will be a significant increase in noise levels due to the activity associated with the shed and the proposed business activity of a heavy haulage business including large commercial vehicle movements. There will be a significant adverse impact of large vehicle movements in a residential area potentially at unsociable hours (based on previous complaints to Council and the applicants stated intention to operate the heavy haulage business from the property).

The likely visual impact of the proposed shed in relation to the streetscape. The size of the shed at a height of 6.67 metres (double that of surrounding properties and similar in size to a two storey dwelling) and 22 metres in length is incompatible with the nature of current properties and buildings and will have a detrimental impact on the surrounding streetscape. For adjacent properties it will significantly decrease property values.

Other relevant issues to the application. The owner of the land currently operates an interstate heavy haulage business, Layanda Transport P/L from Claremont Drive adjacent to White Rock Road. This includes transport of bitumen. Mr Moulds intention, as stated to us, is to run his business from 14 Ironstone Avenue White Rock. The DA states under *Use of development* "park a truck, trailer and private use caravan, lawnmower etc". The business address is listed as 14 Ironstone Avenue White Rock (refer to attachment). Should this eventuate it will result in:

1. Large vehicle movements that are incompatible with pedestrian activity and children (noting there are no designated footpaths on the estate and residents including children frequently walk on the shoulder sections of the roads)
2. Should the shed be built and a commercial business operated from the property we understand it will be the neighbours responsibility to bring this to the attention of the Council. We do not wish that this situation arises given the potential for further ongoing neighbour disputation involving Council.

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30 APR 2018

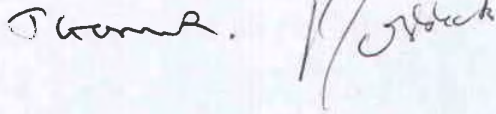
BATHURST REGIONAL COUNCIL

DEPBS

3. The plans do not show future internal road access to the shed. Given the proposed location of the shed it is reasonable to assume there will need to be entry and egress to the shed possibly including turning circles. Alternatively the public road will be used for heavy vehicular turning. This type of vehicular activity is incompatible with residential safety and amenity and as stated above will have significant adverse noise, privacy and visual impact on both ours and surrounding properties.
4. There have been prior episodes where tanker vehicles used for transporting bitumen for road paving have been parked on the vacant lot causing significant and pervasive odour to both outside and within our home buildings.

We respectfully raise these concerns with Council and request they be taken into account for this Development Application.

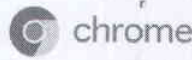
Yours sincerely



Paul and Jenny Gorrick
18 Ironstone Avenue
White Rock



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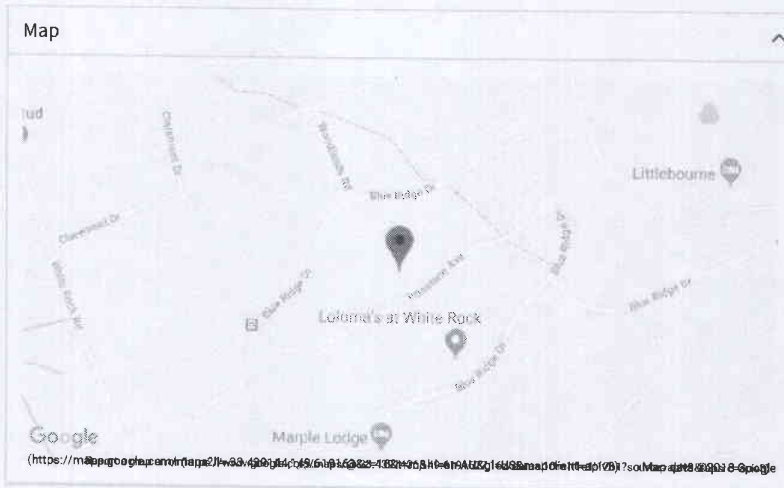
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2018/122/009

**DA2018/122****Shevahn Telfser** to: council

29/04/2018 07:40 PM

From: Shevahn Telfser <shevahntelfser@gmail.com>
To: council@bathurst.nsw.gov.au

Dear Bathurst Council Planning Dept,

I would like to lodge my concerns and objection to a development application that is currently being considered for approval. While I understand formal notification of this development application was sent to a small selected group of residents I believe the size of the proposed shed poses serious concerns for a more extended group.

My concerns are as follows

Size of the Shed : The shed is in no way a residential shed , there is no doubting that the size of the shed is more in line with industrial or farm use. While the zoning on this land is Rural residential the lot sizes and usage lean far more to the residential size rather than rural and as such it would be assumed that development would keep in mind the residential land use. It is comical that the resident justifies the size of the shed by explaining that it is required to store equipment - at this size it could store two semitrailers and still have room for a number of cars. I am seriously concerned with a shed this size it would diminish the residential ambiance of the location. Bathurst has ample industrial areas which are well below full occupancy so I cannot see the rationale of approving industrial sized sheds in a residential area.

Height of the Shed : The height of the shed is such normally associated with a double story house which will impact the view of not only those houses directly backing onto the development but all that have views in the direction of the shed. The shed is located in line of sight between our house and views to Mount Panorama and at the proposed height will sit above the height of houses around it. When the estate was planned I believe that this lot would have fallen in the zone that was authorised for single story dwellings only and so find it contrary to the intent of the estate that a shed the height of a two story dwelling could be considered. Those that have already built in this area have done so under the assumption that there will not be double story constructions to impede views. Allowing a shed that is constructed of corrugated iron with little to no aesthetic value to stand taller than all houses in the vicinity is insulting to residents in the location and against the original intent of the estate planning. The owner of this site has already placed a significant amount of fill on the block which would further elevate the roof line of the shed well above the height of the adjacent house.

Location of the shed : In the planning documents for the estate a 10 m clearance from the boundary for this lot, the plans for this shed have a 5m allowance. While I am sure those that have a common fence line with this site will express similar concerns a shed this size located so close to the boundary fence.

As indicated throughout this email the proposed industrial shed is against the intent of the residential area. Personally the height of the house, its construction, and overall size will impact our views and residential ambiance.

Thank you I hope my concerns will be considered seriously.

Kind Regards

Shevahn Telfser
167Blue Ridge
White Rock

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2018/122/011

**Objection to DA No: 2018/122****Terry Phillips** to: council@bathurst.nsw.gov.au

30/04/2018 03:01 PM

From: Terry Phillips <tphillips@clarke.com>

To: "council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>

Attention: General Manager

Dear Sir,

As directed by your council staff please find attached our objection letter in regards to DA No: 2018/122

We look forward to your favorable response.

Kindest regards,

Terry Phillips

Vice President & General Manager

International

PO Box 9299

Bathurst, 2795

New South Wales, Australia

M: + 61 437 088 503

M: + 1 630 935 8271

E: tphillips@clarke.com

W: www.clarke.com



Global Environmental Products and Services



- DA Objection Letter.docx

Terry & Suellyn Phillips

98 Blue Ridge Drive

White Rock NSW 2795

Ph: 0437 088 503

Ref: Objection to DA No: 2018/122

Proposed Development: Shed

Premises: Lot:10DP: 1062075 14 Ironstone Avenue White Rock

Applicant: Mr. LR Moulds

Dear General Manager,

I am writing to you in reference to the DA application stated above. We would like to put forth that we strenuously object to the approval of the construction of the above mentioned shed at 14 Ironstone Ave, White Rock.

Our property is at the rear of this block and will be unreasonably affected by the construction of this shed. Below I would like to address all the points listed that council takes into consideration when assessing such developments and how we are affected in relation to each.

- 1) The views to and the views from surrounding land
 - a) Our views of Bathurst will be totally cut off by the placement of the proposed shed; this is our only remaining view from our property. Please see below current views that will be cut off completely.
- 2) Potential overshadowing of surrounding land
 - a) Construction of the proposed shed will significantly affect the western sun in the afternoon and over shadow our property
- 3) Privacy to surrounding land
 - a) Construction of such a shed will become an eye saw and severely impact the privacy of our back yard
- 4) Potential noise transmission to the surrounding land
 - a) The application states that this shed is to be used to house a truck and trailer plus numerous other items. For years they have been parking semi-trailers on this block and have been coming and going at all hours of the day and night at different times. This is a residential area and this block is being used to house commercial equipment that when used creates high noise levels at various hours of the day and night.
- 5) The likely visual impact of the proposed building in relation to the streetscape

- a) Blue Ridge estate is a highly valuable area with properties exceeding value of over 1 million AUD. Sheds such as these being proposed present a detrimental impact on values of surrounding properties and are being used for commercial storage rather than residential usage. The reason families such as mine move to this estate and invest in the region are for privacy and to build equity in our family assets. This shed being proposed is to the detriment of not only us but all other homeowners in the Blue Ridge Estate.

In the application I have reviewed on line the owners have described that the location will not impact any of the neighbours views or enjoyment. This is not the case as our only view will be totally removed by the placement of this proposed shed and at no time have the owners approached us about such construction.

Using residential land to run a commercial enterprise such as this is a blatant breach of what estates such as Blue Ridge are designed for.

As mentioned before we strenuously object to this DA application and if it was to proceed we will definitely be seeking further action through our lawyers.

We look forward to receiving your favorable response on this matter.

Regards,

Terry & Suelllyn Phillips

98 Blue Ridge Drive

White Rock NSW 2795







K E & Y J THURTELL
22 Ironstone Ave
WHITE ROCK 2795
30 April 2018

BATHURST REGIONAL COUNCIL
158 Russell St
BATHURST 2795

BATHURST REGIONAL COUNCIL

30 APR 2018

Dear Sir

REF 2018/122/010

Re Development Application No 2018/122 L R MOULDS

We would like to make our objections to the proposed shed. This visual and noise impact on our estate would be like living and an industrial area, not residential. The enormous size seems to indicate that the applicant will be using it for commercial use.

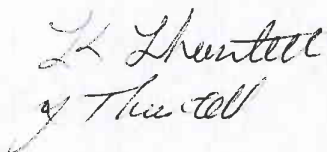
When the applicant was previously living is the small shed on the land, we were woken each morning at 5am by his truck being started, then left to idle. So will this be happening again but on a bigger scale.

When the tanks are parked beside the shed this will take up an even bigger area. This would be very unsightly.

As council is aware there are homes in the estate with a value of up to one million dollars, I am sure this will effect the potential for future sales.

There are a large number of families, that will be impacted by the trucks leaving and entering the premises, we have no curb and guttering. This will cause the roads to break up. Children ride their bikes all around the estate, they walk to the bus stops. We have young mums pushing prams with young children following, as well as families walking dogs. There are numerous retired couples as well.

Yours Faithfully



K E & Y J THURTELL

RECEIVED

30 APR 2018

BATHURST REGIONAL COUNCIL

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2018/122/013

**DA No 2018/122 Attention Mr Dwyer addendum to letter dated 30/4/2018****Paul & Jenny** to: council

30/04/2018 04:56 PM

Cc: Paul Gorrick

From: Paul & Jenny <pj_gorrick@bigpond.com>
To: council@bathurst.nsw.gov.au
Cc: Paul Gorrick <pj_gorrick@bigpond.com>

Dear Mr Dwyer

Please accept this addendum to our letter of the 30/4/18 re the above DA. In that letter we raised our concerns re shadowing from the proposed shed. We wish to add to those concerns. The shed specs indicate a height of 6.67 metres. What is not clear from the DA is the profile of the proposed location of the shed. Should the shed be built on a raised platform, this in part exists on the property, the shed would dominate our property by a further unspecified height. We estimate this could be a further 2 or more metres. This will cast a shadow over our property including an orchard and vegetable area, our clothes line and childrens play area. While this will be evident in all seasons there will be an added impact in winter as the shed will block the northern morning sun resulting in prolonged areas of frost. It is difficult to gauge the impact of shadowing precisely however we believe it will be extensive.

One of the main reasons we chose to move from Tamworth to Bathurst was the opportunity to enjoy an acre of land with associated gardens etc while still living in a neighbourhood. Should this development proceed this enjoyment and the amenity of the area will be largely negated.

Paul and Jenny Gorrick
18 Ironstone Avenue
White Rock

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30th April 2018
 Bathurst Regional Council
 158 Russell Street or PMB 17 Bathurst NSW 2795

BATHURST REGIONAL COUNCIL

- 1 MAY 2018

Dear Sir/Madam

REF. 2018/122/015

Attention Ms L M McLean

Reference: Development Application No 2018/122, Lot 10 DP1062075, 14 Ironstone Avenue, White Rock

We write in response to Bathurst Regional Council's letter of the 23rd April 2018 regarding DA 2018/122 requesting written submissions of objection to the proposed DA. We live on the adjoining property (low side) and will be significantly impacted should this DA proceed. The impact will be as follows:

Potential overshadowing of surrounding land. The proposed height and size and proximity of the shed (22m along the length of our common boundary) will result in significant overshadowing of our property including reduced winter sunlight and loss of the current borrowed landscape in keeping with the area

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The likely visual impact of the proposed shed in relation to the streetscape. The size of the shed at a height of 6.67 metres (double that of surrounding properties and similar in size to a two storey dwelling) and 22 metres in length is incompatible with the nature of current properties and buildings and will have a detrimental impact on the surrounding streetscape. For adjacent properties it will significantly decrease property values.

Other relevant issues to the application. The owner of the land currently operates an interstate heavy haulage business, Layanda Transport P/L from Claremont Drive adjacent to White Rock Road. This includes transport of bitumen. Mr Moulds intention, as stated to us, is to run his business from 14 Ironstone Avenue White Rock. The DA states under *Use of development* "park a truck, trailer and private use caravan, lawnmower etc". The business address is listed as 14 Ironstone Avenue White Rock (refer to attachment). Should this eventuate it will result in:

1. Large vehicle movements that are incompatible with pedestrian activity and children (noting there are no designated footpaths on the estate and residents including children frequently walk on the shoulder sections of the roads)
2. Should the shed be built and a commercial business operated from the property we understand it will be the neighbours responsibility to bring this to the attention of the Council. We do not wish that this situation arises given the potential for further ongoing neighbour disputation involving Council.

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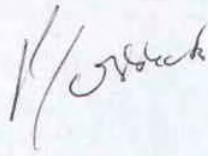
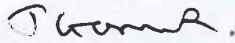
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3. The plans do not show future internal road access to the shed. Given the proposed location of the shed it is reasonable to assume there will need to be entry and egress to the shed possibly including turning circles. Alternatively the public road will be used for heavy vehicular turning. This type of vehicular activity is incompatible with residential safety and amenity and as stated above will have significant adverse noise, privacy and visual impact on both ours and surrounding properties.
4. There have been prior episodes where tanker vehicles used for transporting bitumen for road paving have been parked on the vacant lot causing significant and pervasive odour to both outside and within our home buildings.

We respectfully raise these concerns with Council and request they be taken into account for this Development Application.

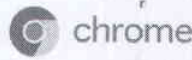
Yours sincerely



Paul and Jenny Gorrick
18 Ironstone Avenue
White Rock



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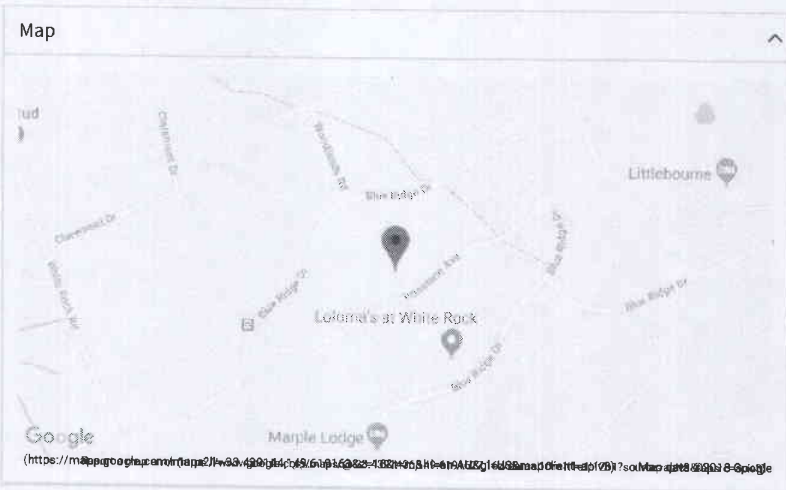
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BATHURST REGIONAL COUNCIL

- 1 MAY 2018

REF 2018/122/016

Development Application: No 2018/122Proposed Development: ShedPremises: Lot 10 DP:1062075 – 14 Ironstone Avenue White RockName Of applicant: Mr LR MouldsTo whom it may concern;

We Troy and Tracey Kearney of 10 Ironstone Avenue, White Rock are writing this letter to express our concern for the lodgement of the above Development Application.

Please see the reasons below.

We have had numerous conversations with Mr Layne Moulds in regards to his plans for his commercial size shed. We asked how he intended on running a transport business from the estate when the rules and regulations for the estate clearly state that you are not permitted to run or operate a business from the estate. Mr Moulds response was "I just don't care, a fine or two every week is still cheaper than renting a truck yard" we responded that's not real fair for the rest of us, there are lots of us that have businesses that live in the estate but we all need to find alternate places to run our businesses. He then stated he planned on bringing his prime mover and trailer home along with his spare trucks trailers, this is the reason for such a long and high clearance shed.

I am concerned for multiple reasons

- Environmental impact of Mr Moulds washing, cleaning and maintaining his heavy vehicles onsite which he clearly told me he will be doing.
- The impact on the road, I don't believe our road ways are rated for the constant truck and trailers entering and exiting multiple times on a daily basis – our road breaks up in the warmer weather just with the cars coming and going.
- The commercial use of the property. In the 149 certificate our land is classed as large residential lots – I don't believe a commercial sized industrial shed would fit into this category, considering it will be used to run a heavy vehicle operation

I am not opposed to Mr Moulds building a large shed for personal use only, I am opposed to Mr Moulds building a large commercial size shed for commercial use. The impact this will have on the entire estate is extremely detrimental. If Mr Moulds would like to be a business owner he should respect the rules like the rest of us. Run your business from an address where zoned to do so.

Troy & Tracey Kearney 0481844411
10 Ironstone Avenue, White Rock NSW 2795




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30 APR 2018

BATHURST REGIONAL COUNCIL

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BATHURST REGIONAL COUNCIL

- 1 MAY 2018

REF. 2018/122/017.....

Development Application: No 2018/122

Proposed Development : Shed

Premises: Lot 10 DP: 1062075 – 14 ironstone Avenue White Rock

Name of Applicant; Mr LR Moulds

To Whom it may concern;

We Jeff and Annette Peak of 94 Blue Ridge Drive, white Rock are writing this letter as we have concerns about the proposed shed that is in the development application stage.

We do have concerns with the below points,

- The 10-meter exclusion building zone (proposed is 5m).
- Shadows and safety issues from the height of the shed (from the shadow of the shed the sunlight will not melt the Bathurst frost until late afternoons) The residents at 18 Ironstone have grandkids which could be a hazard for slips and falls.
- Is the ground going to be levelled, if so how high is the shed going to be above ground level (this could add and extra 2-3m to the total height of the shed)?
- Is there a 3D plan available with full drawings with heights and sizes for viewing?
- The rules of the estate states that you cannot build a two-storey house, so how can a shed with this height be approved.
- Our concern also is we do not want to look at an industrial shed from out back yard which could devalue our property.
- Is there a "Shade plan" available for viewing?
- There is an easement running along the back-fence line for the shed on 14 Ironstone and the house at 10 Ironstone. (which is not showing on the proposed application or council plans).

We do not have any objections with Layne building a shed that complies with the building code for the estate.

Regards



Jeff & Annette Peak

0447000444

RECEIVED

- 1 MAY 2018

BATHURST REGIONAL COUNCIL

DEPBS

2018/122/018

Cecilia Hunt
25 Ironstone Avenue
Blueridge Estate,
White Rock NSW 2795

Bathurst Regional Council
William Street
Bathurst NSW 2795
council@bathurst.nsw.gov.au

1st May 2018

**ATTENTION: MR R DENYER – ACTING DIRECTOR - ENVIRONMENTAL,
PLANNING & BUILDING SERVICES**

Re: Development Application No 2018/122: 10 Ironstone Avenue, White Rock

I am writing in response to your letter requesting written feedback to be submitted by close of business today, regarding the proposed development referenced above. I would like to bring to your attention a number of objections that I have with regard to the proposed development of the imposing shed. As a neighbour to the site of the proposed development, I am of the view that the proposed development will have a detrimental impact on my family's standard of living and the immediate neighbours surrounding the proposal. My specific objections are as follows:

Size of shed

- The proposal does not reflect the neighbourhood appeal as the proposed design is intended to house heavy commercial equipment, we bought land and built in the estate with no anticipation that it would become an environment for heavy commercial vehicles. The proposal does not 'protect and conserve the scenic value' of the area (Zone No 1 c)
- Visual impact of the size of the shed to house commercial equipment is beyond reasonable residential necessity, ie. garden maintenance equipment and caravan etc. and will be an eyesore with the proposed dimensions

Safety concerns regarding purpose of shed

- The proposed development would result in an unsafe environment for children who regularly walk and bike ride around the residential roads of Blueridge Estate, as heavy vehicles can cause obstruction and impeding vision. Families and children in the estate will be forced onto roads and motorists to the wrong side of the road in order to pass the heavy vehicle as it enters, exits and reverses
- The development of a shed to house a commercial truck/heavy vehicle poses multiple concerns, including the frequency of the heavy commercial vehicle entering and exiting the property and to the estate

- The original appeal for the Blueridge Estate for residents included the provision of a safe, secure and community living environment removed from high density living and commercial surroundings (including housing commercial heavy vehicles)
- Multiple developments are prohibited in the estate, including those with a commercial purpose, warehouses and depots. I believe that housing a commercial heavy vehicle for commercial/business purposes should also be carefully considered.

Noise impact

- The proposed development would result in an excessive noise from starting the engine (especially in cold weather when it will be left idling to warm the engine), exhaust systems, horns, brakes and sound systems when the proposed vehicle leaves and returns to the property
- The associated activities that will be carried out on the property (eg. washing, maintenance or repairs)
- Related equipment to be stored at the property (eg. compressors)

Upon consultation with surrounding residents there is unanimous consent that development 2018/122 should not be allowed to proceed. I believe that the proposed development will devalue the entire estate and deter future residents from purchasing in the area.

I would appreciate consideration be given to the above objections, prior to Council approval of the Development 2018/122 application.



Sincerely,
Cecilia Hunt



Letter re: DA No 2018/122

Hunt, Cecilia to: council@bathurst.nsw.gov.au

01/05/2018 03:28 PM

From: "Hunt, Cecilia" <cehunt@csu.edu.au>

To: "council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>

Attention: Mr R Denyer – Environmental, Planning & Building Services

Please see attached a letter re **Development Application No 2018/122: 10 Ironstone Avenue, White Rock**

Regards

Cecilia

Cecilia Hunt

Manager, Career Development | **Division of Student Services**

Charles Sturt University

Panorama Avenue

Bathurst NSW 2795

Australia

Tel: +61 2 6338 6348

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WAGGA |

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Consider the environment before printing this email.



- DA letter.pdf

BATHURST REGIONAL COUNCIL

-2 MAY 2018

Loretta McLean
 Council Environment
 Planning & Building Service Dept

REF 2018/122/019

Geoff & Vicki Evans
 21 Ironstone Ave,
 White Rock NSW
 2795

RECEIVED

-1 MAY 2018

Monday, 30th April, 2018

BATHURST REGIONAL COUNCIL

Dear Loretta,

We wish to oppose DA No 2018/122 for a shed on Lot 10 DP 1062075 14 Ironstone Ave, White Rock. As the applicant will be using this address to conduct a transport trucking business. We believed it will cause a huge disruption for the neighboring properties. The applicant used this block in previous years with his trucks and created noise problems with early morning starts and take offs. So no doubt this will happen again. Ironstone Ave is a relatively quiet & narrow street with a large number of small children. It is also used by many local residents to walk pets & exercise on a daily basis.

We think that the safety of the local residents using this street as pedestrians and in vehicles is important and should be protected. We also believe that a shed the size of this one proposed would be an eye sore to all the surrounding properties and the whole sub-division as it would be better suited to a industrial estate.

Kind Regards

Geoff Evans

Vicki Evans

G. Evans

V. Evans

DEPBS

15 Blue Ridge Drive

WHITE ROCK NSW 2795

30TH April 2018

Environmental, Planning & Building Services Department
Bathurst Regional Council

BATHURST REGIONAL COUNCIL

RE: Development Application No 2018/122

- 2 MAY 2018

I would like to object to the above Development Application.

REF. 2018/122/020

1. **VISUAL IMPACT.** I am concerned that the structure would be detrimental to the aesthetics of our estate. Once the shed is built it is there for a long time, even after the current owner has moved away. If the visual environment is deprecated, then the property values will be negatively affected for the whole estate.
2. **COMMERCIAL USE.** When my much smaller shed was approved it was clearly stated to me that I could not conduct any commercial activity in that shed and I do not. The enormous size of this shed, the stated desire to house a truck and trailer and the nature of the applicant's business would indicate that this shed will be used for commercial activity. Such a structure would be more appropriate in an industrial area.
3. **NEIGHBOURHOOD HARMONY.** If the shed is used in contravention to regulations, Council will rely on a complaint from neighbours to act and this usually results in conflict between neighbours which is not conducive to a harmonious neighbourhood.
4. **ADDITIONAL NOISE.** In practice, the haulage industry starts work early and I do not wish to be woken by a large truck and trailer driving past in the early hours. This is a residential estate and I am sure the majority of my fellow residents feel the same.
5. **ROAD DAMAGE.** The roads in this estate were not intended to carry large vehicles and a large truck and trailer would cause damage.
6. **CONSULTATION.** To my knowledge there has been no consultation with the immediate neighbours. Therefore, for the applicant to claim the shed has been positioned with consideration for the neighbours is totally incorrect. This raises the thought that there may be other statements that are incorrect.

Yours faithfully,

Gregory O Kemmis.

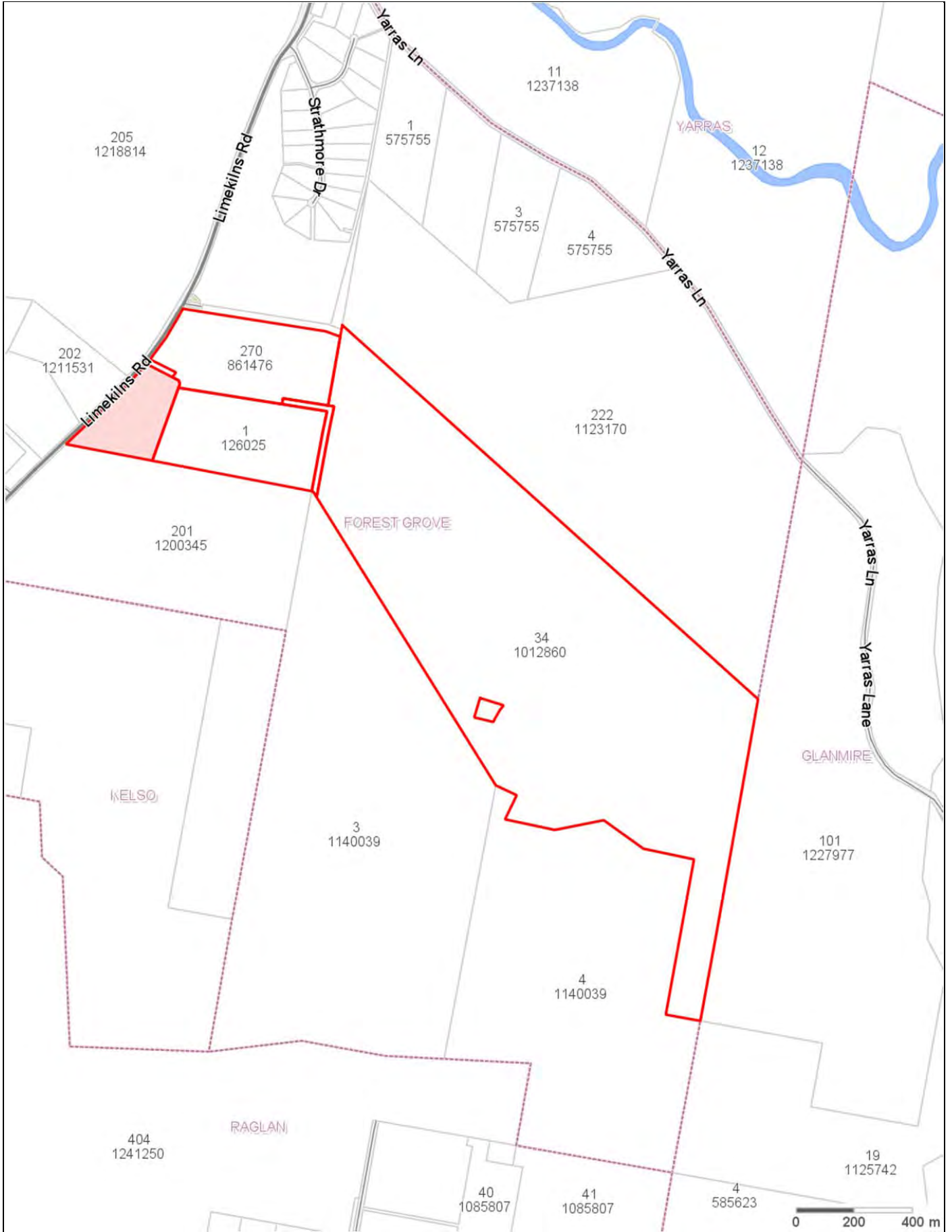


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- 1 MAY 2018

BATHURST REGIONAL COUNCIL

DEPB



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

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Bathurst Regional Council
 PMB 17
 158 Russell Street
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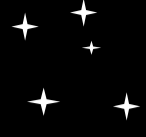
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Drawn By: DenyerK
 Date: 23/05/2018
 Projection: GDA94 / MGA zone 55
 Map Scale: 1:17864 @ A4

Heritage Park- Bathurst NSW



Statement of Environmental Effects

Proposed Mixed Use Development
624 Limekilns Road, Forest Grove
Bathurst, NSW



A Joint Venture Project between the
Wiradjuri Traditional Owners Central West Aboriginal Corporation and
Educational Learning Pty Ltd

Prepared by BTG Planning - Version 2 - March 2018

Contents

- 1.0 Preface and background p3
- 2.0 The Application p4
- 3.0 Site Zoning p5
- 4.0 The Proposal p7
- 5.0 Application of the Relevant Planning Controls p 24
- 6.0 Statement of Environmental Effects and Conclusion p29

This amended Statement of Environmental Effects (SEE) has been prepared by Bruce Goldsmith of BTG Planning in conjunction with Paris Spana (Architect) of PJS Design and Calare Civil P/L (Engineers) on instructions from Educational Learning P/L the owners of 624 Limekilns Road, Forest Grove, Bathurst NSW.

This report is an amended SEE (Version 2) for a DA lodged in January 2018 as DA 2018/21 and follows discussions with Council on perceived planning difficulties with the proposed site subdivision. In Version 2 that part of the proposal involving a community title subdivision has been deleted. The project otherwise remains the same.

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Preface



The “Wiradyuri Cultural and Education Cen-

tre” and “The Bathurst Experience” will be the centrepiece and key attraction for a new tourist and education centre development at Forest Grove, Bathurst, NSW

This innovative joint venture between the “Wiradyuri Traditional Owners Central West Aboriginal Corporation” and “Education and Learning Pty Ltd” will also be the catalyst for construction of a destination “tourist resort” in the Bathurst Region of NSW centred on a new 18 hole public golf course.

Key to the concept is that the tourist development will be self funding and overtime this will provide a source of income to be used for ongoing educational programmes and to maintain and promote the regions rich Indigenous and European history collections.

More importantly, the development will become an important Indigenous centre of learning, for cultural and sporting pursuits, and an opportunity to bring our cultures closer together.

1.0 Preface and Background

This report provides the required Statement of Environmental Effects (SEE) for a new tourist development concept that will reinvigorate an important local an existing regional tourist attraction at Bathurst known as the “Sheep and Cattle Drome”.

The subject property has an area of approx 172 hectares and is the remainder of what was “Rossmore Park” now called “Heritage Park Bathurst”. The property consists of Lot 34 DP 1012860 and Lots 270 & 271 DP 861476, Lot B1 DP 403344, Lot 1 DP 1047459 and Lot 1 DP 126025 also known as 624 Limekilns Road, Forest Grove.

The “Sheep and Cattle Drome” has been in continuous operation for in excess of 38 years and the business has expanded over time to include short stay accommodation (mainly for schools) to assist with farm stay for families and educational programmes as part of the NSW educational curriculum, including studies on Australia’s gold mining past of which Bathurst has a proud and significant contribution.

In 2001 the business was acquired by “Heritage Hill (Aust) Pty Ltd” and in 2002 a community title proposal for an “Integrated Resort Style Tourist Development” was approved by the Bathurst Regional Council – DA 2002/0736. The approval provided for up to 390 tourist villas around an 18 hole golf course and sites for various tourist related attractions, including the existing Sheep and Cattle Drome. This development was physically commenced by various construction projects so the approval remains in place.

Unfortunately it has not been possible to fully realise this project mainly due to the significant infrastructure costs involved and inability to gain funding because of uncertainty in the tourist market.

To add to these concerns in 2015 the Federal Government embarked on a new “National Education Program” for kindergarten to year 12. This program has dramatically changed the educational landscape at Heritage Park by requiring an emphasis on “indigenous studies” and moving away from the previous emphasis on the “gold rush days of growth and change”. However, this also provided a unique and important opportunity to potentially be a leader in this field by integrating our Aboriginal and post settlement history into the one education experience all provided at “Heritage Park”. In addition, the concept of using high quality moveable dwellings instead of constructing villas will make the development more economical and achievable.

Discussions began in 2015 between the directors of “Educational Learning Pty Limited”, the current owners of the property, and the elders of the “Wiradyuri Traditional Owners Central West Aboriginal Corporation”. An agreement has now been reached and subject to appropriate approvals, a joint venture can be achieved.

2.0 The Application

This SEE forms part of a development application by Educational Learning P/L for a Concept DA approval for “Mixed Use Development” comprising the following main elements:

- An Educational Establishment
- An Information and Educational Facility
- Tourist and Visitor Accommodation
- A Recreational Facility (Outdoor)
- Caravan Park

The application is made under the provisions of Section 83A & B of the Environmental Planning and Assessment Act 1979 (as amended), the terms of which follow:

83A Application of this Division

This Division applies to concept development applications and to consents granted on the determination of those applications.

83B Concept development applications

(1) For the purposes of this Act, a "concept development application" is a development application that sets out concept proposals for the development of a site, and for which detailed proposals for the site or for separate parts of the site are to be the subject of a subsequent development application or applications.

(2) In the case of a staged development, the application may set out detailed proposals for the first stage of development.

(3) A development application is not to be treated as a concept development application unless the applicant requests it to be treated as a concept development application.

(4) If consent is granted on the determination of a concept development application, the consent does not authorise the carrying out of development on any part of the site concerned unless:

- (a) consent is subsequently granted to carry out development on that part of the site following a further development application in respect of that part of the site, or*
- (b) the concept development application also provided the requisite details of the development on that part of the site and consent is granted for that first stage of development without the need for further consent.*

The terms of a consent granted on the determination of a concept development application are to reflect the operation of this subsection.

(5) The consent authority, when considering under section 79C the likely impact of the development the subject of a concept development application, need only consider the likely impact of the concept proposals (and any first stage of development in-

cluded in the application) and does not need to consider the likely impact of the carrying out of development that may be the subject of subsequent development applications. The proposals for detailed development of the site will require further consideration under section 79C when a subsequent development application is lodged (subject to subsection (2)).

The various elements of the proposal and their respective land use classifications follow:

Element	Statutory Land Use
Wiradyuri Cultural and Educational Centre and Academy	Part Educational Establishment and part Information and Educational Facility
Bathurst Experience Tourist Facility	Information and Educational Facility
Dormitory Style Accommodation	Tourist and Visitor Accommodation
Golf Course and Club House	Recreation Facility (Outdoor)
Sports facilities	Recreation Facility (Outdoor)
Short Term Accommodation	Caravan Park

The proposal is not an application made under Section 83B(2) - Staged Approvals. However, it does include a number of Precincts that can be developed in stages if necessary. The application consists of the following plans and documentation:

Statement of Environmental Effects	BTG Planning – Version 2
Site Plan	DA 01 - PJS Design– Version 2
Precinct 1	DA 02 - PJS Design– Version 2
Precinct 2	DA 03 - PJS Design– Version 2
Precinct 3	DA 04 - PJS Design– Version 2
Precinct 4	DA 05 - PJS Design– Version 2
Precinct 5	DA 06 - PJS Design– Version 2
Precincts 6&7	DA 07 - PJS Design– Version 2
Conceptual Services Report	Calare Civil Pty Ltd

The provisions of Section 83B (5) - see above, are particularly relevant to this application as they only require Council to make an assessment of the impact of the concept proposals and not the detail of any aspect of the proposal that requires a DA in the future and in that respect most of not all the consequences of the proposal have been dealt with previously by suitable conditions in the approval for DA 2002/0736

3.0 Site Zoning

The property is zoned RU1 Primary Production under the provisos of Bathurst Regional Local Environmental Plan 2014. Relevant zoning extracts follow:

Zone RU1 Primary Production

1 Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain the rural and scenic character of the land.
- To provide for a range of compatible land uses that are in keeping with the rural character of the locality, do not unnecessarily convert rural land resources to non-agricultural land uses, minimise impacts on the environmental qualities of the land and avoid land use conflicts.

2 Permitted without consent

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

3 Permitted with consent

Cellar door premises; Dwelling houses; Extractive industries; Farm buildings; Food and drink premises; Funeral homes; Garden centres; High technology industries; Home industries; Hostels; Intensive livestock agriculture; Landscaping material supplies; Markets; Neighbourhood shops; Open cut mining; Plant nurseries; Roadside stalls; Rural supplies; Rural workers' dwellings; Secondary dwellings; Any other development not specified in item 2 or 4

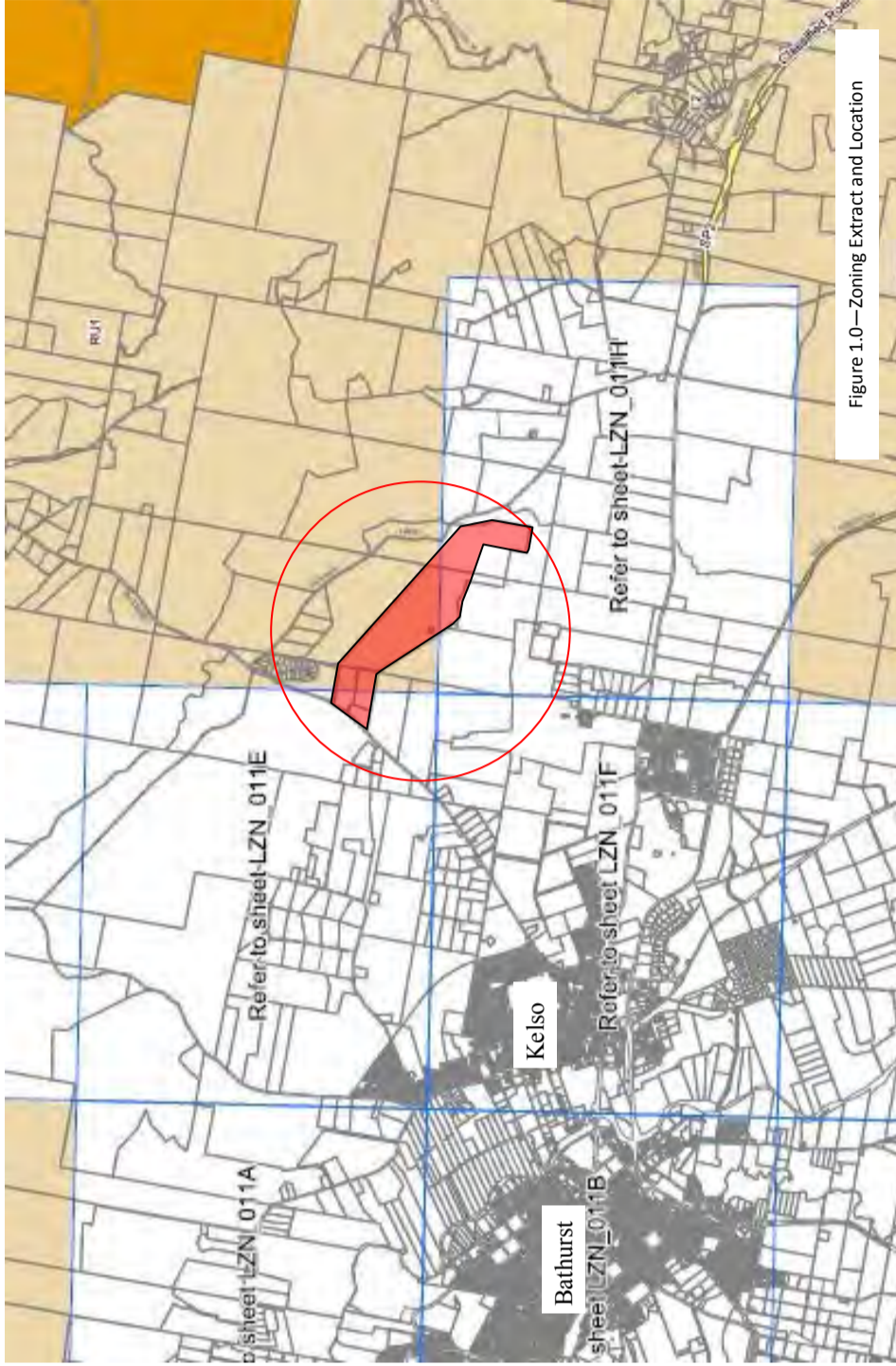


Figure 1.0—Zoning Extract and Location

4 Prohibited

Amusement centres; Commercial premises; Exhibition homes; Exhibition villages; Heavy industrial storage establishments; Home occupations (sex services); Industries; Public administration buildings; Residential accommodation; Restricted premises; Sex services premises; Storage premises; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Wholesale supplies.

Relevant definitions include:

tourist and visitor accommodation means a building or place that provides temporary or short-term accommodation on a commercial basis, and includes any of the following:

- backpackers' accommodation,
 - bed and breakfast accommodation,
 - farm stay accommodation,
 - hotel or motel accommodation,
 - serviced apartments,
- but does not include:
- camping grounds, or
 - caravan parks, or
 - eco-tourist facilities

caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

educational establishment means a building or place used for education (including teaching), being:

- (a) a school, or
- (b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act

information and education facility means a building or place used for providing information or education to visitors, and the exhibition or display of items, and includes an art gallery, museum, library, visitor information centre and the like

residential accommodation means a building or place used predominantly as a place of residence, and includes any of the following:

- (a) attached dwellings,
- (b) boarding houses,
- (c) dual occupancies,
- (d) dwelling houses,
- (e) group homes,
- (f) hostels,
- (g) multi dwelling housing,
- (h) residential flat buildings,
- (i) rural workers' dwellings,
- (j) secondary dwellings,
- (k) semi-detached dwellings,
- (l) seniors housing,
- (m) shop top housing,

but does not include tourist and visitor accommodation or caravan parks.

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

4.0 The Proposal

4.1 The Application

In relation to the subject property and pursuant to Section 83A& B of the EP&A Act, 1979 (as amended) Concept Development approval for a Mixed Use Development in seven (7) Precincts as shown in Table C below, as shown on plans drawn by Paris Spana Design DA 01- 07 - Version 2, as described in the Statement of Environmental Effects – Version 2 prepared by BTG Planning dated March 2018 and in the associated Concept Services Report prepared by Calare Civil P/L.

Precincts	Use Characteristics
1	Bathurst Experience and Wiradyuri Aboriginal Cultural and Educational Centre
2	Golf Facilities & Academy and Stage 1- Caravan Park (194 sites)
3	Stage 2 Caravan Park (98 sites) and Sports Facilities
4	Stage 3 Caravan Park (98 sites) and Sports Facilities
5	18 Hole Golf Course
6	Site Manager and Future Expansion
7	Animal Agistment, Paddocks and Bushland Regeneration Nursery

4.2 Summary of the Proposal

The various elements of the project as shown on the DA Plans are as follows:

- DA01—Site and Precinct Plan**
 There are seven (7) precincts as per Table C above. Precincts 2,3 & 4 show sufficient area for 390 moveable dwelling sites and this includes the 44 camping sites shown in Precinct 2. These camping sites will be relocated or phased out over the life of the project.

- DA02—Precinct 4**
 An area shown dotted outline in blue is sufficient for 98 mobile home sites for short term accommodation. A multi purpose cricket and Australian Rules field and an exercise complex.

- DA03—Precinct 3**
 An area shown dotted outline in blue sufficient for 98 mobile home sites for short term accommodation. A soccer and hockey field complex.

- DA04—Precinct 2**
 This area will provide the first Caravan Park area for 107 moveable dwellings, 43 caravan sites and 44 camping sites, i.e., 194 accommodation sites in total all for short term accommodation. It also contains the village cafe and general store which also provides the caravan park administration offices and booking place eventually for a range of sports facilities provided throughout the property.

The moveable dwelling sites average 300m² in area while the caravan sites are 160m² in area.

The proposed road system is based on internal loop roads crossed by several major pedestrian links and pocket parks.

- DA05— Precinct 1**
 This area accommodates the new Bathurst Experience and Wiradyuri Cultural and Education Centre buildings.

A large car parking area and bus drop off zone is provided off the new main access road. Space for additional short stay accommodation is shown.

- DA06—Precincts 6&7**
 Precinct 6 is proposed for an on-site manager's residence and potential expansion of Precinct 1. Precinct 7 will be used for animal agistment and paddocks for the farm animals that are part of the Bathurst Experience. It is also proposed to have a bushland regeneration nursery to service the needs of the Aboriginal Cultural Centre and Golf Course.

- DA07—Precinct 5**
 This Precinct will accommodate the 18 hole golf course and the new golf club house and academy building (see also DA-04 for more detail). An indicative golf course layout concept has been prepared and is provided later in this report.

As a summary the main differences between the current Master Plan approval DA 2001/7063 and this Concept Plan proposal are listed below and are illustrated on the comparative diagram that follows-

1. The "Bathurst Sheep and Cattle Drome" is replaced by the "Bathurst Experience and the Wiradyuri Cultural and Education Centre". The existing Drome becomes a multi purpose facility and a new Drome building is constructed;
2. The 18 Hole golf course is reconfigured (see green shading on the plans);
3. The Crematorium and Observatory are deleted;
4. The 390 Non - Permanent Occupancy Units are replaced with 390 moveable dwellings as a caravan park;
5. The golf club house is combined with an academy building;
6. The commercial site is replaced with a village admin/cafe/ general store and sports centre.

4.3 Development Stages– Indicative Only

Stage 1

Development of Precincts 1&2 in conjunction

Stage 2

Precincts 3,4, 5, 6 & 7 progressively, subject to demand and cost,

Stage 3

Precinct 6 expansion

4.4 Servicing the Development

A detailed report has been prepared by Calare Civil Pty Limited that addresses water and sewer services to the site. Their report forms part of this development application.

The report addresses on-site sewerage treatment packages to cater for the future needs of the development. It also assumes that all the existing facilities on site are adequately catered for by an existing on-site septic tank system. Their conclusions are:



Figure 3.0—Approval left and Proposal right

Sewer

- 1) The loading for Precinct 2 would be approximately an EP of 630 for the 194 sites proposed;
- 2) The total loading for the full development would be an EP of 1300 or about 250 kl/day;
- 3) A site has been chosen for a staged sewerage package plant which would be a minimum of 400m from adjoining properties and 312m to Lot 33.

Water

Water supply can be achieved from Council's reticulated supply south of Marsden Lane. There will be the need for an on-site reservoir and potentially some pumping stations along the route.

Council has previously raised questions whether or not the development would be classified as Designated Development and require an EIS. However, the EP&A Act regulations state:

ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000 - SCHEDULE 3

(Clause 4)

Part 1 - What is designated development?

29 Sewerage systems and sewer mining systems

(1) Sewerage systems or works (not being development for the purpose of sewer mining systems or works):

- (a) that have an intended processing capacity of more than 2,500 persons equivalent capacity or 750 kilolitres per day, or*
- (b) that have an intended processing capacity of more than 20 persons equivalent capacity or 6 kilolitres per day and are located:*
 - (i) on a flood plain, or*
 - (ii) within a coastal dune field, or*
 - (iii) within a drinking water catchment, or*
 - (iv) within 100 metres of a natural water body or wetland, or*
 - (v) within 250 metres of a dwelling not associated with the development.*
- (2) Sewerage systems or works that incinerate sewage or sewage products.*
- (3) Sewer mining systems or works that extract and treat more than 1,500 kilolitres of sewage per day.*
- (4) This clause does not apply to:*
 - (a) the pumping out of sewage from recreational vessels, or*

(b) sewer mining systems or works that distribute treated water that is intended to be used solely for industrial purposes.

Clearly, the proposed development does not fall within the category of 29(1)(a) and in relation to 29(1)(b), the following is relevant:

The proposal will have a processing capacity greater than 20EP.

- (i) it is not located within a flood plain;
- (ii) it is not within a coastal dune field;
- (iii) it is not within a drinking water catchment;
- (iv) it is not within 100m of a natural water body;
- (v) it is not within 250m of a dwelling not associated with the development.

Comment:

It can therefore be concluded the proposal is not Designated Development and does not require an EIS.

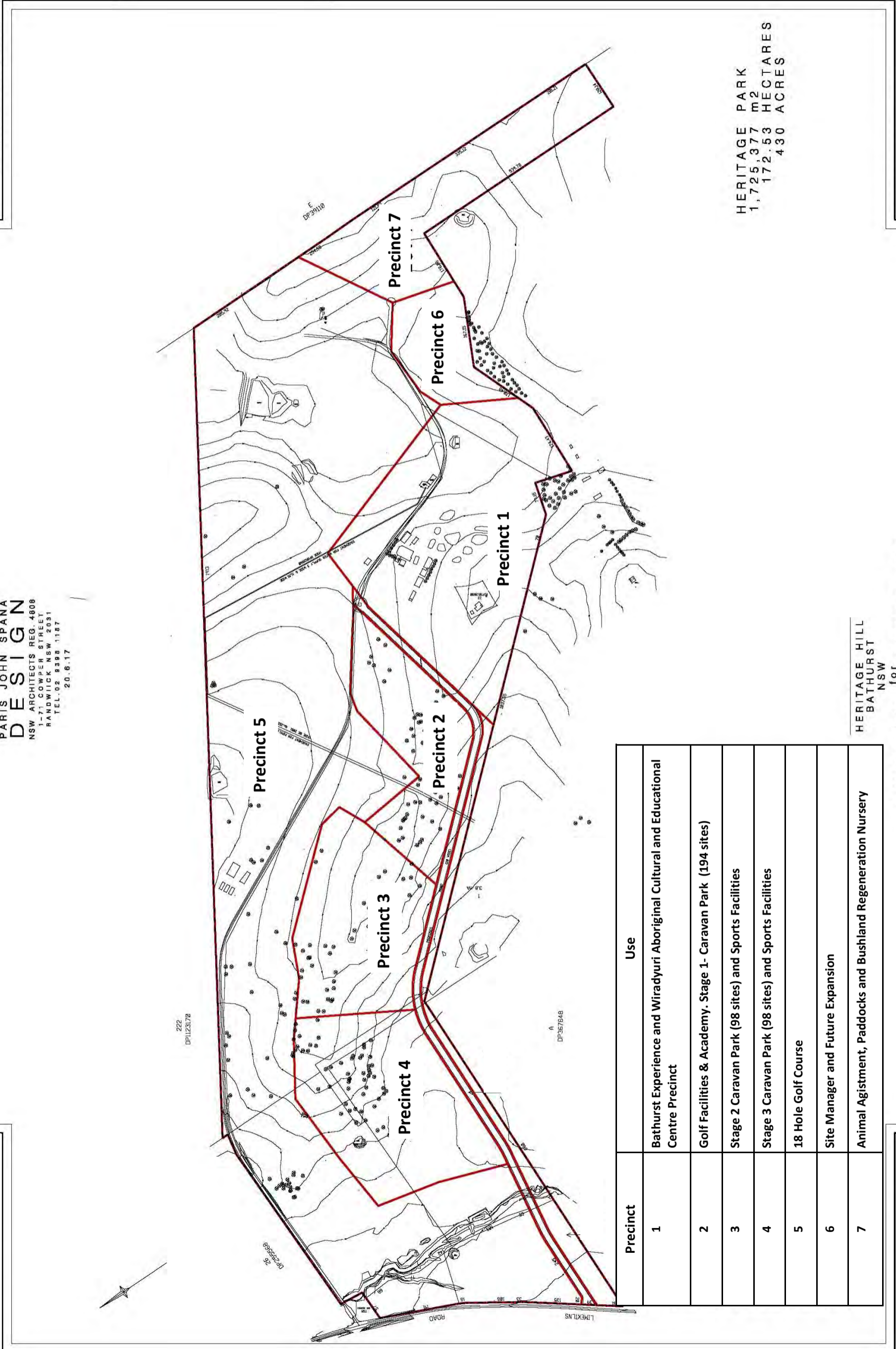
A copy of the proposed plans and further commentary on the proposal follows:



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 20.6.17

Version 2 - March 2018



HERITAGE PARK
 1,725,377 m²
 172.53 HECTARES
 430 ACRES

HERITAGE HILL
 BATHURST
 NSW

for
EDUCATIONAL LEARNING Pty Ltd

0 40m 200m
 scale 1:4000@A3
 1:2000@A1

Site and Precinct Plan
 PJS 17-06 DA-01

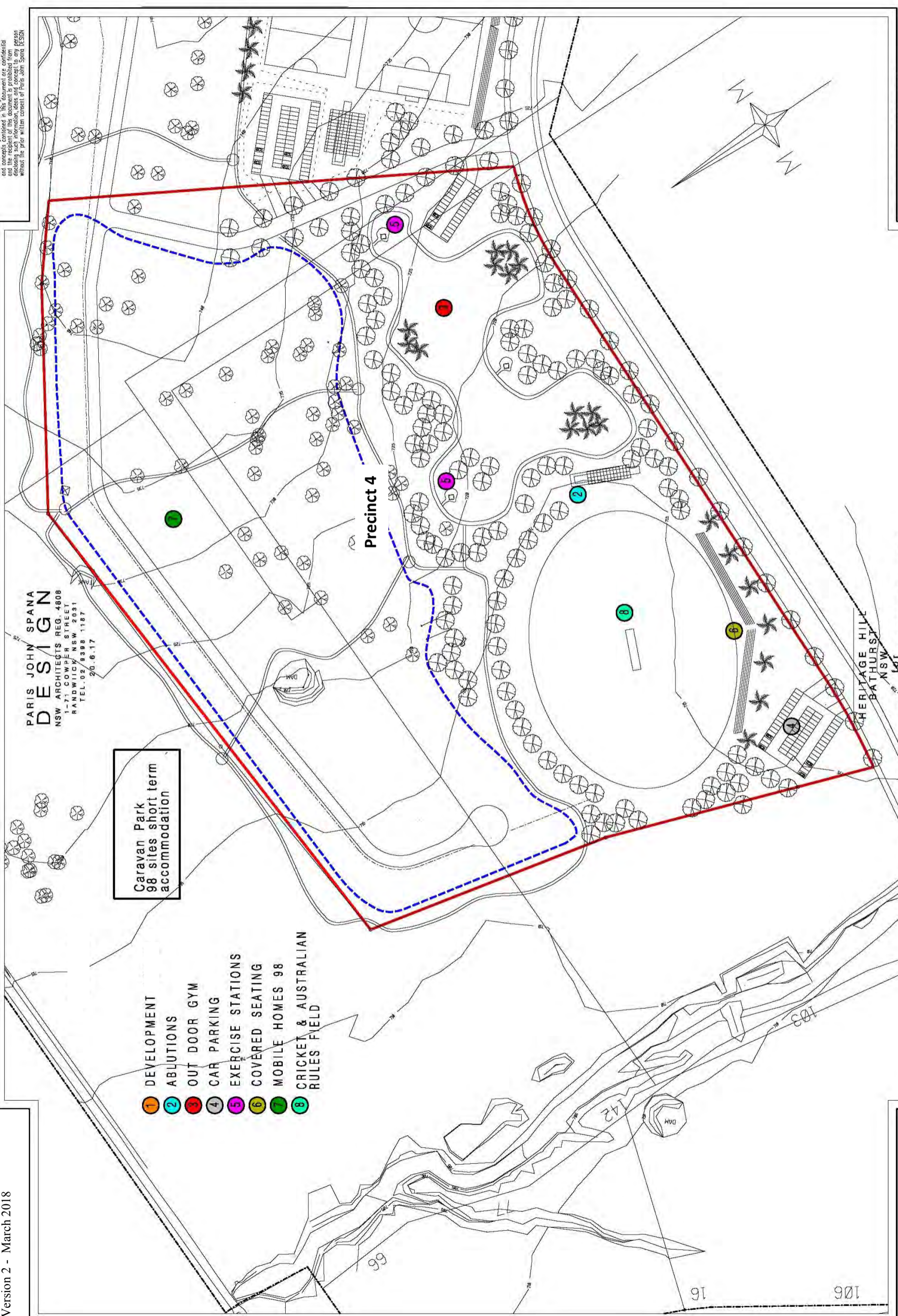
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20.6.17

Caravan Park
98 sites short term
accommodation

- 1 DEVELOPMENT
- 2 ABLUTIONS
- 3 OUT DOOR GYM
- 4 CAR PARKING
- 5 EXERCISE STATIONS
- 6 COVERED SEATING
- 7 MOBILE HOMES 98
- 8 CRICKET & AUSTRALIAN RULES FIELD

Precinct 4



Version 2 - March 2018

Precinct 4 Plan
PJS 17-06 DA-02

EDUCATIONAL LEARNING Pty Ltd

0 10m 50m
Scale 1:2000@A3
1:1000@A1



Examples of similar moveable dwellings to those proposed for this site. Proposed moveable dwellings would be located to the far right of the photograph above.

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TEL: 02 9396-1187
20.6.17

- 2 ABLUTIONS
- 3 HOCKEY FIELD
- 4 CAR PARKING
- 5 SOCCER FIELD
- 6 COVERED SEATING
- 7 MOBILE HOMES 98
- 8 GOLF COURSE

Caravan Park
98 sites short term
accommodation

Precinct 3

PROPOSED

ROAD

(20 WIDE)

3.8 HA

HERITAGE HILL
BATHURST
NSW
for

EDUCATIONAL LEARNING Pty Ltd

0 10m 50m
Scale 1:2000@A3
1:1000@A1

Precinct 3 Plan
PJS-0#7-06 DA03

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TEL: 02 9398 1187
20.8.17

- 1 CAMPING SITES 44
- 2 ABLUTIONS
- 3 COOK OUT
- 4 CAR PARKING
- 5 CARAVAN SITES 43
- 6 COVERED SEATING
- 7 MOBILE HOMES 107
- 8 GOLF CLUB HOUSE
- 9 ABORIGINAL CULTURE ACADEMY
- 10 AMENITIES- OFFICE, CAFE & GENERAL STORE,

Caravan Park
194 sites short term
accommodation



Version 2 - March 2018

Precinct 2 Plan
PJS 17-06 DA-04

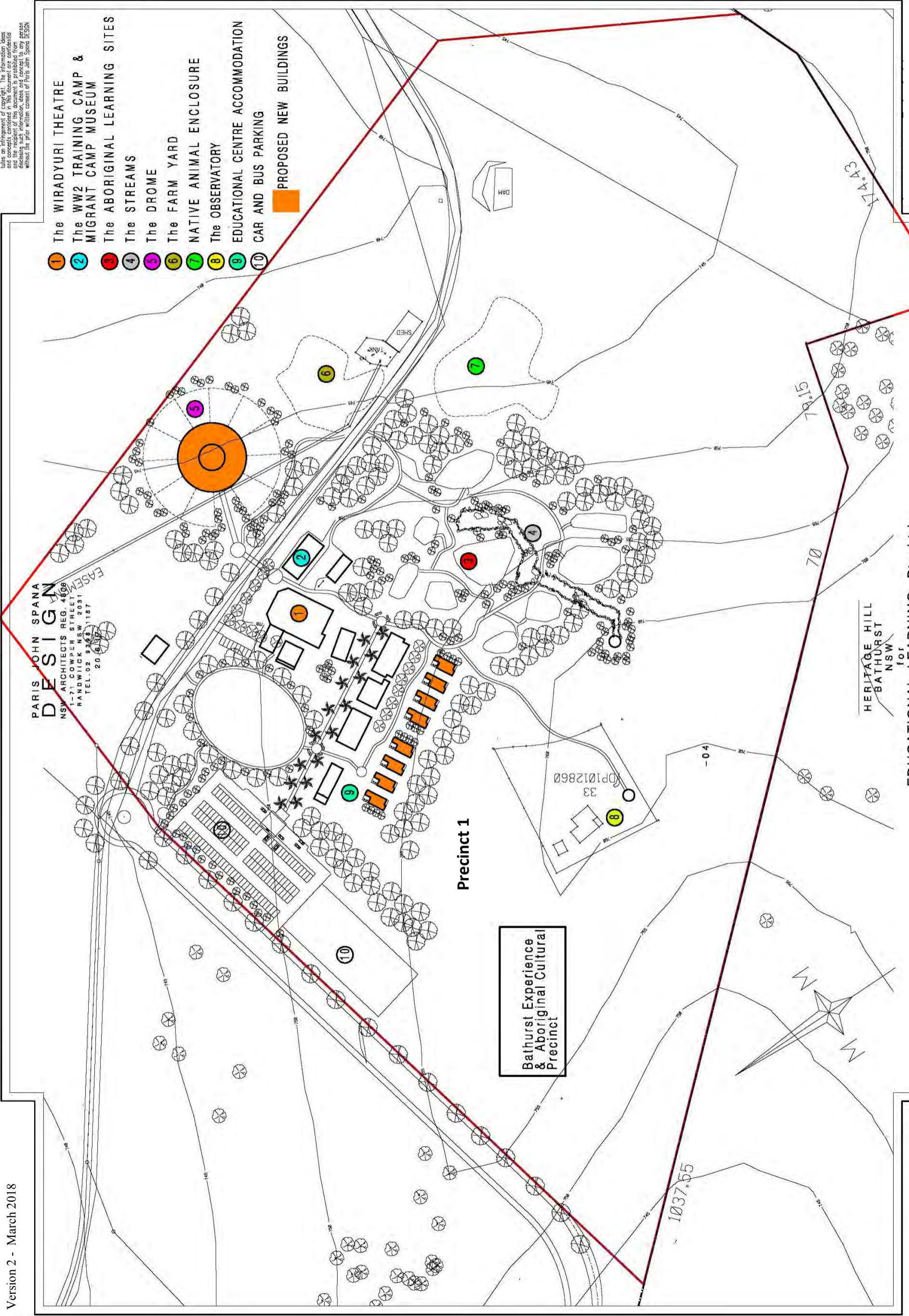
HERITAGE HILL
BATHURST
NSW
for
EDUCATIONAL LEARNING Pty Ltd

0 10m 50m
Scale 1:2000@A3
1:1000@A1

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2016/17

- 1 The WIRADYURI THEATRE
- 2 The WW2 TRAINING CAMP & MIGRANT CAMP MUSEUM
- 3 The ABORIGINAL LEARNING SITES
- 4 The STREAMS
- 5 The DROME
- 6 The FARM YARD
- 7 NATIVE ANIMAL ENCLOSURE
- 8 The OBSERVATORY
- 9 EDUCATIONAL CENTRE ACCOMMODATION
- 10 CAR AND BUS PARKING
- PROPOSED NEW BUILDINGS



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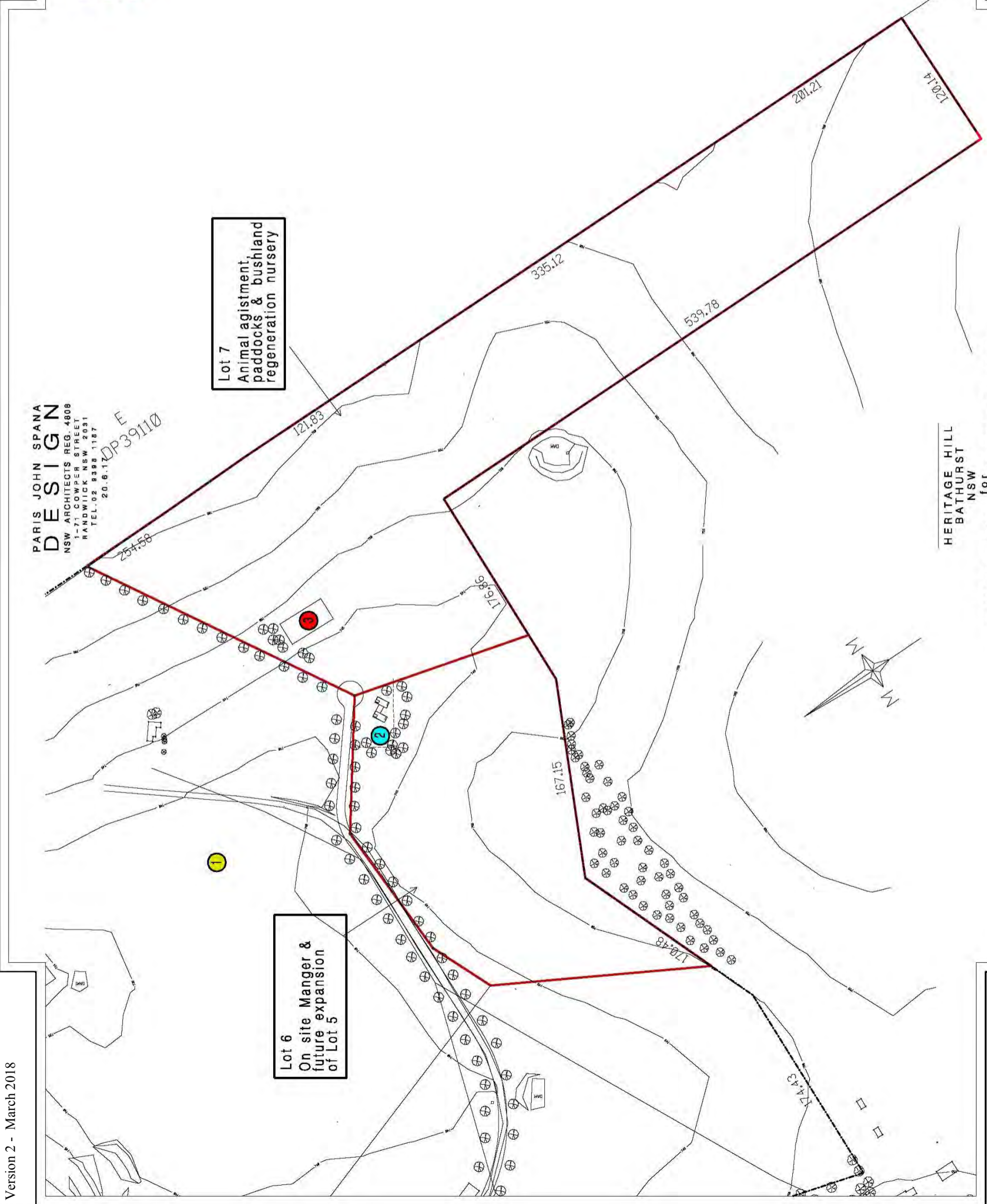
Precinct 1 Plan
PJS 17-06 DA-05

HERITAGE HILL
BATHURST
NSW
for
EDUCATIONAL LEARNING Pty Ltd

0 10m 50m
Scale 1:2000@A3
1:1000@A1

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- 1 GOLF COURSE
- 2 MANAGERS RESIDENCE
- 3 WORK SHED & EQUIPEMENT STORE



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 RANDWICK NSW 2031
 TEL: 02 9398 1187
 20.6.12 DP39110

Lot 7
 Animal agistment,
 paddocks & bushland
 regeneration nursery

Lot 6
 On site Manger &
 future expansion
 of Lot 5

HERITAGE HILL
 BATHURST
 NSW
 for

EDUCATIONAL LEARNING Pty Ltd

0 15m 75m
 Scale 1:3000@A3
 1:1500@A1

Precincts 6&7 Plan
 PJS 17-06 DA-06

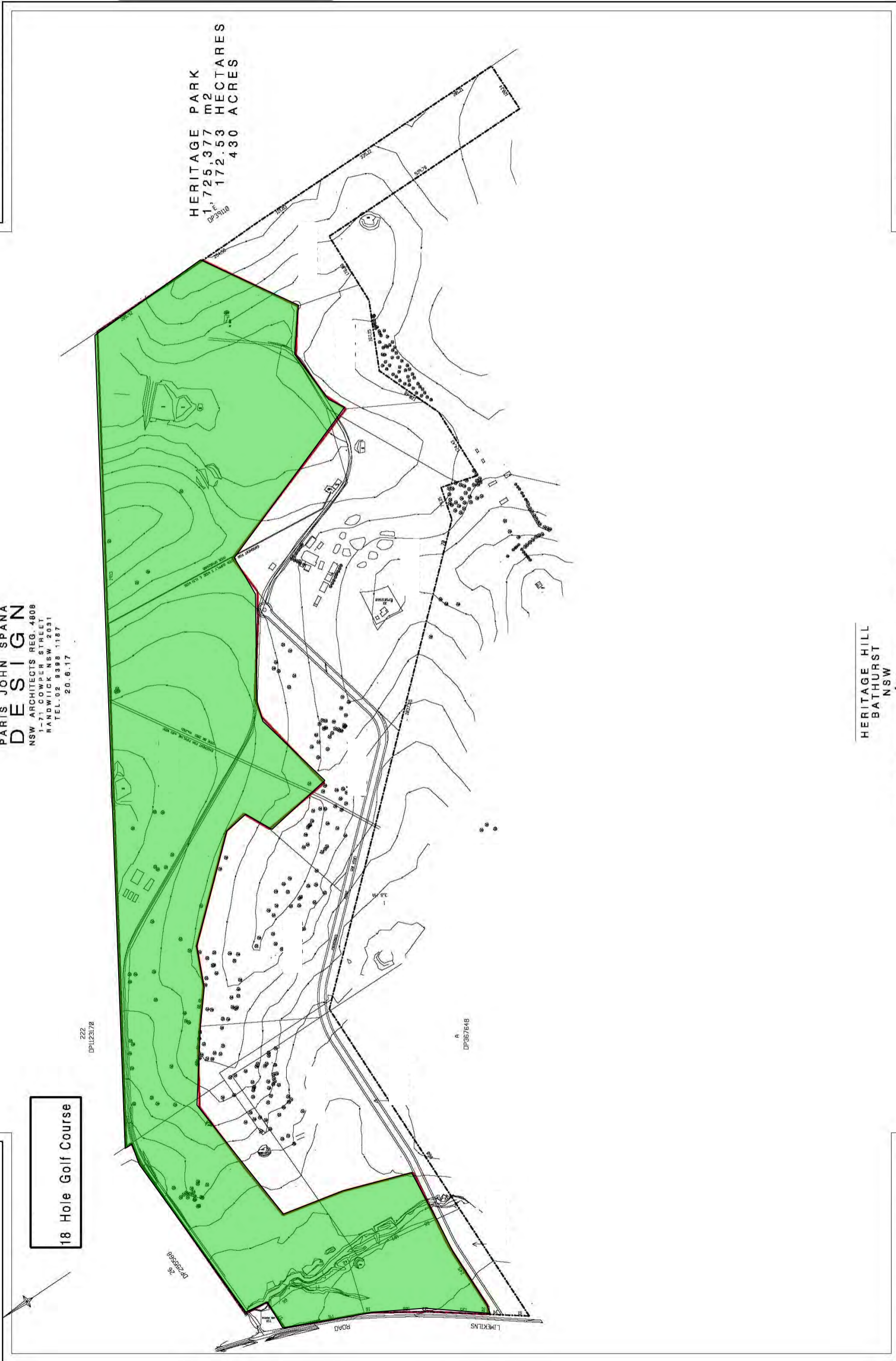
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20.6.17

HERITAGE PARK
1,725,377 m²
172.53 HECTARES
430 ACRES
DP99110

18 Hole Golf Course

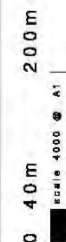


222
DP1123170

A
DP367648

26
DP259598

Version 2 - March 2018



HERITAGE HILL
BATHURST
NSW
for

EDUCATIONAL LEARNING Pty Ltd

Precinct 5 Plan

PJS 17-06 DA-07

Bathurst Experience

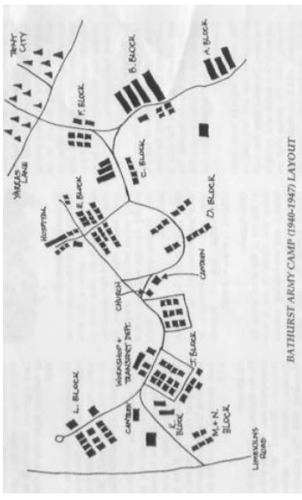
Farm and educational experience



The “Bathurst Experience” will present an intriguing and comprehensive story of European settlement and life in rural Australia. There will be a new “**Sheep and Cattle Drome**”, enlarged and upgraded school accommodation, a new “**Native & Farm Animals Display**” and a new “**Heritage Park Museum**” celebrating the rich history of the site first as a WWI army training facility and later as one of Australia’s largest migrant processing centres. It is proposed to have static displays and education facilities for a range of aspects of early Australian life including the WW2 training camp, the migrant camp, gold mining and farming at Bathurst.



2/30 Battalion AIF Association



The current Drome building will be upgraded and become the “**Wiradyuri Theatre**” housing the “**Wiradyuri Museum Collection**” and provide a multi purposed theatre space for all on site educational needs, from traditional indigenous dance, art and dreamtime presentations and teaching to observations of the sky and potentially with real time projection from an Observatory.

It is also hoped to incorporate a new “**Bathurst Observatory**” based on the existing major telescope located on Lot 33 DP 1012860 (currently owned and operated by others) into the joint venture but this cannot be confirmed at this stage. If this is not possible a new Observatory with additional moveable telescope positions around the hill behind the existing Drome building will be constructed. It should be noted

the owner of Lot 33 is not currently part of the proposed joint venture or this DA and Lot 33 does not presently have formal access to Limekilns Road but a ROW over the property. However, the applicant is willing to agree to a condition of consent to construct and provide a suitable new road access from Lot 33 to the proposed new Lot 1-Access Road.



2/30 Battalion AIF Association



Carpentry lessons at Bathurst Migrant Camp 1951. Courtesy National Archives of Australia

CLOSE X



Accommodation at Bathurst Migrant Camp 1951. Courtesy National Archives of Australia

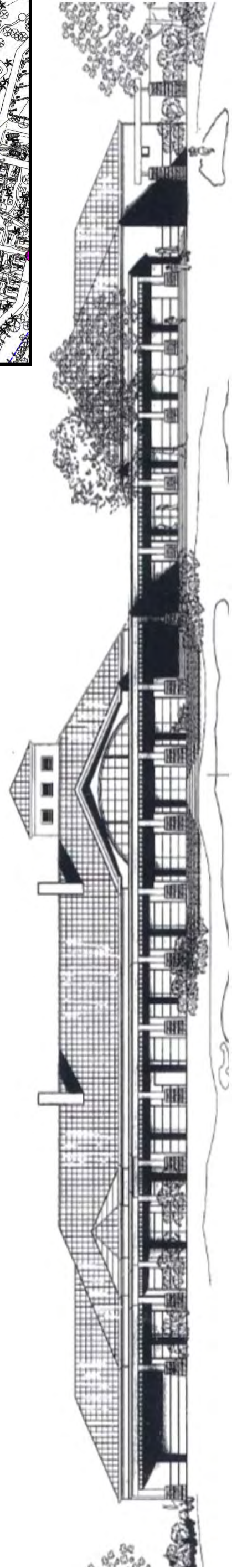
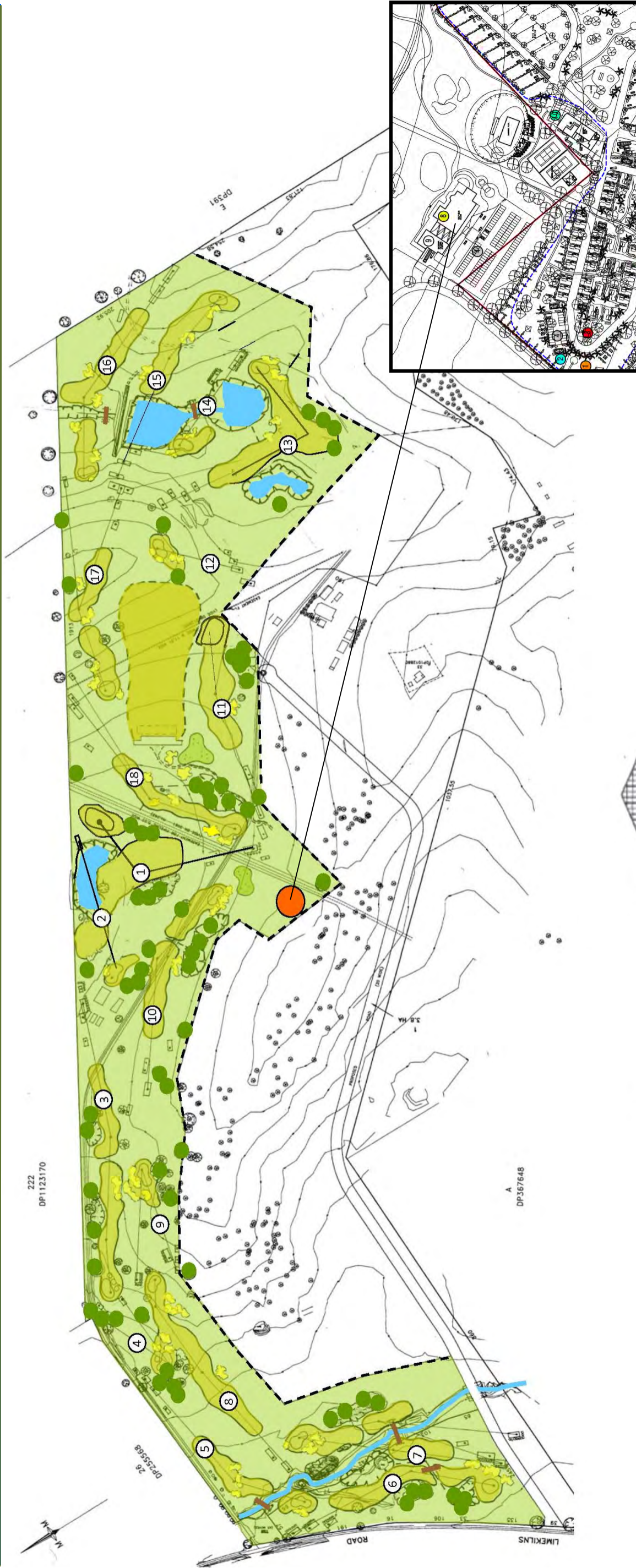
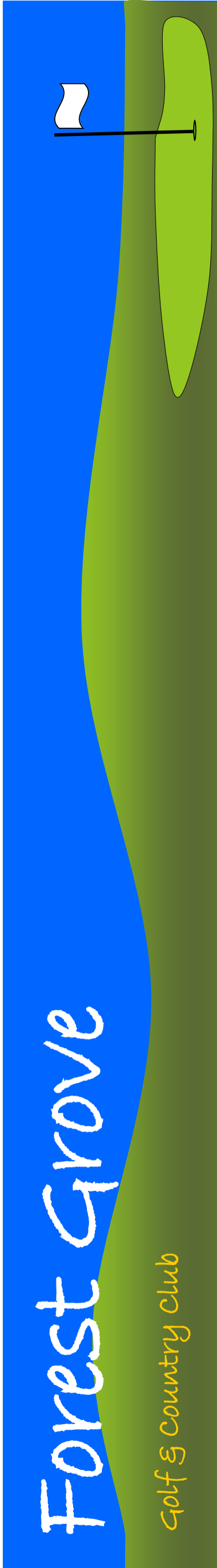
CLOSE X

BATHURST MIGRANT CAMP
(Bathurst Migrant Reception and Training Centre)
1948 - 1952



A PLACE FOR EVERYONE
BATHURST MIGRANT CAMP 1948 - 1952

Bathurst Experience
Truly Australian - farm and educational experience



Wiradyuri Cultural and Educational Centre

A unique aboriginal centre of excellence and learning



The Wiradyuri People

The Wiradyuri People are the people of the three rivers—the Wambool (Macquarie), the Calare (Lachlan) and Murrumbidgee. They are the largest Aboriginal group in NSW to the west of the Great Dividing Range and they are united by a common language. They have strong ties of kinship and have survived as skilled hunter-fisher-gatherers in family groups or clans scattered throughout central NSW.

Clashes between European settlers and Aborigines were very violent from 1821-1827, particularly around Bathurst and these have been termed the “Bathurst Wars”.

The Bathurst Wiradyuri have the totem of the “goanna” and many words in our language today have been borrowed from their language.

Under Governor Macquarie, white settlement west of the mountains proceeded slowly but when Macquarie was replaced by Governor Sir Thomas Brisbane, the white population doubled from 114 in 1820 to 287 by 1921. Wiradyuri hunting grounds, food sources and sacred sites were usurped by the white settlers.

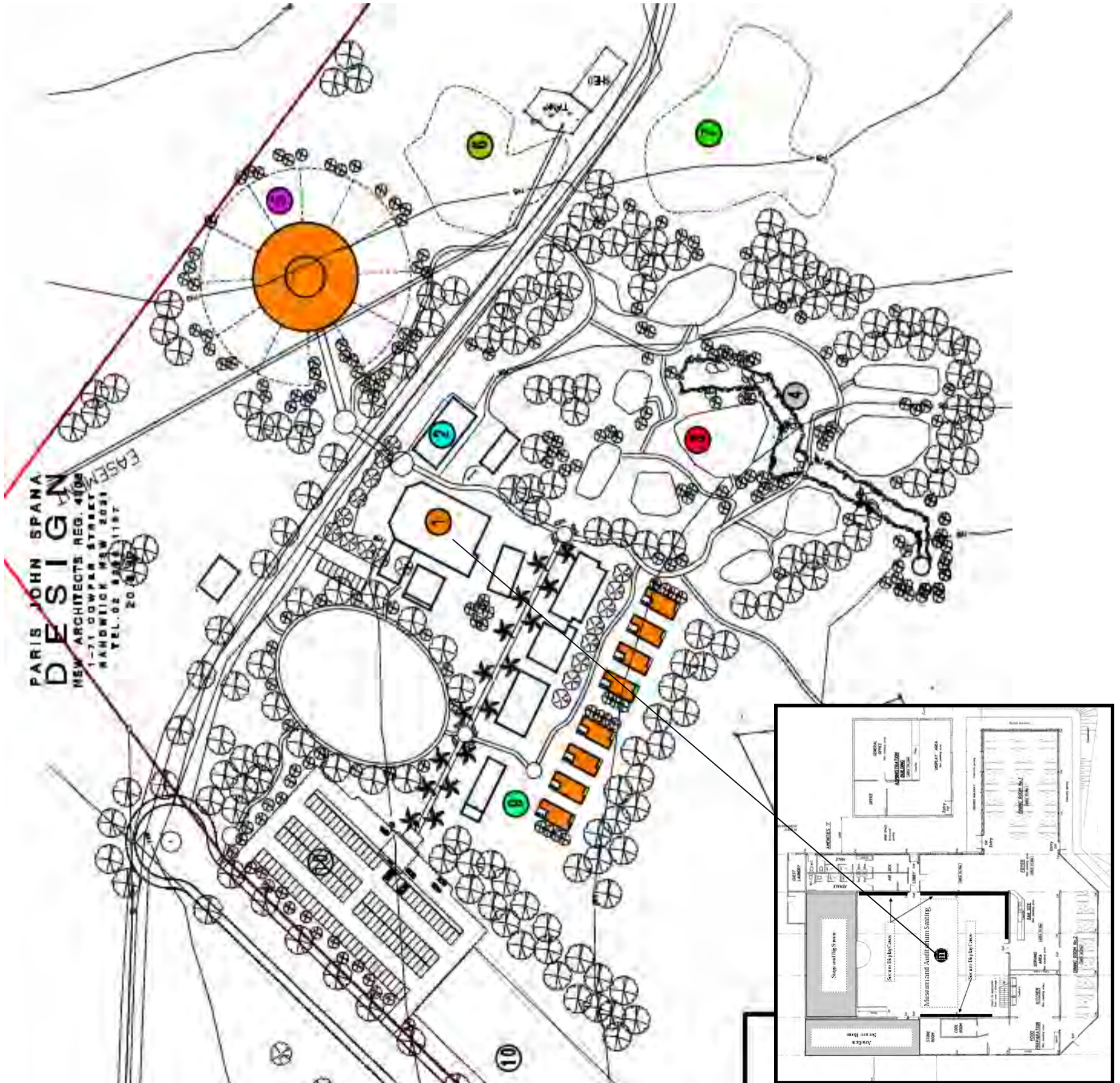
The life of Windradyne (Chief of the Aborigines), has made him a character of national importance as a resistance hero. A suburb at Bathurst is named in his honour and his grave at Brucedale is on the State Heritage Register.

The Wiradyuri are vitally important to the Australian and Indigenous cultures alike and their story is rich and vivid. The proposed “Wiradyuri Cultural and Education Centre” (WCEC) will be a unique facility that honours this legacy and will become the permanent home of a considerable amount of indigenous historical artefacts that are currently without a proper and safe place.

Moreover, the centre will become a home and education facility for aboriginal youth to immerse in their culture and sporting pursuits. More details follow-

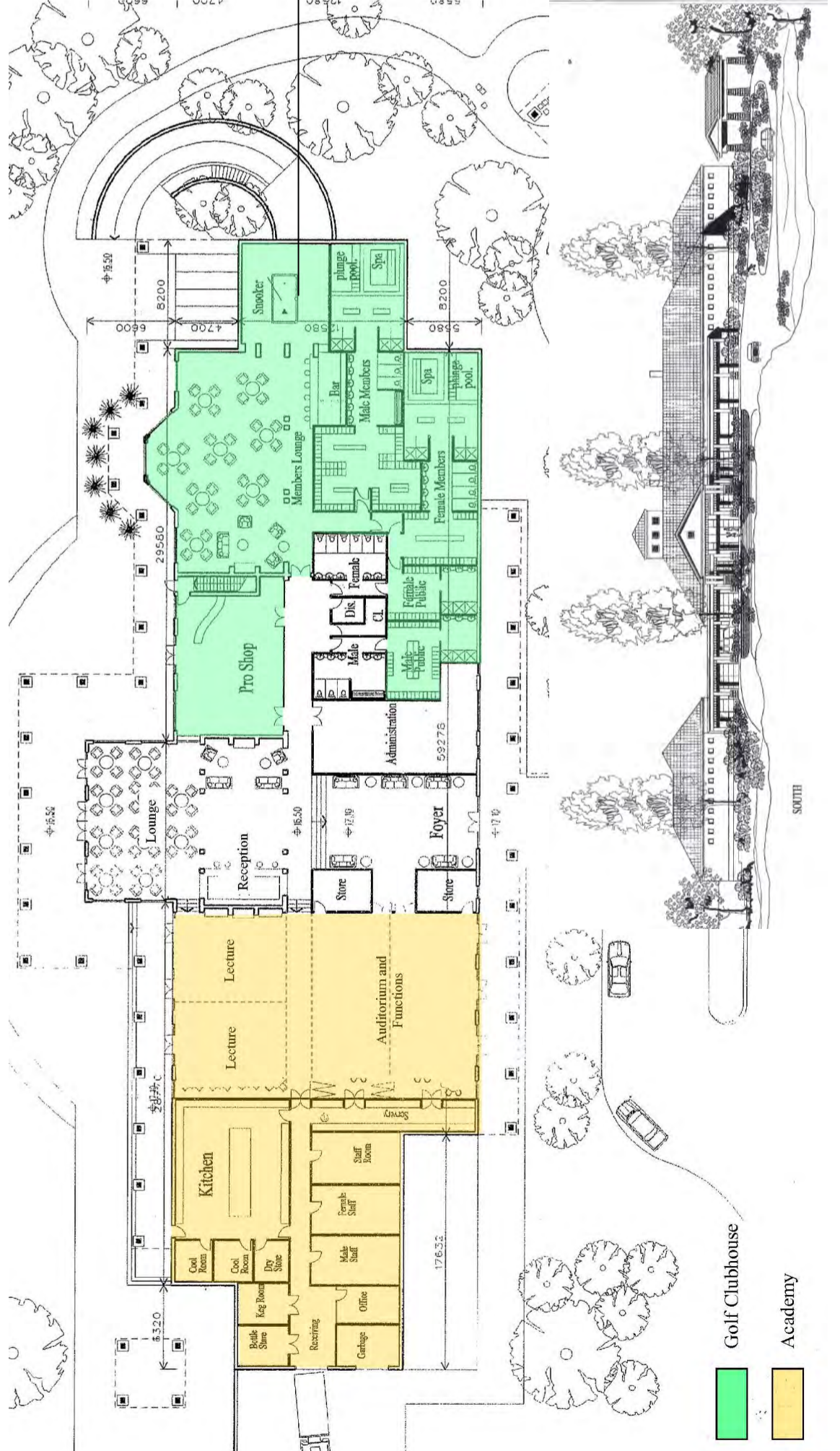
Precinct 1 - The proposed facilities are:

1. **The “Wiradyuri Theatre”** - the large existing Cattle and Sheep Drome building will be converted to an Indigenous Museum and a flexible presentation space/auditorium/theatre. This is the main facility for multi-media presentations, indigenous cultural displays, dancing and the story of the “Bathurst Experience”. The building will be enlarged to provide a secure archive facility, teaching space and research facility.
2. **The WW2 Training Camp and Migrant Camp Museum** - this will be a replica of the many huts built on the site and contain important memorabilia related to the site history.
3. **The Aboriginal Learning Sites** - a connected series of platforms where Indigenous stories will be told and teaching will take place.
4. **The Streams** - a long connected stream flowing from the top of the site passing through the Aboriginal Learning sites to provide places for learning about food and the dreamtime. The stream also provides an opportunity for teaching gold panning and yabby fishing in specially created ponds.
5. **The New Drome** - a purpose built circular building for the display and interaction with common ‘large’ Australian farm animals.
6. **The Farmyard** - a display of small farmyard animals.
7. **Native Animal Enclosure** - animals relevant to the Wiradyuri culture.
8. **The Observatory** - a profession quality observatory located on the top of the site with sensational views of the night sky. (Note: this exiting facility is not included in this DA)
9. **The Education Centre Accommodation** - the existing bunkhouse style accommodation near the proposed Wiradyuri Theatre building will be expanded in line with demand. The accommodation will be specifically for on-site school activities in the streams, the Cultural and Education Centre and Sports Activities and Training.
10. **Parking** – Education Centre & Tourist Attractions





- 11. **Cafe/General Store and Admin for Caravan Park and Sports Centre** - Day to day convenience store for the caravan park residents and a small sports centre with community BBQ/tennis/ swimming pool facilities.
- 12. **Parking Area for Club and Shop** - Central parking area with pedestrian connections for park residents who prefer walking.
- 13. **Short Term Serviced Tourist Accommodation Villas** - A group of villas specifically constructed for golf course and tourist resort paying guests.



- 14. **Caravan Park and Mobile Home sites for lease.** - A range of individual site sizes (e.g. 160 -300m2) for permanent and non permanent transportable homes. All connected to central site services.
- 15. **The Golf Course , Clubhouse & Academy** - construction of an 18 hole golf course and clubhouse facility that also incorporates the Aboriginal Cultural & Sports Academy facilities.

5.0 Application of the Relevant Planning Controls

The relevant planning controls are -

- Environmental Planning and Assessment Act, 1979 (as amended)
- Bathurst Regional Local Environmental Plan 2014
- Community Title Development Act 2008
- SEPP 21 –Caravan Parks

Each will be discussed in this section of the SEE and comments provided where relevant.

5.1 Environmental Planning & Assessment Act

As previously outlined under Section 83B of the Act, it appears a “Concept Approval” only requires assessment to the level of potential impacts that are likely to arise that cannot be dealt with by a later and more detailed development application.

This Concept Proposal is also to be assessed in the context that an approval that would have very similar environmental outcomes has already been granted (2002), and it has been physically commenced. This approval confirms beyond further discussion that:

- (1) The subject site is suitable for a major tourist development, in fact, it has been used in this way for about 40 years. Therefore, the site has no prime agricultural significance;
- (2) The site is capable of being serviced by water, sewer and electricity services subject to detailed design and costs;
- (3) The site can accommodate at least up to 390 tourist units;
- (4) Most of what is proposed is a refinement of the current consent and could potentially be dealt with as a Section 96 modification of that consent. However, Council is firmly of the opinion that at least the “Caravan Park” component of the application requires a new development application.

An important question therefore, is what level of information is necessary to adequately support this Consent Proposal and in this regard, we consider that the proposal involves short term tourist accommodation and not the permanent occupation of any of its residential components and Council has already approved the same amount of short term accommodation and in the same locations that are predominantly currently proposed. Similar conditions as contained in the current consent should therefore apply at least in relation to:

- (a) water and sewer supply;
- (b) road access;

- (c) light spill;
- (d) impact on Bathurst Aerodrome;
- (e) access to external facilities and services; and
- (f) impact on existing housing stock.

5.2 Bathurst RLEP 2014

Objectives of the Zone

Zone RU1 Primary Production

Objectives of zone

- To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.
- To encourage diversity in primary industry enterprises and systems appropriate for the area.
- To minimise the fragmentation and alienation of resource lands.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To maintain the rural and scenic character of the land.
- To provide for a range of compatible land uses that are in keeping with the rural character of the locality, do not unnecessarily convert rural land resources to non-agricultural land uses, minimise impacts on the environmental qualities of the land and avoid land use conflicts.

Comments:

It is considered that the proposed developed will have the same or similar basic characteristics of the development Council has already consented to on the land i.e. for a “resort style” development . The decision to use “moveable dwellings” for the tourist accommodation component of the development will not change the appearance or character of the development for the reasons set out later in the report. The proposal is therefore consistent with Council previous decisions on the use of the subject land and the sixth objective of the zone above.

5.3 Bathurst RLEP 2014 - Regulation 7.4

Development in areas subject to aircraft noise

7.4 Development in areas subject to aircraft noise

- (1) The objectives of this clause are as follows:
 - (a) to prevent certain noise sensitive developments from being located near the Bathurst Air-

port and its flight paths,
 (b) to assist in minimising the impact of aircraft noise from that airport and its flight paths by requiring appropriate noise attenuation measures in noise sensitive buildings,

(c) to ensure that land use and development in the vicinity of that airport do not hinder or have any other adverse impacts on the ongoing, safe and efficient operation of that airport.

(2) This clause applies to development that:

(a) is on land that:

(i) is near the Bathurst Airport, and

(ii) is in an ANEF contour of 20 or greater, and

(b) the consent authority considers is likely to be adversely affected by aircraft noise.

(3) In deciding whether to grant development consent to development to which this clause applies, the consent authority:

(a) must consider whether the development will result in an increase in the number of dwellings or people affected by aircraft noise, and

(b) must consider the location of the development in relation to the criteria set out in Table 2.1 (Building Site Acceptability Based on ANEF Zones) in AS 2021-2000 , and

(c) must be satisfied the development will meet the indoor design sound levels shown in Table 3.3 (Indoor Design Sound Levels for Determination of Aircraft Noise Reduction) in AS 2021-2000 .

(4) In this clause:

"AS 2021-2000" means AS 2021-2000, *Acoustics-Aircraft noise intrusion-Building siting and construction* .

Comment:

As this is a Concept Development proposal, imposition of existing conditions 26 and 27 would be appropriate.

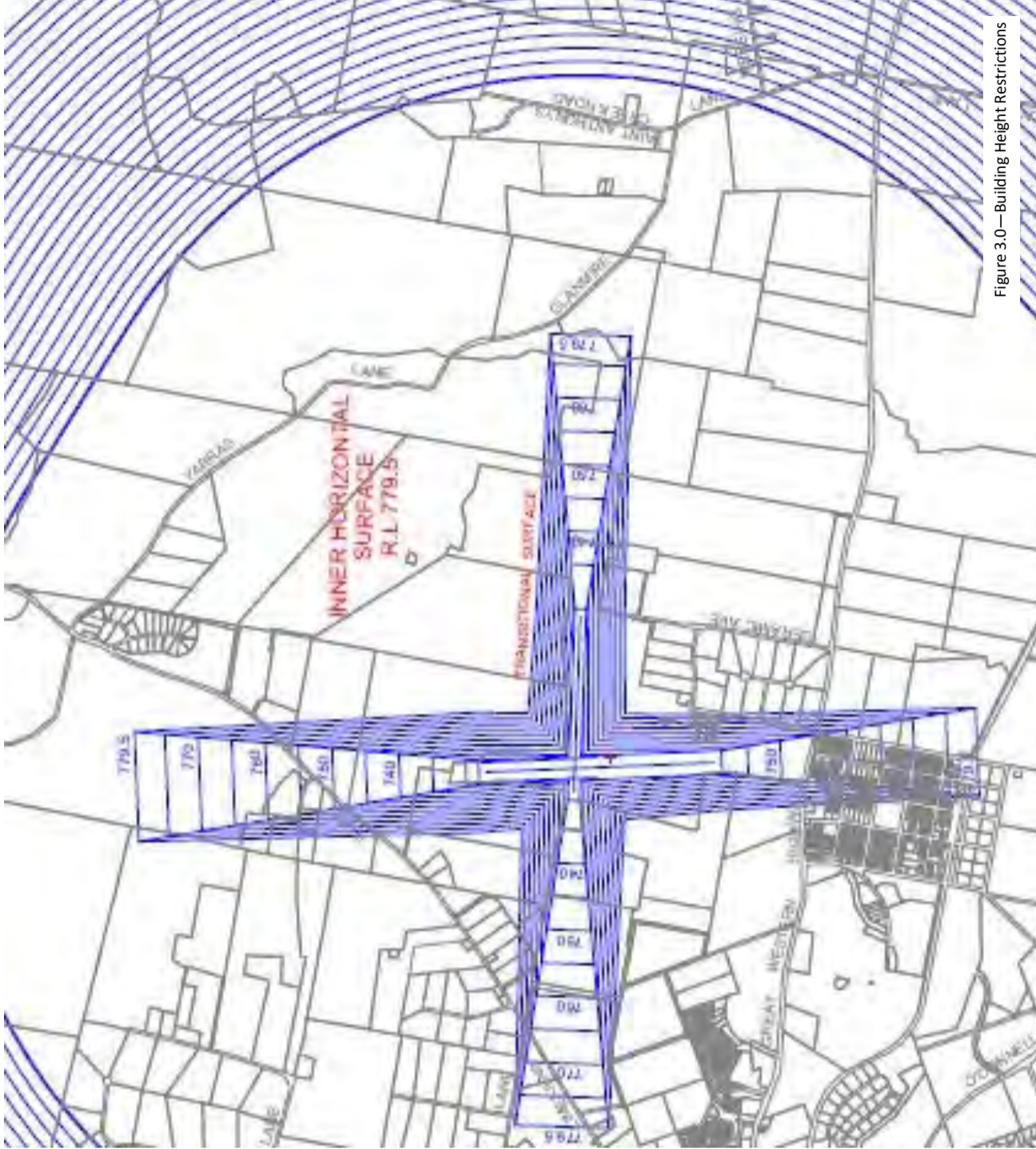
5.4 Bathurst RLEP 2014 -Regulation 15

Bathurst airport environs

15 Bathurst airport environs

(1) A person must not, without the consent of the Council, erect a structure (such as a building) of a height exceeding the obstacle limitation surface height shown on the Obstacle Limitation Surface Plan.

(2) The Council must not grant a consent required by subclause (1) unless it has given notice of the proposal to the Civil Aviation Safety Authority and taken into consideration any comments received from that Authority within 28 days after the notice was sent.



(3) The Council must not consent to the development of land for the purpose of a building specified in the Table to this subclause if the ANEF for the land exceeds the maximum noise level set by the Table for that building.

(4) The Council must not consent to the development of land for the purpose of a building specified in the Table to this subclause if the ANEF for the land is within the noise level range set by the Table for that building unless the consent is subject to conditions specifying measures to be taken to insulate the development from noise, being measures based on the provisions of Australian Standard AS 2021-1994 (*Acoustics-Aircraft noise intrusion-Building siting and construction*) published by Standards Australia in 1994.

(5) In this clause, "ANEF" means the Australian Noise Exposure Forecast, as shown on the ANEF plan.

Comment:

The subject site is largely unaffected by the Airport height restrictions and the buildings are proposed that would contravene their requirements. Given this is a Concept Development proposal, imposition of existing conditions 28 and 29 would be appropriate.

(b) a manufactured home, or

(c) any conveyance, structure or thing of a class or description prescribed by the regulations for the purposes of this definition.”

From the above, it can be seen that not only is a caravan park a permissible use in the Inner Rural Zone of Bathurst, but that caravan parks include “moveable dwellings” and “manufactured homes”.

5.5 State Environmental Planning Policy No 21 – Caravan Parks

Relevantly Under the BREP 2014 RU1 Zone caravan parks are a permissible use and under SEPP21 “caravan parks” and “moveable dwelling” are defined as follows:

“caravan park means land (including a camping ground) on which caravans (or caravans and other moveable dwellings) are, or are to be, installed or placed.

moveable dwelling has the same meaning as it has in the Local Government Act 1993.”

“Moveable dwellings” and “manufactured homes” are defined in the Local Government Act as follows:

“Local Government Act – Definitions

“manufactured home” means a self-contained dwelling (that is, a dwelling that includes at least one kitchen, bathroom, bedroom and living area and that also includes toilet and laundry facilities), being a dwelling:

(a) that comprises one or more major sections, and

(b) that is not a registrable vehicle within the meaning of the Road Transport (Vehicle Registration) Act 1997,

and includes any associated structures that form part of the dwelling.

“manufactured home estate” means land on which manufactured homes are, or are to be erected.

“moveable dwelling” means:

(a) any tent, or any caravan or other van or other portable device (whether on wheels or not), used for human habitation, or

Under Clauses 8-10 of SEPP 21, development consent is required for caravan parks and the matters for Council consideration are specified as follows:

8. Development consent required for caravan parks

(1) Development for the purposes of a caravan park may be carried out only with the development consent of the Council.

(2) Before granting development consent to the use of land for the purposes of a caravan park, a Council must determine:

(a) the number of sites (if any) within that land that the Council considers are suitable for long-term residence, within the meaning of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993, and

(b) the number of sites (if any) within that land the Council considers are not suitable for long-term residence, but are suitable for short-term residence, within the meaning of that Regulation.

(3) A Council must not grant development consent to the use of land for the purposes of a caravan park unless it imposes as a condition of that consent a condition specifying the maximum number of sites (if any) within that land that may be used for long-term residence.

(4) The holder of an approval under Part 1 of Chapter 7 of the Local Government Act 1993 to operate a caravan park or camping ground on land must not, within the development consent of the Council, allow a person to occupy a site within that land:

- (a) for a continuous period of more than 3 months, except as provided by paragraph (b), or
- (b) for a continuous period longer than the period (if any) for which the person is allowed to be accommodated within the land by an extension that has been granted under clause 19(6) of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993.
- if such a use of that site was not lawful under the Environmental Planning and Assessment Act 1979 when this Policy commenced.

- (4A) Except as provided by subclause (4), nothing in this Policy or any other environmental planning instrument requires separate development consent to be obtained for the installation or placement of a moveable dwelling on land on which development for the purposes of a caravan park is being lawfully carried out.
- (5) This clause does not apply to any land that is authorised to be used for the purposes of a manufactured home estate by a development consent granted to State Environmental Planning Policy No 36 – Manufactured Home Estates or dedicated or reserved under the National Park and Wildlife Act 1974.

9. Subdivision of caravan parks for lease purposes

- (1) Land may be subdivided for lease purposes under section 289K of the Local Government Act 1919, but only with the development consent of the Council.
- (2) A Council must not grant such a development consent unless the Council is satisfied that each of the lots intended to be created for lease proposed by the proposed subdivision meets the requirements of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993 for a site to be used for long-term residence.
- (3) Any prohibition or restriction on the subdivision of land imposed by any other environmental planning instrument (whether made before or after this Policy) does not apply to a subdivision for lease purposes under section 289K of the Local Government Act 1919.

- (4) This clause does not apply to land that is authorised to be used for the purposes of a manufactured home estate by a development consent granted pursuant to State Environmental Planning Policy No 36 – Manufactured Home Es-

tates or that has been reserved or dedicated for any public purpose under the Crown Lands Act 1989.

10. Matters to be considered by Councils

A Council may grant a development consent required by this Policy only after it has considered the following:

- (a) whether, because of its location or character, the land concerned is particularly suitable for use as a caravan park for tourists or for long-term residence,
- (b) whether there is adequate provision for tourist accommodation in the locality of that land, and whether existing or potential tourist accommodation will be displaced by the use of sites for long-term residence,
- (c) whether there is adequate low-cost housing, or land available for low-cost housing, in that locality,
- (d) whether necessary community facilities and services are available within the caravan park to which the development application relates or in the locality (or both), and whether those facilities and services are reasonably accessible to the occupants of the caravan park,
- (e) any relevant guidelines issued by the Director, and
- (f) the provisions of the Local Government (Caravan Parks and Camping Grounds) Transitional Regulation 1993.

Separate to Councils responsibilities under Section 97 of the Act we provide the following comments on the six SEPP 21 matters for Council consideration.

Consideration (a)

The proposal in its physical form would be barely distinguishable from the approved development for this land. As Council has previously supported a substantial tourist development and related accommodation on the land there should be no logical basis upon which to reject this proposal.

Consideration (b)

As Council has already approved a significant tourist development for this site there is logically no additional impact on local tourist accommodation. The reverse is the case, the proposal overall will be a “benefit” the local community through jobs and investment.

Consideration (c)

Bathurst like most areas is in need of additional low cost housing but we are not aware of any plans by the Council to provide low cost housing in this locality or that would be adversely affected by this proposal. In any event, no permanent residential accommodation is proposed.

Consideration (d)

Again, no permanent accommodation is proposed. However, the proposed development can provide a range of facilities and services including on site shops and restaurants, a club also a reliable private bus service into and from Kelso and the centre of Bathurst.

Consideration (e)

The Director has not issued any guidelines.

Consideration (f)

The proposal has been designed to comply with the regulations. Indeed, the concept plan for Lot 4 has been designed in this way i.e. so there is some certainty the final DA will comply with the relevant regulations and standards.



Figure 4.0—Aerial View Of Site

6.0 Statement of Environmental Effects and Conclusion

It is considered that the proposal does not involve environmental consequences not already contemplated and assessed during DA 2002/0736, a consent that is very similar in its “built form” to the subject proposal.

When dealing with proposals under Section 83A & B of the EP&A Act, it is important to realise that most of the environmental consequences will be tested through the details in later development applications. Otherwise, Section 83 serves no useful purpose. Almost by definition, a S83 consent is one that provides “high level” consent conditions that defer detailed planning and environmental considerations to a later date.

This concept proposal has three (3) main components:

- A tourist “Entertainment” related development based around Aboriginal and European Settlement cultural and historic themes;
- An “Education and Sports Facility” also based around Aboriginal and European Settlement themes and dormitory style accommodation; and
- A “Recreational Resort” facility based around an 18 hole golf course and a range of sports facilities where short term accommodation is in the form of a caravan park with moveable dwellings, caravan sites and camping areas.

These three components are integrated in such a way to make the development financially viable and they only work as a group, i.e., not individually.

The level and type of impact of these proposals will have on this site and its surrounds does not significantly change from that already approved by Council. Having said this, several impacts and consequences have to be left to a later stage before being fully addressed.

As a “tourist development”, any issues related to permanent residency do not apply. These might include the following, but are for assessment later. That is, if any permanent occupancy is contemplated:

- (a) impact on local low cost housing; and
- (b) access to community facilities and services.

The concept site planning shown for Precincts 2,3 and 4 are in our opinion sufficiently detailed for Council to favourably determine this concept development application. In particular, what has been shown has been properly scaled and planned so Council can have confidence that subsequent DA’s can and will resolve any residual concerns.

This is not a “bushfire prone” property and it is largely open undulating land with some scattered but attractive stands of mature trees so the impacts from tree removal will be minor. In fact, it is proposed to embark upon a substantial programme of bushland regeneration and landscape enhancement as part of the Aboriginal Cultural activity areas and the proposed golf course.

The implications of developing such a project close to Bathurst Airport are already well specified and addressed by appropriate conditions in DA 2002/0736. In reality, there is nothing that can be done at this concept stage to take these matters further because the relevant authorities will require a full DA for their assessment and impact. Having said this, the following observations can initially be made:

- (1) In terms of building height, the proposal will not exceed the statutory LEP requirements;
- (2) In terms of potential light spill, there are standard conditions of consent to require a particular type of lighting, i.e., if needed;
- (3) In relation to bird strike, it is more likely that the proposed development of this land would have less potential impact than if it were used for intensive agriculture.

The site and development can be satisfactorily provided with water, sewer and electricity services but, at the same time, water recycling can be undertaken to support the future landscape proposals.

In summary, the proposed concept development clearly has many beneficial outcomes and on the basis of the analysis in this report, no significant or potential environmental consequences that could not be addressed by appropriate conditions of consent and during the required future development applications.

The proposal is capable of obtaining Council consent.

Bruce Goldsmith

Consultant Town Planner
BTP (Hons) LGTP RPIA FPIA
BTG Planning
March 2018



Fw: DA No 2018/21

Lucie Barnett to:

Bcc: Council-Out-Mail

23/04/2018 12:59 PM

File Number. 2018/21
 External Ref. 624 Limekilns Road
 Full Name. Brad Cam
 Title.
 Organisation.
 Return To Me.

Please reply to : council@bathurst.nsw.gov.au

From: Brad Cam <Brad.Cam@midwestern.nsw.gov.au>
 To: "lucie.barnett@bathurst.nsw.gov.au" <lucie.barnett@bathurst.nsw.gov.au>
 Date: 23/04/2018 12:40 PM
 Subject: DA No 2018/21

To: Bathurst Regional Council
 Russell Street
 Bathurst NSW 2795

Reference DA No 2018/21

Attention Lucie Barnett

I wish to raise our concerns of the above Development Application for 390 Caravan Park sites ,18 hole golf course, Information and Educational facility.

1. Traffic management will be an issue for the Limekilns road ,the road formation is not adequate for the volume of traffic that this DA will generate. The Limekilns Road will need to be upgraded to at least a 3.75metre lane plus shoulder widening including line marking with fog line from the beginning of the Limekilns road to the intersection into the development. The intersection will also need to be upgraded with left and right slip lanes making it safe for turning traffic.

2 The size of the development raises concerns of sewerage disposal and associated runoff into waterways

3 With the location having no water service available concerns are raised on the impact on water table and the aquifers. The volume of water required for the caravan park, an 18 hole golf course and all associated fire hydrants and hose reels that will be required will have significant impacts on ground water.

Thank you for considering our concerns with this development.

Your Sincerely
 Brad and Tracey Cam
 25 Koonong Place
 Forest Grove
 Bathurst
 Sent from my iPad

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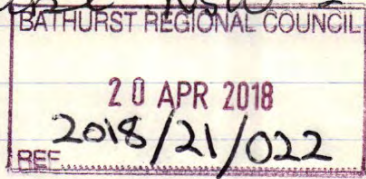
<https://console.mailguard.com.au/ras/1T8AF0vD2t/hQbrlTLrhflressvWYEZr/0>

①

2018/21/022

19th April, 2018.

222 Yarras Lane,

Bathurst Regional Council,
158 Russell St,
Bathurst NSW 2795Forest Grove NSW 2795
P.O Box 491,
Bathurst NSW 2795

Dear Sir / Madam,

Thank you for your letter, in regards to Development Application No 2018/21, from Education Learning Pty Ltd, Heritage Park, 624 Linekilns Rd, Forest Grove NSW 2795.

I live at 222 Yarras Lane, Forest Grove 2795 Lot 222 DP 1123170 and am an adjoining neighbour. I would like to express my objection to this DA with the following points.

- ① This area is zoned for rural agriculture land, and currently a 200 or 100 hectare minimum size requirement, is needed in order to build a dwelling. This proposed DA would require rezoning in order to proceed, and if it is approved then neighbouring properties could apply to subdivide into smaller life style blocks. Is this a local or state government compliance regulation, therefore what consultation would be required with other state government departments as the regulations now stand.
- ② The DA does not mention any costing or time frame for this project, could it be a case of having it approved in principal, and then on selling the property with the DA approval to

DEPBS

(2)

investors, with the view of making a considerable profit in the future. This is virtually a mini city or new suburb of Bathurst.

- (3) Excessive noise is a concern with the number of extra people and vehicles on site during the day and night. Currently Heritage Park has school groups and other functions on site, and I hear music and loud speakers giving instructions to people, depending on the weather conditions and the still night air.
- (4) Increased night time light will be generated, which is unpleasant in a rural farming area.
- (5) Extra traffic will be generated along the driveway which adjoins 2 paddocks of mine. I have cattle in these paddocks, and at different times I have young and new cattle which are easily frightened, and run the risk of injury and have jumped fences in the past.
- (6) The Windburndale Pipeline, runs straight through Heritage Park, so will there be high water usage for both ground maintenance and human consumption, which will affect other water users along the pipeline, with water pressure and the amount of water available. Currently we have a dry period and perhaps going into drought, so watering an 18 hole golf course would take

(3)

a considerable amount of water.

- ⑦ A stand alone sewerage plant is indicated by Calare Civil, so is this going to be managed and maintained by a fully qualified expert, to avoid excess smell and any overflow issues that might occur. The Windburndale Rivulet and neighbouring dams are close by, so contamination of these water sources need to be considered.
- ⑧ The plan shows mobile homes, caravan and camping sites to be incorporated at different stages of development. How will this be managed and will there be long term residents. This is basically low cost housing and difficult to determine how long people have stayed on site, currently a maximum of 42 days in a calendar year is allowed.
- ⑨ How many staff will be housed on site and do these employees count as permanent site residents.
- ⑩ Rubbish removal is currently undertaken with a regular garbage collection at the Limekilns Rd entrance, will this be increased. In a paddock at the back of the property, currently rubbish is being dumped and sometimes buried or burnt off, in the meantime rubbish blows into my paddocks. This is not acceptable, as my cattle do eat and chew on plastic etc, so I am regularly picking up this rubbish. I

(4)

have included a map to indicate where this is located.

- (11) In the last 3 years a quarry has been established on the property, I am not sure if this is only for internal use or if granite is being taken off site. Does this need a development application? I have indicated on the map where it is located.
- (12) Is the current entrance to Heritage Park going to be used, as during the very wet season of 2016, the ~~the~~ bridge was badly damaged by flood waters, and had to be repaired in order for anyone to leave the park. This is a natural water course and takes the overflow to Forest Grove and then onto the Windburndale Rivulet.
- (13) The proximity to Bathurst Airport is of consideration, as I can recall at least 3 light air plane crashes in the last 30 years. The most recent was in a paddock several hundred metres from the entrance, in on the right hand side, where part of the caravan park is proposed, when 4 people were killed on 7th November, 2008.
- (14) If this application and development proceeds, then the rural, agricultural 'ambiance' and life style, which is

(5)

much sought after, will impact on property values.

There are many unanswered questions for this project and the current use of Heritage Park has continually grown and changed over the years, with expansion into new things. I am deeply concerned that the business activities that are taking place, do not fulfill the zoning that it falls under, which is agricultural and farming activities.

I would like the Council to consider these points, when reviewing this DA from Bruce Hodson at Heritage Park.

If you require any further information don't hesitate to contact me on 0438 318179. I look forward to hearing about the outcome of other submissions and council meetings with this DA application.

Yours faithfully,

Rosemary Carroll.

28

Consideration (c)

Bathurst like most areas is in need of additional low cost housing but we are not aware of any plans by the Council to provide low cost housing in this locality or that would be adversely affected by this proposal. In any event, no permanent residential accommodation is proposed.

Consideration (d)

Again, no permanent accommodation is proposed. However, the proposed development can provide a range of facilities and services including on site shops and restaurants, a club also a reliable private bus service into and from Kelso and the centre of Bathurst.

Consideration (e)

The Director has not issued any guidelines.

Consideration (f)

The proposal has been designed to comply with the regulations. Indeed, the concept plan for Lot 4 has been designed in this way i.e. so there is some certainty the final DA will comply with the relevant regulations and standards.

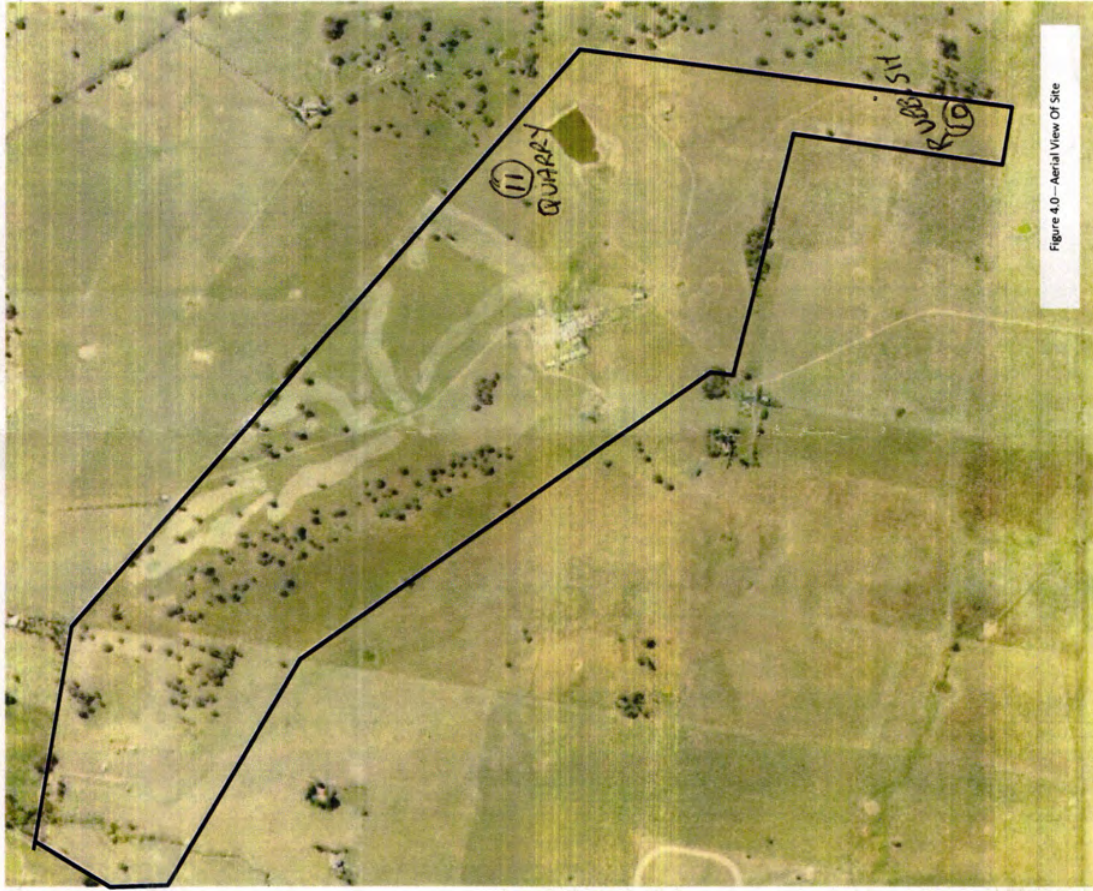


Figure 4.0 - Aerial View Of Site

17 April 2018
 Mr R Denyer
 Bathurst regional council
 Dear Mr Denyer,

BATHURST REGIONAL COUNCIL

18 APR 2018

REF. 2018/21/019.....

I am objecting to development application no 2018/21.

My wife and I moved to bathurst 10 years ago. 2 years later we spent most of our money to buy a 6 acre block zoned semi rural so as we could enjoy the rural views and have a taste of country life.

We have now been informed by a neighbour that a proposed caravan site (stage 1 194 sites, stage 2. 98 sites, stage 3. 98 sites) is to be built on the former cattle dome site. Our rural view would now be a caravan park.

I would hope this proposed site would not get council approval.

Would you please advise on following questions

- 1 .would current site need to be rezoned for caravan park.
2. We have 2 caravan parks in Bathurst that would struggle to have a high occupation level. Does Bathurst need another 390 caravan sites.
3. What percent of sites would be for permanent residents.
4. Limekilns road is a busy road in peak hours. With new housing development in limekilns rd , could this road handle the increased traffic ?It would be bad at the cattle dome area let alone at Kelso.
5. Would this site rely on bore water?
6. Who is proposing the development ?
7. What hours would the educational centre operate ?
8. What are the future expansions ?

Thank you
 Max Culkin. Mob 0417404002
 21 Koonong pl Forest Grove

M Culkin
 RECEIVED
 18 APR 2018

DEPBS ✓

BATHURST REGIONAL COUNCIL

26.

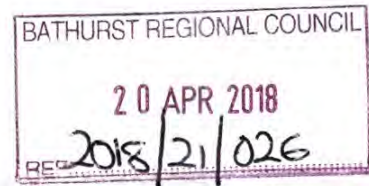
Justin Edmunds and Susan Graham

569 White Rock Road

White Rock NSW 2795

0422 203 848

Thursday, 19 April 2018



Mr Richard Denyer

Manager Development Assessment

Bathurst Regional Council

Private Mail Bag 17

Bathurst NSW 2795

Dear Mr Denyer,

RE Development Application No 2018/21

We wish to object to the proposed development application No: 2018/21 at 624 Limekilns Road.

We have recently purchased and are currently building a new home at 555 Limekilns Road, across the road from this proposed development. We believe the development will negatively impact our property in the following areas:

- i. Views.
- ii. Privacy
- iii. Potential noise transmission to the surrounding land
- iv. The likely visual impact of the proposed building in relation to the streetscape.
- v. Other Issues. Traffic increase on Limekilns Road.

i Views. This stretch of the Limekilns Road is a rural area. There are vast rural views to the Blue Mountains in the East, towards which most homes built along Limekilns Road face, to appreciate. The impact of 390 caravan site on this vista will certainly be a negative one. I am unsure how many campers use Mt Panoramas facilities during the races but this is the outlook I am imagining we will see from our block as we look towards the mountains in the future.

ii Privacy. This will be affected by the increase in traffic flow along Limekilns Road.

RECEIVED

20 APR 2018

BATHURST REGIONAL COUNCIL

iii Potential noise transmission to the surrounding land. Increased noise from a possible 390 motor vehicles from the caravan park, plus other vehicles using the tourist and visitor accommodation, plus golf course users and finally visitors to the education centre will liken Limekilns road to a major road. This extra noise pollution will be transmitted to all the residents along both sides of the road.

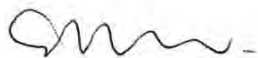
iv The likely visual impact of the proposed building in relation to the streetscape. The streetscape will be completely altered from a rural living to high density urban living. The conditions in our contract of sale were explicit in maintaining the streetscape and look of the dwellings from the road, including all other building on the land. These conditions were set to maintain a rural feel to the road in keeping with existing developments. We feel disadvantaged in that a new development can proceed without keeping to the existing streetscape.

iv Other Issues. Traffic increase on Limekilns Road. As mentioned previously, the development will result in a huge increase in traffic flow along Limekilns road from the Caravan Park, tourist accommodation, golf and sporting facilities and the education centre. This part of Limekilns road is in a 100km per hour zone and many parts with double lines. Presently there is no facility to pull over to turn into driveways and as Limekilns road is not very wide the increase in traffic will create dangerous situations.

Limekilns road is used for recreational pursuits including bike riding and horse riding. Both taking advantage of the quiet road and its scenery. We had planned to ride our horses down this road, as others enjoy, but we fear with the extra traffic and narrow conditions this will no longer be an option for us or other people along the road once the development takes place and during construction.

We thank council for taking our concerns into account when deciding on the outcome of this application. Please contact us should you want to discuss any issues raised.

Yours sincerely



Justin Edmunds and Susan Graham

2018/21/017



Submission re DA 2018/21 - 624 Limekilns Road

Katie Gunning to: council@bathurst.nsw.gov.au

17/04/2018 10:08 PM

From: Katie Gunning <k-bromfield@hotmail.com>
To: "council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>

Good Morning,






Please find attached our submission in relation to DA 2018/21 - 624 Limekilns Road Forest Grove.

Please note our request to be informed of further correspondence and developments relating to this application.

Can you please advise if you require anything further from us, to support our submission.

Kind regards

Katie Gunning

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20180417_172807.jpg  - 20180417_172820.jpg  - DA Limekilns Road.docx

17 April 2018
Katie and Mark Gunning
587 Limekilns Road
Forest Grove NSW 2795

RE: Development Application No 2018/21 – 624 Limekilns Road Forest Grove

Dear Sir/Madam,

I write in response to Development Application No 2018/21, of which we were notified by a neighbouring land holder on 17 April 2018. This DA was lodged 22 January 2018 and we were unaware of its existence until this date. We are writing to state our objection to the proposed development, in particular the establishment of a caravan park on what is currently rural acreage.

We made a decision in 2015 to purchase our property at 587 Limekilns Road Forest Grove, because we wanted to provide our children with the chance to grow up in a quiet rural setting, away from the traffic and noise associated with residential and commercial areas.

We chose this particular property and purchased it at a significant cost primarily due to its expansive views and the rural surrounds. We believed we were purchasing in an area that would continue to maintain its rural aspects. We subsequently designed our home encompassing these views, which primarily focus directly across the property known as "Heritage Park," the subject of this development application.

At this time, we were aware of the operation of the Heritage Park as a small-scale school based learning and accommodation centre. In reviewing this current DA it has become known to us that a previous DA 2002/0736 has been approved for an "Integrated Resort Style Tourist Accommodation."

The location of the existing accommodation and dwellings associated with the Heritage Park do not impact on our current position. The buildings are not in view of our property and noise is not an issue due to the proximity of them to our property and the current geographic features of the land.

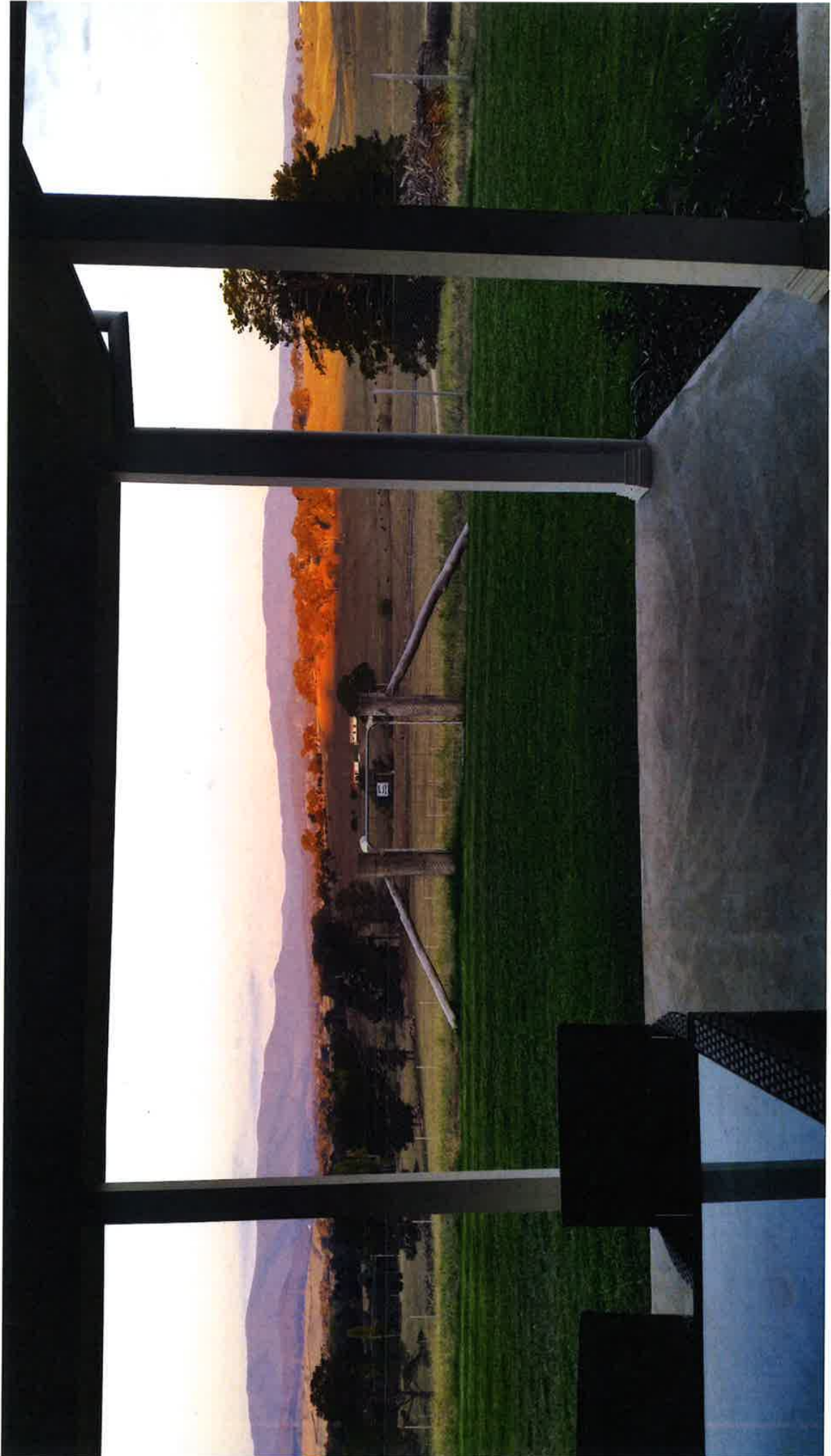
Our concern lies primarily with the proposal for 390 moveable dwellings, or caravans located in direct view of our property. This impacts significantly with our outlook, as well as our privacy and will have a significant impact on the value of our property. Please refer to the attached photographs taken from the front of our property, directly across the property in question.

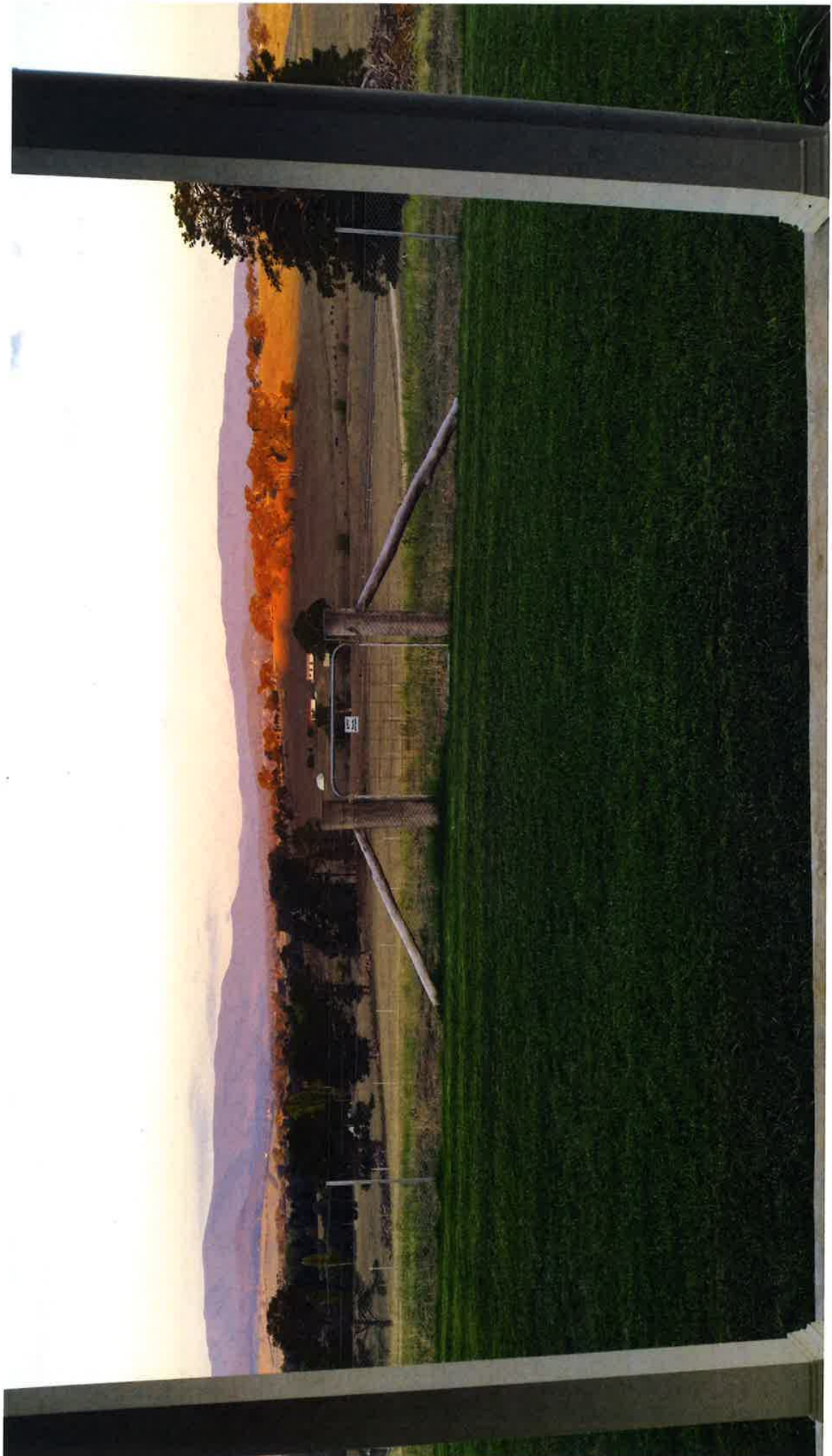
Limekilns Road is not fit to accommodate the increase in traffic that this proposal intends to generate. The upgrade and subsequent maintenance would incur a significant cost to local council. A 390 site caravan park would generate significant noise which would carry to a large number of neighbouring properties, thus impacting on the current rural setting.

The current DA allows for an "Integrated resort style tourist development." This allows for Tourist Villas which denotes a higher quality of accommodation, attracting a higher rental return and subsequently a different clientele to that targeted by a caravan site, which can be used for budget accommodation for up to 3 months at a time.

We would like our objection to the current proposal noted and given this DA would directly affect our current living standards, request that we be included in any further correspondence relating to this application.

Yours sincerely
Katie and Mark Gunning











Submission re Development Application 2018/21
Martin Kong to: council

20/04/2018 02:39 PM

From: Martin Kong <martin.ifs@gmail.com>
To: council@bathurst.nsw.gov.au

To whom it may concern,

Please find attached our submission regarding the Development Application No 2018/21.

Kind Regards,
M. Kong

[Report this message as spam](#)



- Submission Development Application No 2018_21 Kong.pdf

Kate and Martin Kong
6 Wingeretta Close,
Forest Grove, NSW 2795

Bathurst Regional Council
Civic Centre
158 Russell St
Bathurst, NSW 2795

To whom it may concern,

Re:

Development Application: 2018/21 - mixed use development

Premises: Lots 270, 271 DP861476, Lot 1 DP126025, Lot B1 DP403344, Lot 1 DP12047459 & Lot 34 DP1012860, 624 Limekilns Road, Forest Grove.

As residents of the Forest Grove community and affected neighbours, we would like to express our concerns regarding the proposed development of a mix purpose facility at Lots 270, 271 DP861476, Lot 1 DP126025, Lot B1 DP403344, Lot 1 DP12047459 & Lot 34 DP1012860, 624 Limekilns Road, Forest Grove.

We carefully considered the development application, and while we generally support aspects of it, such as the Bathurst Experience and Wiradyuri Aboriginal Cultural and Educational Centre, we object the development of an extensive 390 lot caravan park. Of particular concern, due to its vicinity to the Forest Grove residential area, are stage 2 and 3 of the caravan park in precincts 3 and 4. At full capacity the caravan park component of the proposal will likely have significant impact on neighbouring properties.

Following concerns are submitted to council for consideration:

- Traffic implications on Limekilns Road and Yarras Lane, in particular during event days (i.e. Mount Panorama races):
 - There will be an increase in traffic on Limekilns Rd and Yarras Lane, especially vehicles towing caravans. Yarras Lane will likely be the preferred access for all traffic coming from Sydney. Since our property is located at the intersection of Limekilns Rd and Yarras Lane we will be directly and adversely impacted by the increased traffic load. Yarras Lane is also rather narrow and windy in places, so road safety is a concern.
 - The proposed caravan park will likely be utilised during local events at Mount Panorama, which would greatly increase the number of vehicles traveling into town on Limekilns Rd (and then through town) for the event. We consider this problematic due to:
 - Limekilns Rd in part lacking basic safety measures such as line marking.
 - Limekilns Rd and Yarras Lane being popular cycling routes.
 - On event days we have concerns that the visitors staying in the caravan park and commuting into town or Mount Panorama may be less willing adhere to road rules (in particular in regard to alcohol restrictions).

- Noise impacts:
 - The proposed caravan park could potentially see well over 1000 people (estimate of 3 occupants per unit/campsite) in vicinity of the Forest Grove residential area. This could result in significant noise. Also, events at the various sports and entertainment facilities could have noise impacts too. Noise from a small boarding kennel approximately the same distance from our property as the proposed caravan park is clearly audible at our residence.
 - Of particular concern to us are noise impacts from events at night time.
- Potential impact on water quality:
 - A significant portion of the proposed facilities and the caravan park are located upstream in the same catchment as the Forest Grove residential area. Water from the catchment is utilized by the Forest Grove community. We have concerns that the water quality will be impacted by the development.
- Impact on the aesthetical value of the rural landscape:
 - While we can't speak for other residents in the area, we choose Forest Grove for its appealing rural setting. We fear that in its final stages the development will transform the area essentially into a semi urban setting. This may also impact on the surrounding property values.

It is also noted:

- Section 5.5. 10(a): The Development Application suggests the current proposal is barely distinguishable from the previous approved proposal. While we did not have the opportunity to assess the 2001/6073 application in detail, the submitted maps suggest this is not the case. The current proposal seems to move facilities closer to residential buildings in the Forest Grove community.
- Section 6.0: An initial observation is made in relation to bird strike potential near Bathurst Airport that claims the proposed development of this land would have less potential impact than if it were used for intensive agriculture. We are doubtful of this observation as the proposed development seems diversify and improve bird habitat. Most notably are:
 - Several large water features as shown in the golf course map creating water bird habitat.
 - The commendable intent to regenerate bushland which can result in improved bird habitat and nesting opportunities.

The nature of the development in general will also likely attract synanthropic bird species.
- Section 6.0: It is claimed the property is a not a "bushfire prone" area. In our opinion this is a bold claim to make, even if the term is used in quotation marks. There is sufficient vegetation in this area to support the spread of a fire. We want to emphasize that a 390 site Caravan park will undoubtedly increase potential ignition sources for bushfires, posing a significant threat.

We appeal to the Bathurst Council to take above concerns into consideration. We would also welcome Council to facilitate a compromise in the interest of the residents and the developer. This may include, but is not limited to:

- Limitation on precinct development (most notable restrict development the Stage 2 and 3 Caravan Park in precinct 3 and 4).
- A Traffic Management Plan incl. road upgrades (i.e. road widening, line marking, changed speed limits).
- A Noise Management Plan (i.e. event curfews).

Sincerely,

Kate and Martin Kong



bxcity 2.pdf

Altech Air to: council@bathurst.nsw.gov.au

20/04/2018 10:23 AM

From: Altech Air <altechair@outlook.com>

To: "council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>

Development Application No 2018/21 objection letter.

Lavelle Family

28 Koonong Place

FOREST GROVE NSW 2795

Sent from [Mail](#) for Windows 10



- bxcity 2.pdf

20/04/2018

Bathurst Regional Council

Re: Development Application 10-2018-21-1

We wish to object to the above DA as we believe this development will have a detrimental effect on our rural environment our livestock and our quality of living. We purchased our land 4 years ago to escape living in suburbia, and to have a quite rural outlook in which to live. This will be compromised if this development is approved.

There are several issues we would like to raise in objecting to this DA.

1: The land in this area is zoned RURAL and we wish it to stay that way. We purchased our land at considerable cost and have a beautiful outlook from our home. If this DA is approved, we will be looking straight at a caravan park. This will have a massive impact on what our land value will be worth.

A caravan park should be located on the city entrances on land appropriately zoned. Not in the middle of rural properties.

2: Access to the proposed DA site is via Limekilns Road which at best is a narrow poor-quality road for the amount of traffic that already uses it on a daily basis. Will it be the responsibility of the Bathurst council or the developer to bring this road up to a standard to make it safe to handle the increased traffic flow?

3: What consideration has been made to limit noise pollution from such a development. Many properties that will be directly affected by noise have expensive livestock that can be spooked or scared during very important lambing/calving and foaling seasons.

4: What considerations have been made for light pollution. The use artificial lighting in a development of this kind in a rural setting will disrupt our ecosystems and our livestock. As in point 3 lambing/calving and foaling are crucial times of year and artificial lighting will impact this.

5: Littering would also be a grave concern, as short-term residents will not care for the environment like we all do. Not only would litter be damaging to the environment but it will attract vermin. Our biggest concern is the potential to attract foxes, wild dogs and cats to the area which will impact on livestock and native wildlife.

6: Waste water and sewerage is also a big concern. Our dams and waterways are a very precious commodity on rural properties and a development of this size will produce considerable waste. What will be done to protect our water?

7: Potable water is also a big concern. A development of this size will require large amounts of water. The potential to use bore water could impact greatly on the water table and there for jeopardise the water we use to keep stock alive.

If water is supplied from the council reservoir to the development site as suggested in the application, then all properties in the area should have access to the town water supply.

In summary we are feeling let down by council as we were actually notified by a neighbour yesterday about this DA and this DA could have life changing effects on our standard of living, we are both 5th generation Bathurstians, we work hard for what we have and give so much back to our community we trust council to look out for us and not kill our dreams by approving this DA, we purchased this property so we can bring our kids up in a quiet, safe, rural setting. Approval of this DA will put us back into suburbia we believe a caravan park would be more suited at one of the entries to our city, an area that is ZONED appropriately

Regards Jeremy and Nicole Lavelle

28 Koonong Place

Forrest Grove

**Development Application 2018/21****Melissa McDonogh** to: council

22/04/2018 06:19 PM

From: Melissa McDonogh <themcdonoghs@bigpond.com>

To: council@bathurst.nsw.gov.au

Good afternoon.

Re: Development Application 2018/21

I live at 42 Koonong Place Foresst Grove and from our front veranda we look straight on to the proposed site of the new Caravan Park.

We have lived at 42 Koonong Place for well over a decade. We chose this area because of the peaceful rural aspect and the picturesque countryside. We believe that this proposal will destroy the peaceful environment that we currently enjoy.

Not only will this development ruin our view but we also believe that the noise will transmit across the valley to our property. We regularly hear the barking of the dogs that are housed along Yarras Lane and this development is closer to us so we believe it will be even louder and it will possibly have a disruptive impact on the dogs encouraging them to bark more.

Limekilns Road is not a wide road and I do not believe that it will cope with the increased traffic flow. We are very aware when the police stay at the Sheep and Cattle Drome during the Car races as the traffic is much busier. We believe that this proposal will increase the traffic dramatically making it a more dangerous road than it is already. Cyclists ride along Limekilns Road everyday and I believe that the increased traffic will also place them at increased risk.

In our area we rely on rain water and bore water as we do not have town water. We are concerned that if this new development relies on bore water that the water table will be depleted and it will significantly impact on all residence in the area.

We would ask Council deny this development.

--

Kind regards

Melissa McDonogh
42 Koonong Place
Bathurst NSW 2795
0409 998 223

[Report this message as spam](#)



41 Koonong Place

Forest Grove 2795

To whom it may concern,

Please accept this as an official objection to the proposed development at 624 Limekilns Road, Forest Grove.

We accidently found out about this proposed development and consider it to be unsuitable for the Forest Grove area.

We choose to live in a quiet rural area, on small rural blocks, and do not want that environment to be disturbed by the development as proposed. The development of a 390 site caravan park is way out of character and does not fit in with the conditions of the area. This area of proposed development has always been an educational area but the addition of a caravan park is unacceptable.

The following require careful consideration and appropriate answers:

1. Where does the water come from to service these sites? We have a water problem at times with a household of 2 people.
2. How do the developers propose to dispose of sewage? The clay soil will cause concerns for a septic system to service 390 camp sites. Will a septic system, of the size that I anticipate would be required, affect the subterraneous water which the residents of the area rely on?
3. Who will be responsible for the upgrade of Limekilns Road to support the extra traffic? I imagine that will be a cost to the developers. Limekilns Road will have to be upgraded to accommodate the size of some of today's caravans and I can't see Bathurst City ratepayers being prepared to meet the cost.

The addition of a caravan park will completely alter the amenity of the area.

Thank you for your consideration

John Murphy, on behalf of

John and Betty Murphy

Brad and Tracey Cam

RECEIVED

19 APR 2018

BATHURST REGIONAL COUNCIL

DEPBS




Submission re concerns for DA 2018/21
Bathurst Observatory to: council

19/04/2018 04:57 PM

From: "Bathurst Observatory" <info@bathurstobservatory.com.au>
To: <council@bathurst.nsw.gov.au>

Please find attached our thoughts on Concept plan 2018/21.

Ray and Cindy Pickard  - Concept Submission final draft.docx

R&C Pickard
624 Limekilns Rd
Forest Grove NSW 2795

Council Development Application Number 2018/21

Dear Council,

The concepts detailed in the concept plan 2018/21 certainly look exciting and have potential benefits for the owners. We think there are several things detailed that may also enhance our continued presence at the site as well. However, there may be a few oversights or suggestions, particularly in relation to location of precincts and activities that do affect and may harm the observatory and the dwelling on the same property.

We wish to submit the below concerns and suggested solutions regarding the concept proposal submitted by our neighbours Educational Learning. While we currently have our property for sale, at this stage the property remains a functioning observatory. We reserve the right to remove the property from sale and continue to operate the site as an observatory, thus we are seeking to ensure that all proposals submitted must consider the effects they will have on the current property.

Contrary to the points detailed in the plan, the observatory is not deleted but maintains its group tour functions at the site. As a result, impacts upon its operation need to be included and some precincts adjusted accordingly. As of our letter receipted by Bathurst Regional Council on the 22/5/2016, it was noted that an E.I.S is likely required for any development that would directly impact upon the observatory in relation to light spill and the Australian Standard.

We note that the plans submitted with the proposal remove our existing right of way, which is the only access to our property. We request this right of way to remain in place and unchanged. At this stage we do not approve any alteration to the current right of way as we have concerns over any conditions placed upon a new access, unrestricted access, lighting and proximity of any proposed change. We also wish to ensure that at no time is our access to and from the property interrupted in any way for us or our guests. There is also a concern that the proposed new road directs car lights for a considerable distance (along its alignment) towards our site. As a solution, perhaps the road could swing earlier across the ridge line to minimise the length of time and proximity of the car headlights towards our site. Alternatively it could enter at its new point and travel straight (east) until meeting the existing road.

We also note we have an easement for carparking along our southern boundary. This easement access and car parking need to remain in place for our visitors.

This proposal notes that it will comply with the current airport lighting restrictions. We note however that we are an observatory site and that lighting has significant effects on the operation of an observatory. This requires more stringent lighting controls than zoned for the airport. The

concept proposal would need to include a list of every light and its ANSI lumen value (not wattage), including diagrams of reflected light dome, forward and backscatter affects and shielding of every light. This can be included in the EIS mentioned earlier of affects to the observatory. In addition, the EIS should cover what activities are proposed that may generate particulate matter, as airborne particles can also reflect light and obscure vision of the sky, both light and particulate matter combine to affect conditions of operation of the observatory.

Dust during construction is a concern and may require a relocation and shut down of scopes during dust creating work. I am surprised that we were not notified of earthworks commenced in mid 2016 (that caused dust damage to a sensor on the telescope requiring a major repair and downtime) and were not notified of a D.A submitted or dust mitigation procedures due to its proximity to the observatory. Dust mitigation plans will have to be included to reduce or remove potential for more damage to the telescopes.

To prevent buildings and trees blocking our views of the sky, we request that all trees and buildings can impinge no more than 10° above our fence line but trees are required for noise and visual impact reduction. The trees themselves not being a total solution to lighting issues. To ensure that buildings do not interfere with viewing conditions we are requesting a (100m) buffer around our boundary where buildings, including temporary dwellings and caravans cannot be located. There should also be no building, tree or interference (via refraction) to our line of sight access to the NBN tower to the north, north east (Stringybark Ridge Tower).

In reference to the caravan park, to reduce impacts upon us, it is suggested to be moved much further northward perhaps within a further precinct, with parklands acting as a buffer. There should however be no possibility of permanent or long-term residency as this would make the site more a low cost housing precinct rather than a tourism orientated site. As the owners cannot guarantee what lighting or spotlights will be on caravans (as movable items) and cannot impose controls on temporary vehicles, then all such sites need to be far enough away that they do not disturb the current observatory with lighting. The present proposed location would be too close.

The current observatory operates with a human guide explaining the wonders of the universe. We are requesting noise control so that the current peaceful nature of the tour is not disturbed.

We note that there is some plans regarding disposal of effluent. We wish to ensure that installation of either septic system or sewerage treatment systems are done in consideration of any odours that may drift over our property. Prevailing winds of an evening (our tour times) are summer, from the east, and winter west.

If services are being provided (such as the reticulated water and sewer proposed), we wish that no financial burden is placed upon our site to comply with compulsory connection. Nor is our site to be burdened financially for any changes to any easements, rights of way etc. We also need a continued guaranteed access to Winburndale water supply (boundary). We cannot see on the current plans, that this has been left in place. We seek to guarantee that we have this alternative access to water.

We also wish to note that we need to be notified by mail of any future lodgement of D.A variations, plans or concepts.

Despite these concerns we do note we do not object wholesale to any concept plan, but only those that directly impact upon us and our operation. We feel we have offered suggestions of solutions and in the past we have supported some aspects of this plan for some time. We do wish them well, as we know some of these ideas have been around for almost 15 years and it would be good to see the site take the next step forward.

Yours Sincerely

19/4/2018

Ray and Cindy Pickard



Planning & Building Dept : Application No: 2018/21
Wendy Pratley to: council

21/04/2018 02:04 PM

From: Wendy Pratley <wdpratley@gmail.com>
To: council@bathurst.nsw.gov.au

Attached please find letter regarding Development Application No: 2018/21 from owner David Pratley 97 Yarras Lane Kelso.

Regards
David

[Report this message as spam](#)



- D Pratley objection caravan park.docx

D Pratley
97 Yarras Lane
KELSO 2795

21ST April 2018
Bathurst Regional Council
Planning & Building Department

I am writing in relation to Development Application No: 2018/21

As a landholder and Primary producer in the near vicinity of proposed D.A. I
Object on the following grounds.

1. Effluent and garbage including litter could contaminate the nearby Winburndale Rivulet.
2. Under stringent new guidelines set by Meat and Livestock Australia (M.L.A.) Any persons or stray livestock entering my property could endanger my Status as a registered livestock producer. The threat of noxious weeds and Livestock diseases is potentially hazardous to my livelihood.
3. Increased traffic on the Limekilns road associated with this development will detract from the rural atmosphere of the area. Limekilns Road would in my opinion need a major upgrade to cope with extra traffic.
4. M.L.A. guideline stipulate that any person entering my property should at first obtain my consent and be cleared of any potential threat of spreading noxious weeds or animal diseases. With increased tourism from the proposed caravan park the potential for trespass on my property "Yarras" which has Winburndale frontage would be greatly increased. The proposed animal agistment on Precinct & would endanger the health status of all surrounding properties.

Sincerely
David Pratley
97 Yarras Lane Kelso

P & B Siejka

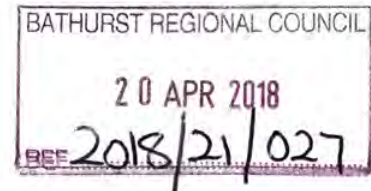
548 Limekilns Road

FOREST GROVE NSW 2795

18 April 2018

Bathurst Regional Council

Planning & Building Department



We are writing to object to Development Application No 2018/21

As property owners bordering the proposed DA, we would be extremely disadvantaged if this DA were to be approved.

The Caravan Park as well as the Golf Facilities & Academy Stages 1,2 &3. Precincts 2,3,4 would be right on the border of our land and no more than 150 metres from our home.

We are terribly upset and concerned that this proposed development would completely change our quiet rural lifestyle and affect our existing Stock Horse Stud business.

It would impact on our privacy and possibly home security, it would block our rural views, the noise associated with a caravan park would be detrimental to our current lifestyle and horse business.

We have a successful stock horse stud and this Development would impact on the environment in which the horses are raised and trained. We have outside mares and foals adjusted here during breeding season to be bred with our stallions and we could not guarantee the owners complete safety of their horses should there be people from the caravan park trying to pat horses over the fence or feeding them, this could cause problems such as colic which can be fatal. Another problem we would face when training young horses is the noises from the caravan park that could spook young horses causing them to throw a rider or go over fences, ie: a car backfiring, any loud noises or car lights at night. Also, any plastic or rubbish that gets blown over the fence could be eaten by the horses again making them sick.

These are just a few problems that could arise from this development.

The traffic along Limekilns Road would increase, and after speaking to many Limekilns Road and Forest Grove estate residents, no one is happy about this prospect, many people use this quiet road to ride their bikes and horses along, the extra traffic would make these activities no longer possible.

We have all worked hard to afford a rural lifestyle away from the noise that comes with living in town, we certainly do not deserve to have a caravan park destroying our country outlook and peace and quiet. Not to mention the fact that a caravan park next door would be disastrous to our property value, who would want to live next door to a Caravan Park.

KEY POINTS OF CONCERN –

- **NEGATIVE IMPACT ON OUR EXISTING STOCK HORSE STUD BUSINESS**, it would create dangers in regard to the wellbeing and safety of our horses as well as the safety of the trainers & handlers, which could result in our business losing clients.
- **PRIVACY & HOME SECURITY** – With the proposed development having 390 caravan sites, 107 Mobile Homes and camping sites being within 150 to 250 meters of our home, stables & machinery sheds, could increase the chances of break-in's or theft.
- **VIEW & QUIET RURAL OUTLOOK**, the development would completely destroy our view's & rural outlook as well as the peace and quiet that comes with rural living.

- INCREASED TRAFFIC- this would create problems for all residents living along Limekilns Road & Yarras Lane as well as dangers to cyclist, joggers & horse riders.
- NEGATIVE IMPACT ON SURROUNDING PROPERTY PRICES – As a result of a Caravan Park/ Mobile Home development being approved. Bordering & surrounding residents & property owners would be sure to see a drop in the value of their property. Their country views will be no longer, as will the peace and quiet that comes with a rural lifestyle.
- SEWERAGE RETICULATION- With all sewer disposal to be via onsite treatment plant there would be a huge concern with the smell associated with the treatment plant to all residents surrounding the development including Forest Grove residents. The smell is bad enough on small septic tanks when the wind blows in certain directions.
- RUBBISH – Heritage park already have a huge amount of garbage bins lined up along Limekilns Road on Garbage pick-up day, the rubbish collected from such a large development would be massive and there would be concerns that rubbish may not always be contained and blown on to bordering properties and the road.
- BOOSTER PUMP- The possible future booster pump seems to be located in close proximity to our front paddock that we keep our young weanling horses in, we have concerns any noises from the pump could cause harm to the horses should they get a fright.
- ZONING- As the area is classed as Agricultural and can not be subdivided if less than 200ha, it seems completely unfair to all other property owners if this proposed development is approved.
- PLANE CRASHES- In 2008 a plane crashed on the hill of proposed precinct 3, there have also been several plane crashes close to Bathurst airport over the years.
- WEED CONTROL – The current owner/manager of Heritage Park does not control the weed situation on the property, the property is covered with various weeds and thistles, making it extremely difficult for all bordering land holders to keep weeds out of their pastures. This could reflect on the way the proposed development would be maintained.

Sincerely,



Peter & Belinda Siejka

Eagle Stock Horses

548 Limekilns Road, Forest Grove 2795



RE: Submission Development Application No : 2018/21
Belinda Siejka to: council

19/04/2018 06:08 PM

From: "Belinda Siejka" <bsiejka@bigpond.net.au>
To: <council@bathurst.nsw.gov.au>

Please find attached submission letter regarding DA 2018/21.

Kind Regards,

Belinda Siejka  - BRC letter re DA.docx

P & B Siejka

548 Limekilns Road

FOREST GROVE NSW 2795

18 April 2018

Bathurst Regional Council

Planning & Building Department

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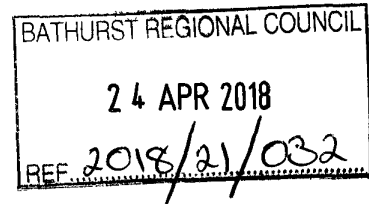
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Sincerely,

Peter & Belinda Siejka

Eagle Stock Horses

548 Limekilns Road, Forest Grove 2795

Development Application NO 2018/21

Please accept this letter as an objection the Development Application NO 2018/21

While we welcome any proposed development to Bathurst promoting Tourism and Education Facilities we strongly oppose the development of a Caravan Park in Forest Grove.

We were only informed of this proposal late Friday afternoon by direct neighbour of the Proposed Development and we had not received any correspondence regarding the above.

As with other objections received our areas of **Fundamental Concerns** mirror surrounding land owners and nearby residence of Forest Grove.

Concerns for Site Suitability**Visual Impacts**

Council is obligated to consider the zone objectives in regard to the impact to rural views and visual aspect by the number manufactured movable homes and caravan sites. It is our belief that this will damage the panoramic character and rural charm of the area for present and well-established land owners.

Environmental – Economic Impacts

Many of the landowners have chosen this area and establish a Rural and Agricultural lifestyle. Businesses and hobby farms are based around livestock and animals. The introduction of domestic animals and their associated contagions should they stray, pose a direct conflict between the proposed land uses and vicinity of the site which potentially be disastrous for current rural landowners.

In summary we find we feel that developing of a Caravan Park in this area Would create an unreasonable impact on the area.

Glenn Starr

Tanya Nieuwendyk

104 Yarras Lane

Forest Grove 2795

A handwritten signature in black ink, appearing to read "Tanya Nieuwendyk".

RECEIVED

24 APR 2018

BATHURST REGIONAL COUNCIL

DEPB ✓

2018/21/018

**DEVELOPMENT Application No 2018/21 objection Re human barrier****Darren Webster** to: council@bathurst.nsw.gov.au

18/04/2018 10:51 AM

From: Darren Webster <a2fvtol@live.com>

To: "council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>

ENVIRONMENT, PLANNING & BUILDING SERVICES DEPARTMENT

Attention Richard Denyer

We do not consent to any future development without the owner or developer providing and maintaining a man proof fence along our boundary.

The only access consideration be for emergency vehicles and stock movement in the case of fire.

The barrier be erected of a standard to contain any person in the tourist park and from entering our property in the future.

Thank you for your attention to this matter,

Gwendoline Webster

Rossmore Park

176 ceramic avenue

Raglan NSW 2795

6337 3554

a2fvtol@live.com

**DA 2018-21 624 Limekilns Road Forest Grove****Stanley Williams** to: council@bathurst.nsw.gov.au

Cc: Stan

20/04/2018 11:03 AM

From: Stanley Williams <stanley.williams@one.ses.nsw.gov.au>
To: "council@bathurst.nsw.gov.au" <council@bathurst.nsw.gov.au>
Cc: Stan <fwdfun@bigpond.com>

To Whom it may concern,

Stan and Bethne Williams have some questions and concerns in relation to DA 2018-21 624 Limekilns Road Forest Grove NSW.

It would be appreciated if you review the attached document prior to approving the DA.

If you have any questions, we are happy to discuss.

Stan and Bethne Williams

0428 627 773

fwdfun@bigpond.com

626 Limekilns Road

Forest Grove NSW

2795



- DA 2018-21 624 Limekilns Road Forest Grove.docx

19 April 2018

Stan and Bethne Williams

626 Limekilns Road

Forest Grove NSW 2795

0428627773

Bathurst Council

Private Mail Bag 17

158 Russell Street

Bathurst NSW 2795

council@bathurst.nsw.gov.au

Dear Sir or Madam,

Re: DA 2018/21 dated 22 January 2018

We wish to lodge a submission on the proposed Development Application not 2018/21 for the 634 Limekilns road proposal for a subdivision. The information in the application contains many gaps and confusing information that raises questions and does not provide answers. Items such as the crematorium and observatory are mentioned and shown on the maps, but elsewhere are described as deleted, which makes it very difficult to identify the full impacts of the proposal. There are no definitions within the proposal however many acronyms are used which we are unable to decipher without a list of definitions, for example, we don't know what the acronym "EP" stands for, and we don't understand what a 'community title' means in relation to the land status. Does this mean they wish to subdivide the caravan park sites into separate titles?

The maps are very difficult to read, fonts are unreadable and no amount of increasing the print size will clarify what they are showing. The maps don't show our neighbouring property boundary, which makes it difficult to identify the impacts on us. The maps on page 8 do not have contour lines and features are not identified. The existing entrance road from the army memorials, past our property entrance and to the main entrance of the facility is not shown on the maps. What will happen to our entrance road once the proposal's new road is installed, do we lose our entrance? Who will maintain the existing entrance road?

The land zoning appears to be agricultural, and this proposal does not seem to align with maintaining agricultural activities and will remove a large tract of land from agricultural use, which seems inconsistent with the zoning. Is this submission a request to rezone the land from zone 1? It is unclear to us what the intention is of the application.

There is no Environmental Impact Statement, we are unable to determine what the impacts may be, however we are concerned about subterranean water, ground water and the huge amount of effluent processing, arising from 196 caravan sites shower and toilet facilities, particularly as the

siting of effluent waste management facility is nowhere indicated in the submission and is not identified on the maps. We are also concerned at the unknown impact on our water supply and drainage to the billabongs near the army memorials, which provide habitat for native fauna, particularly the turtles which frequent the area.

One of the companies listed in the submission appear to be de-registered according to the Australian Securities and Investments commission (ASIC), Heritage Hills (Aust) Pty Ltd ACN088235526 is listed as deregistered on 19/9/2017. The application form is written in many different pen colours and may be completed by different persons.

The increase in traffic along limekilns road poses a safety concern, as well as the siting of the development in the flight path of the airport does not seem to be good management of safety of the public. The recent aircraft crash near the Essendon airport in Melbourne rightly raised many community concerns about council planning ensuring that the siting of major public facilities in close proximity to air traffic landing and take-off locations is avoided.

The property together with the current observatory is shown on the a map as being part of the business applying for the DA however it is believed this property is separate, privately owned and is cannot part of the application.

This application has many shortcomings and further investigations are recommended prior to consideration for approval.

We hope you can clarify the questions raised above as we feel that the information provided to date is not sufficient to allow a reasonable assessment of the impact.

Yours sincerely,

Bethne and Stan Williams

626 Limekilns road, Forest Grove 2795