

17 August 2005

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Director for Major Development Assessments  
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**Attention: Mr Tim Ward  
Ms Caitlin Bennett**

Dear Mr Ward and Ms Bennett,

**RE: APPROVAL TO LODGE A CONCEPT PLAN UNDER PART 3A OF THE EP&A ACT  
FOR A ROAD/RAIL FREIGHT TERMINAL  
AT THE GREAT WESTERN HIGHWAY, KELSO**

On behalf of SLOBOBAX Pty Ltd, the proponents of the above-mentioned project, we hereby submit this outline of the proposal and request confirmation that the project is classified as a Major Project under Part 3A the Environmental Planning and Assessment (EP&A) Act and to confirm that the proposed Concept Plan is authorised by the Minister. This request follows our meeting at DIPNR on 15 August 2005, in which we discussed the requirements for this project under recent amendments to that provide for the approval of major projects under Part 3A.

The application is approval of a Concept Plan for a proposed freight-handling complex at the above-mentioned property. The application also seeks Project Approval to allow specific aspects of the project to proceed to construction, including the initial earthworks, site grading and associated stormwater management including three ponds, site services, roads, Master Siding and Private Siding and associated hardstand, as well as (works) to the watercourse, including the removal of willows, piping of the northern section and establishment of the riparian zone.

As you are aware, this application follows a previous meeting with DIPNR and our letter dated 12 April 2005 that requested the Director General's requirements for the preparation of an Environmental Impact Statement (EIS) in accordance with Clause 73 of the Environmental Planning and Regulation 2000. Following DIPNR's response dated 16 May 2005, we have undertaken the various consultation processes and tasks required to address the issues to be included in the EIS. We understand that the EIS may no longer be required, however will form the basis for the Environmental Assessment required under Part 3A. We also anticipate that following consideration of this application, we may proceed directly to lodging our documentation to commence Stage 2 of the Project Application Process, having previously attended a Planning Focus meeting, and undertaken consultation with relevant approval bodies.

.../2

As requested by DIPNR this submission constitutes a formal request to confirm that the proposal is a project to which Part 3A applies, and to confirm submission requirements. Consistent with DIPNRs draft guidelines, the submission includes a brief description of the site and the surrounds, a project description, a consideration of the planning controls including a justification for the application of Part 3A, a summary of consultation undertaken to date, and a preliminary assessment, including a summary of our intended documentation.

## 1.0 THE SITE & THE SURROUNDS

### *The Site*

The subject site is located on the southern site of the Great Western Highway in Keslo, some 4km east of the Bathurst Town Centre (see **Attachment 1 – Location Plan**).

The site has a northern frontage of 900m to the Great Western Highway (GWH) and a 575m southern frontage to the Great Western Railway and has an area of 30ha (see **Attachment 2 – Aerial Photograph**).

The site is bisected by a watercourse (Main Watercourse) running from the south eastern corner to the middle of the site's Great Western Highway frontage. The site slopes from the north eastern corner down to the watercourse and then slopes up to the west. The southeast part of the site is disturbed having previously been used for the supply of gravel (Kelso Gravel Quarry) (see **Attachment 3 – Survey Plan**). With the exception of one dwelling on the Great Western Highway frontage, the site is vacant of any improvements (see **Attachment 4 – Photographs of the Site**).

### *The Surrounds*

The area surrounding the site comprises rural, industrial, commercial and residential uses. Immediately to the north, on the opposite side of the Great Western Highway is a Harvey Norman Store and carpark and a Stocklands bulky goods development. Other uses include a motor inn (the "Gold Panner Motor Inn") a pet shop and a horse and riding supplies use (to the west of Ashworth Drive).

To the east, south and west is rural and industrial land (see **Attachment 5 – Photographs of the Surrounds**).

### *The Surrounding Road & Rail Network*

The Great Western Highway is a two lane undivided road, carrying two way traffic in an east direction towards Lithgow and Sydney and a west direction towards Bathurst (see **Attachment 6 – Photographs of the Road & Rail Network**). The Great Western Highway, in the vicinity of the site has an Average Annual Daily Traffic (AADT) figure of 19,713 (in 2002). The Highway comprises 60km/h and 80km/h speed limits. The Highway along the eastern part of the site's frontage is subject to the 80km/h speed limit and the western part is subject to the 60km/h limit.

Council's officers advised that the Highway is a Council road, not an RTA road. As such, the RTA's role will assess the Traffic Study under SEPP No. 11.

Immediately to the south of the site is the Great Western Railway, which comprises two lines (see **Attachment 6 – Photographs of the Road & Rail Network**). One line carries rail traffic to the east towards Lithgow and Sydney, while the other line carries rail traffic to the west towards Bathurst and beyond.

## 2.0 PROJECT DESCRIPTION

The proposal is for Road/Rail Freight Terminal with ancillary facilities. The main use is for a regional warehousing terminal at the rear of the site and extension of the existing master siding from the main western line into the site. The ancillary use is the Great Western Highway frontage uses comprising bulky goods warehousing, a service station and a truck stop. The proposal also involves associated infrastructure and services, and environmental improvement and rehabilitation of the existing watercourse. (see **Attachment 7 - Preliminary Concept Plan**).

The current application is for a proposed road/rail freight terminal at the above-mentioned property. The project will include the following floor areas:

- Containerised Goods Storage - 52,180m<sup>2</sup>;
- Regional Terminal Warehousing - 47,275m<sup>2</sup>;
- Highway Uses - 11,250m<sup>2</sup>;
- Support Facilities (Truck Stop) - 2,865m<sup>2</sup>; and
- Service Station - 520m<sup>2</sup>

As indicated, the application is for approval of a Concept Plan for a proposed road/rail freight terminal in accordance with a Concept Plan prepared by Mellor Gray Architects. The application also seeks Project Approval to allow specific aspects of the project to proceed to construction, including the initial earthworks, site grading and associated stormwater management, site services, the roads, railway siding and associated hardstand, as well as (works) to the watercourse, including the removal of willows, piping of the northern section and establishment of the riparian zone. The remaining works will be subject of subsequent Development Applications as required that will accord with the building envelopes shown conceptually in the drawings, however will be the subject of further detailed drawings and specifications in terms of building design and layout, details materials finishes and colours will be subject to be prepared for the future DAs.

The proposal will facilitate transfer of goods and produce from Bathurst region to any freight terminal within Australia including Sydney and Melbourne and hence overseas. For the goods and produce to be transferred out of the Bathurst region, the goods and produce will be delivered to the site by semi-trailers and will leave the site by rail, via a new private double rail siding proposed to be extended to connect to the existing Master Siding at Raglan off the Great Western Railway Line. For the goods and produce to be transferred to the Bathurst region, the goods and produce will be delivered to the site by rail, via the proposed private siding and will leave the site by semi trailers.

The proposal will include a total of 465 car parking spaces for employees and visitors. There are three means of vehicular access to the car parking spaces and the loading areas. The driveway at the eastern-most part of the site's frontage to the Great Western Highway is an egress only driveway (Access 1). The driveway approximately at the centre of the site's frontage to the Great Western Highway is an ingress only driveway (Access 2) while the driveway at the western-most part is a combined ingress/egress driveway (Access 3). As indicated, it is also proposed to have rail access to the site, via a new double private siding, an extension of the existing Master Siding off the Great Western Rail Line.

The internal road layout will bridge over the creek. In accordance with advice from DIPNR, the proposal will have a 10m buffer on either side of the creek.

### 3.0 PLANNING CONTROLS

The site within the 1(a) General Rural Zone under the Bathurst Local Environmental Plan (LEP) 1997 (**see Attachment 8 – Bathurst LEP 1997 Zoning Map**). To the north, on the opposite side of the Highway land is zoned 3(b) Business and 2(a) Residential. To the east south and west land is zoned 4(a) Industrial.

The proposed freight terminal, which comprises Rail Infrastructure, Containerised Goods Storage, Regional Terminal Warehousing, Truck Stop–Railway Engineers Accommodation, Service Station and Highway Uses including Bulky Goods Storage, Small Warehousing, and rehabilitation of the existing watercourse are permissible with development consent within the 1(a) zone, subject to being consistent with one or more of the objectives of that zone (**see Attachment 9 – Zoning Table**).

It is considered that the proposed freight terminal will support the continued viability of agricultural and rural development, as it will provide improved infrastructure for the transfer of local goods/produce to major centres on the east coast of Australia. The infrastructure will be compatible and in keeping with its character as rural land, located adjoining a major road and rail corridor. The site is also considered most suitable for the proposed development given its location adjacent a major road and rail corridor and only some 4km east of Bathurst. In addition, based on previous uses, the site is not considered to have good capability for agriculture. Hence the proposed rail infrastructure will not unnecessarily convert prime crop and pasture land to non-agricultural land uses. Accordingly, we are of the opinion that the proposed development is consistent with objectives (a) (c) and (d) of Zone 1 (a), therefore is permissible with consent in accordance with Section 6 of the LEP.

The proposal has also been considered as “integrated development” in respect of improvements to the watercourse and works to the Great Western Highway to provide access to the site. Accordingly, consultation has occurred with the Department of Primary Industries (DPI), the Roads and Traffic Authority (RTA) and to DIPNR, including the former Department of Land and Water Conservation (DLWC). The proposal also meets the definition of “designated development” under the EP&A Regulation 2000, and requirements for an Environmental Impact Statement (EIS) have also been considered. This is because the proposal is defined as a “railway freight terminal” and includes associated sidings and truck loading and unloading facilities located within 40m of a natural water body or 500m of a residential zone or dwelling. The proposal is within 40m of a natural water body and within 500m of a dwelling and a residential zone, and as such, it is likely to be designated development.

### 4.0 PROJECT JUSTIFICATION UNDER PART 3A

SEPP Major Projects is applicable, as the proposal meets the definition under Schedule 1 Group 8 (23) of the EP&A Act, which defines *Major Project* as follows, inter alia:

“

**Rail and related transport facilities**

1. Development that has a capital investment value of more than \$30 million for the purpose of:
  - a) Heavy railway lines associated with mining, extractive industries or other industry, or
  - b) Railway freight facilities or inter-modal terminals...”

SEPP Major Projects establishes a development assessment and approval process under Part 3A of the EP&A Act. Accordingly, this application will be supported by an environmental assessment of the proposed Concept Plan and specific aspects of the project that will accord with the requirements of Part 3A of the EP&A Act.

## 5.0 CONSULTATION

Consultation was undertaken by SLOBOBAX with a number of government agencies, which include the following:

- Department of Infrastructure Planning and Natural Resources;
- Department of Housing;
- Department of Environment and Conservation;
- NSW Department of Primary Industries (Fisheries section);
- Bathurst Regional Council;
- Roads and Traffic Authority;
- Australian Rail Track Corporation.

In addition, SLOBOBAX identified interested community groups and stakeholders that could be potentially affected by the proposed development. These parties included Bathurst Local Aboriginal Land Council and community representatives, who were notified by SLOBOBAX of the proposed development and invited to a meeting.

In addition a planning Focus Meeting was convened by DIPNR at Bathurst on 21 April 2005 a PFM was held at the Bathurst Regional Council with representatives from the abovementioned agencies, SLOBOBAX, GSA Planning and Mellor Gray Architects. At the meeting DIPNR advised that the proposed development was State significant development by virtue of a declaration made by the then Minister for Urban Affairs and Planning for "railway freight terminals" that employ more than 100 people or have investment greater than \$20 million. It is noted that the then SEPP relating to State Significant Development has been replaced by the SEPP Major Projects, and that the proposal meets the definition of a major project under the current SEPP.

## 6.0 PRELIMINARY PLANNING ASSESSMENT

The consultants have undertaken a detailed assessment of the proposal that will be submitted in the form of an Environmental Assessment as required under Part 3A of the EP&A Act (**see Attachment 10 – Environmental Assessment – Draft Table of Contents**). The Draft Table of Contents indicates that the assessment will address the full range of issues, including those set down in the Directors General requirements for an EIS that was previously issued by DIPNR prior to the introduction of the Part 3A amendments to the EP&A Act.

The Environmental Assessment report includes an executive summary (**see Attachment 11 – Environmental Assessment – Draft Executive Summary**). This draft summary is submitted as a preliminary planning assessment, as required by DIPNR to accompany this application. The assessment concludes that the site will satisfy considerations under Section 79c of the EP&A Act, is suitable for the proposed project and is considered to be in public interest.

This outline of the proposal is also accompanied by concept drawings, including a Draft Concept Plan, that are submitted separately to DIPNR.

## 7.0 CONCLUSION

The proposed freight handling complex is considered permissible with development consent under the LEP, consistent with relevant LEP objectives. The proposal is classified as a major project under Part 3A of the EP&A Act, which requires the consent of the Minister. The project also meets the definition of designated development and requirements for an EIS have also previously been considered, which are subject to further review in light of Part 3A requirements. The proposed use of the site is compatible with the surrounding industrial and commercial land uses and will support the continued viability of agricultural and rural development. The proposal allows for the economic use of the land and is unlikely to create any significant impacts on the area or surrounding road network.

In accordance with the requirements under Part 3A of the EP&A Act, we hereby submit this outline of the proposal and request confirmation that the project is classified as a Major Project under Part 3A and to confirm that the Concept Plan is authorised by the Minister.

We trust that this information is of assistance to you however, should you require any further material, please do not hesitate to contact myself or Margaret Bergomi at our office.

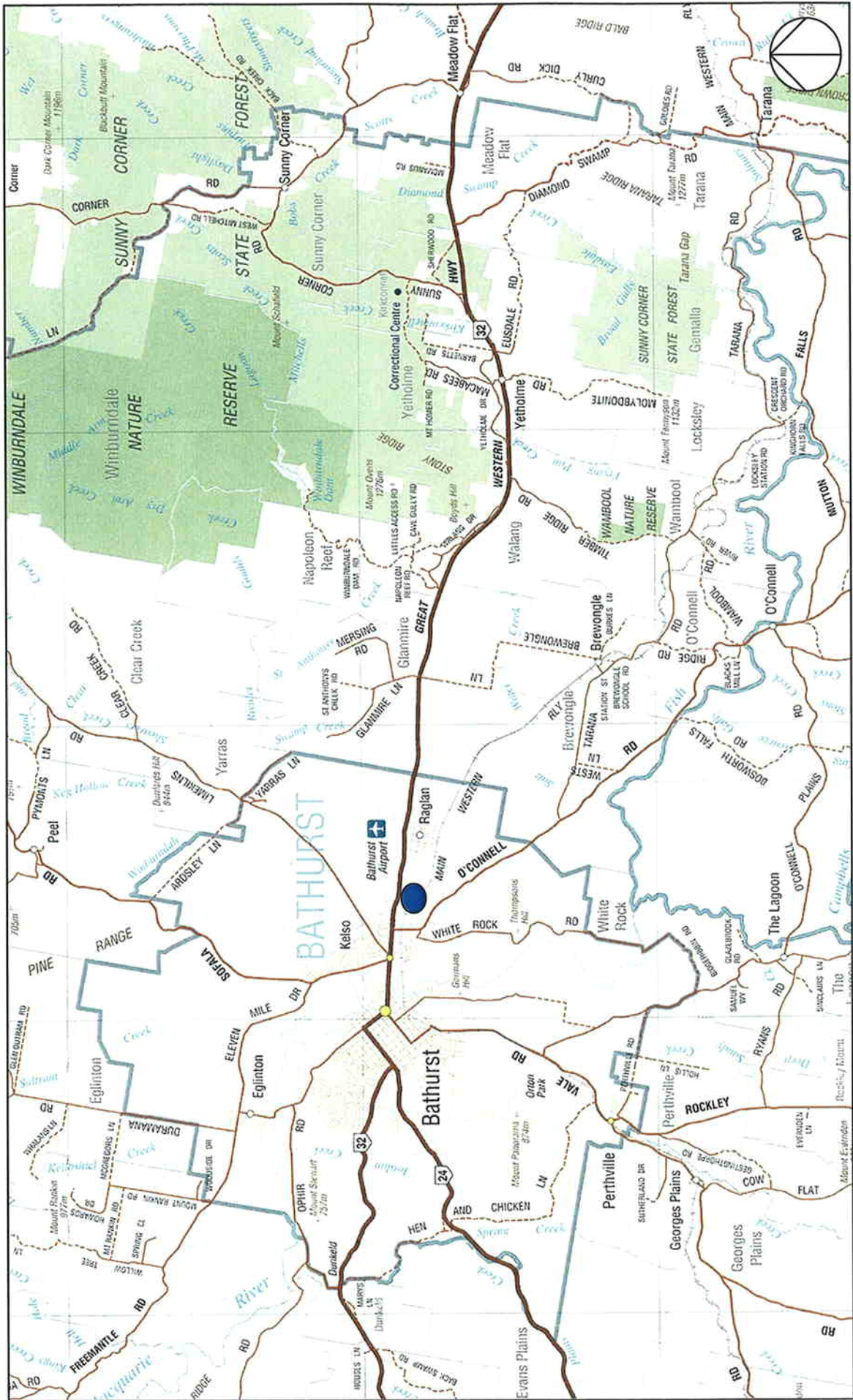
Yours faithfully,

A handwritten signature in black ink, appearing to read 'Gary A. Shiels', written in a cursive style.

Gary A. Shiels  
**MANAGING DIRECTOR**

**Attachment 1: Location Plan**







**Attachment 2: Aerial Photograph**



Sundowner Drive  
Djamon Close  
Harvey Norman  
Future Bulky Goods Facility

Industrial Uses

Car Park

GREAT WESTERN HIGHWAY

Gold Panners  
Motor Inn

Industrial Use

SITE

Rural

GREAT WESTERN RAILWAY

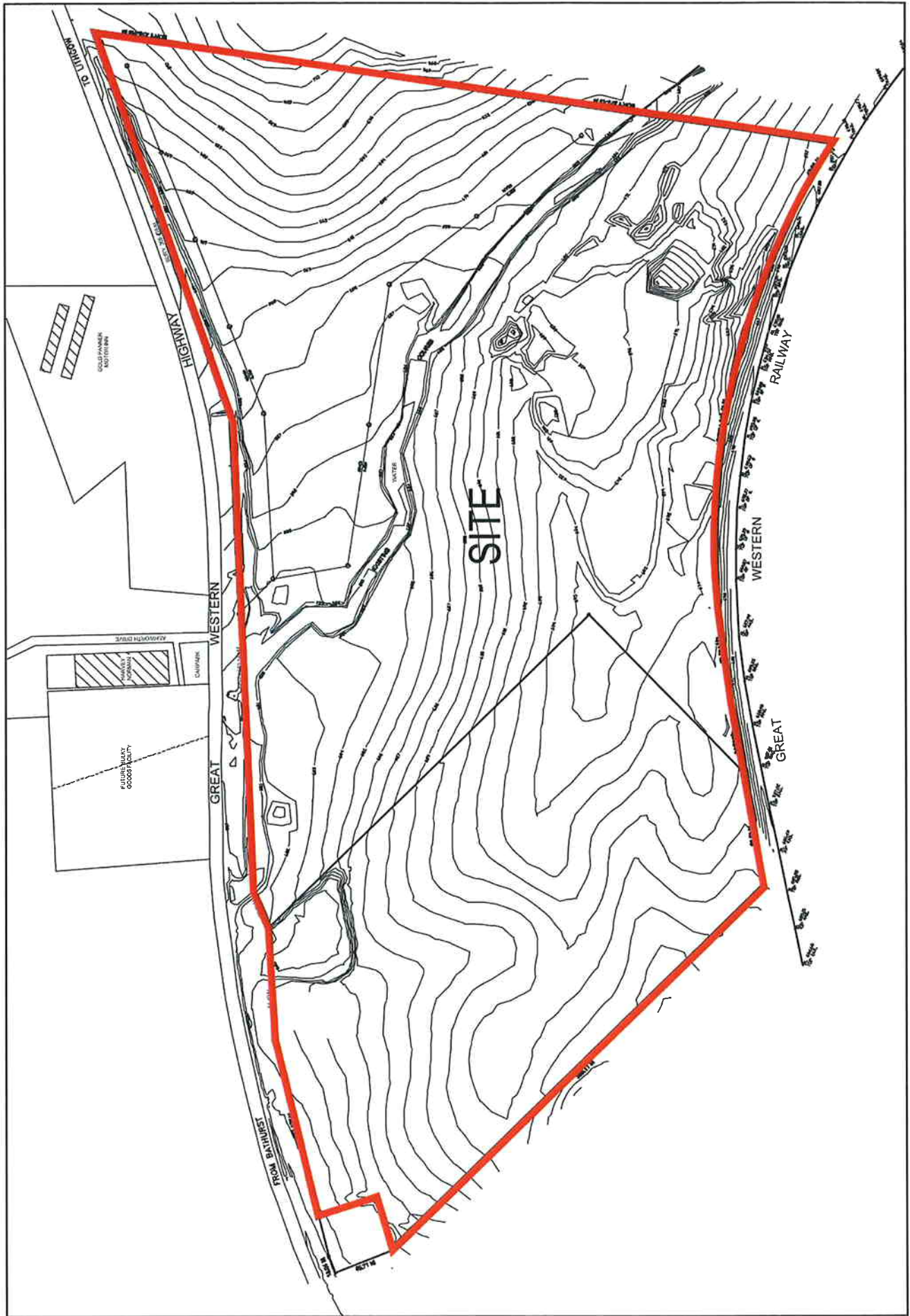
Industrial Land

Industrial Land

The Scots  
School

**Attachment 3: Site Survey**





**Attachment 4: Photographs – The Subject Site**

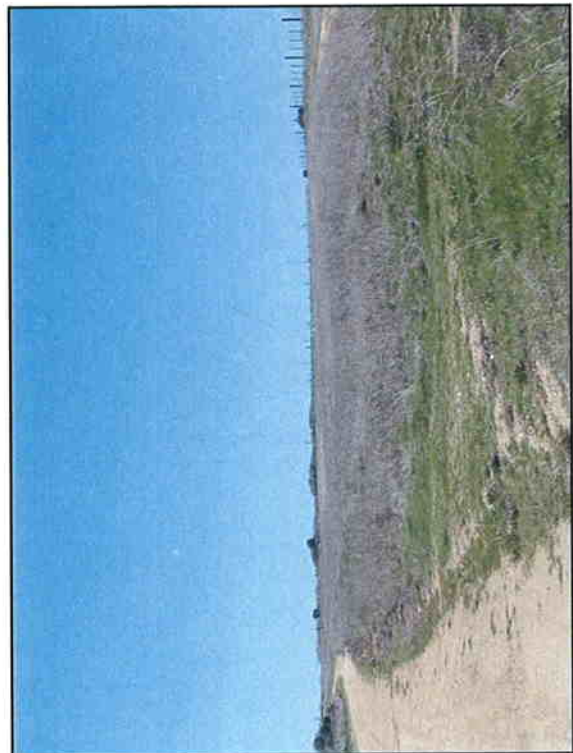
PHOTOGRAPHS OF THE SUBJECT SITE



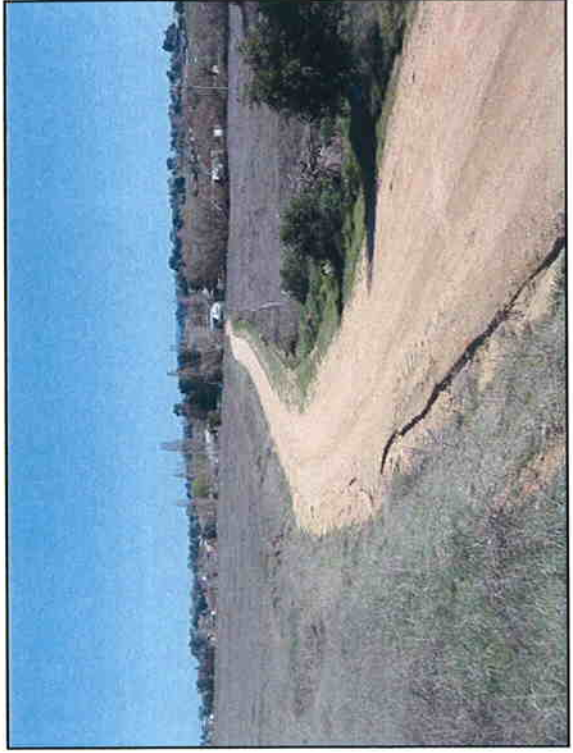
*The site's north-eastern corner as viewed from the Great Western Highway*



*The existing site access, as viewed from the Great Western Highway*

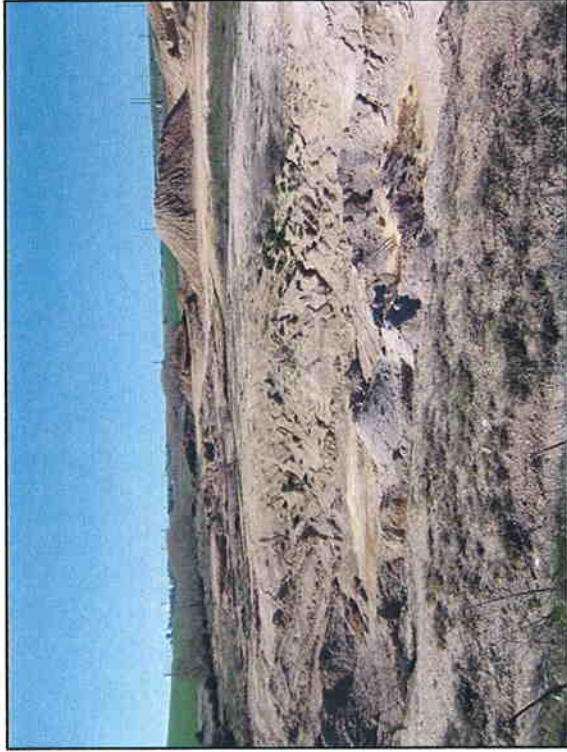


*The site looking south, as viewed from the existing access road.*

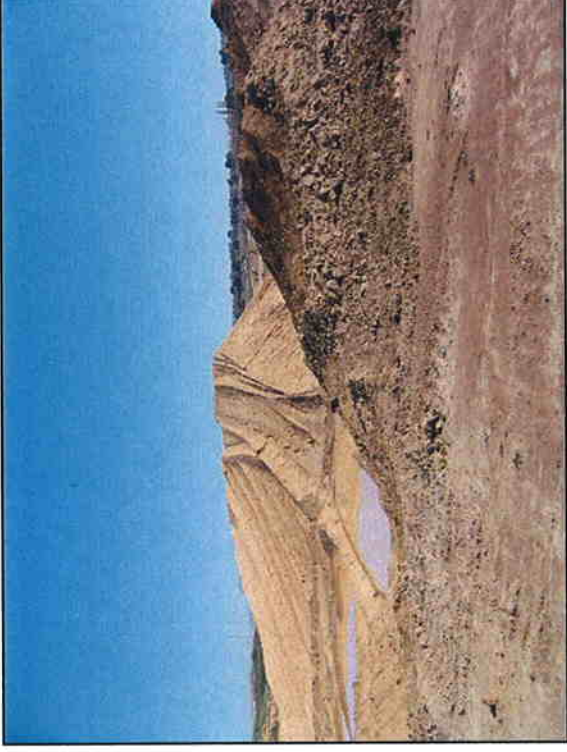


*The site looking north, as viewed from the access road.*





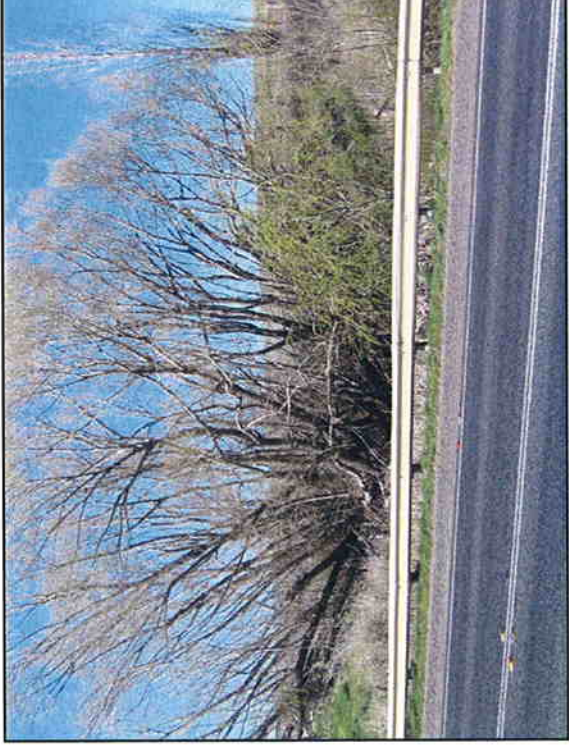
*The site's old gravel quarrying area looking south.*



*The site's old quarrying area.*



*The site looking north-west, as viewed from the site's south-eastern corner.*

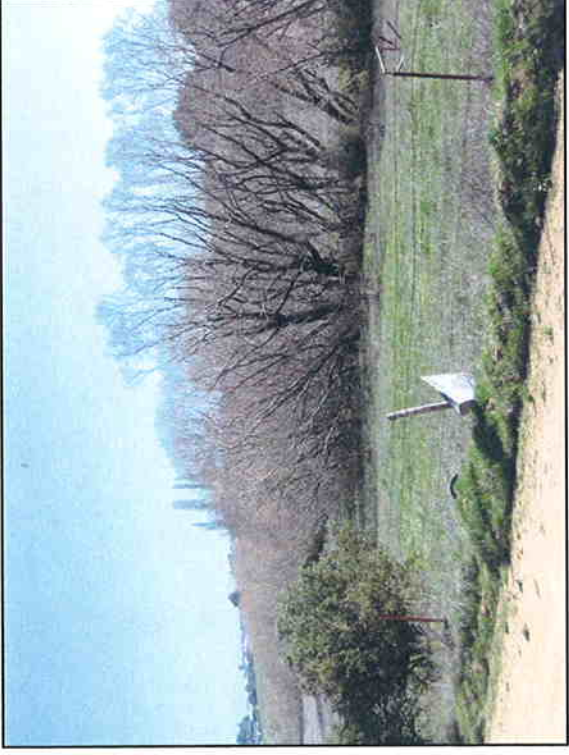


*The creek on site, as viewed from the Great Western Highway.*





*The creek on site, as looking east.*



*The creek on site, as viewed from the site's access road.*

**Attachment 5: Photographs – The Surrounds**

PHOTOGRAPHS OF THE SURROUNDS



The Pet Shop to the north of the site



The Horse & Riding Supplies Store to the north.



The creek to the north of the site, on the opposite side of the Great Western Highway.



The Harvey Norman store to the north.





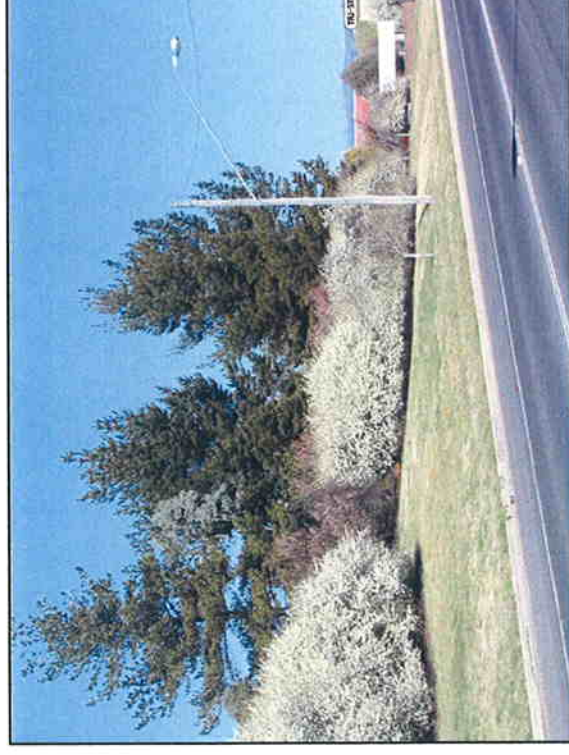
*The "Gold Panner Motor Inn" to the north.*



*Land to the east of the site.*



*Development to the east of the site, fronting onto the Great Western Highway.*



*Development to the west of the site, fronting on to the Great Western Highway.*

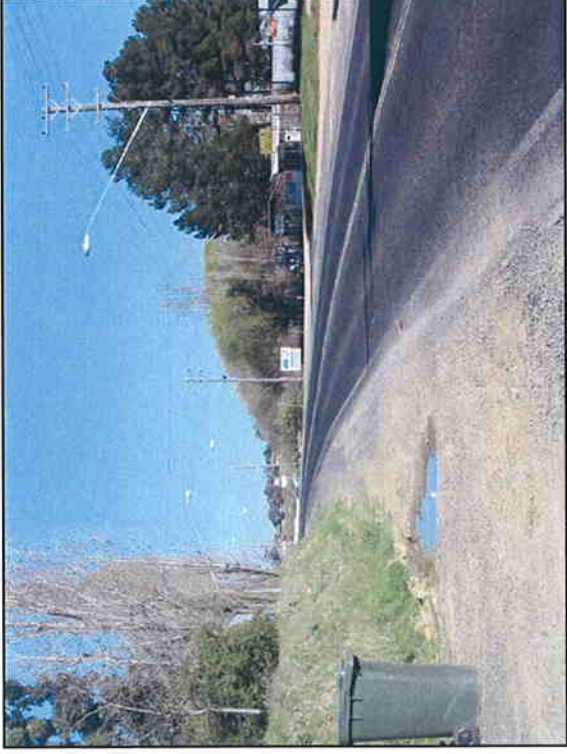
**Attachment 6: Photographs – Great Western Highway &  
Great Western Railway**



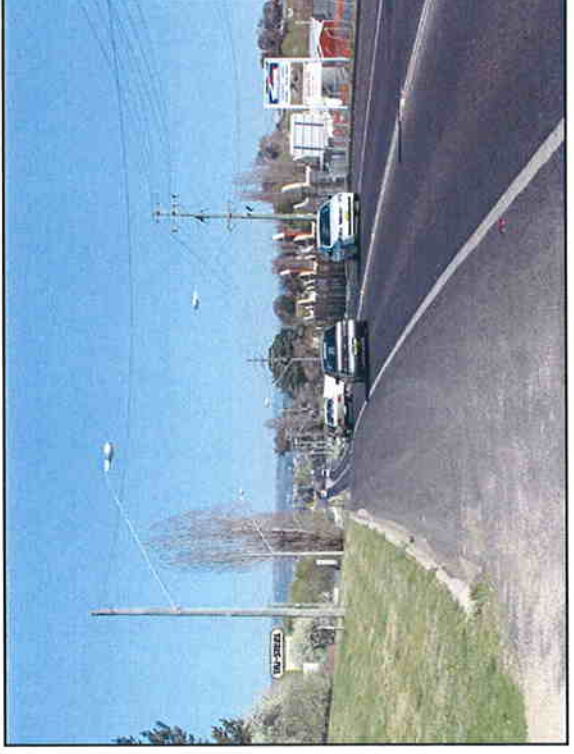
PHOTOGRAPHS – GREAT WESTERN HIGHWAY



*Great Western Highway east from the site's existing access*



*Great Western Highway west from the site's existing access.*



PHOTOGRAPHS – GREAT WESTERN RAILWAY



*The Great Western Railway looking south-west.*



*The Great Western Railway looking south-east.*







**A**  
 HIGHWAY USES DEVELOPMENT (Service Road to Rear)  
 OSD - WATER QUALITY POND - 2  
 SERVICE STATION - Public Facility  
 SERVICE STATION - Public Facility - Heavy Vehicles  
 REGIONAL TERMINAL - TRUCK STOP  
 Service Station - Heavy Vehicles  
 GREAT WESTERN HIGHWAY  
 (Sydney Road)  
 REGIONAL TERMINAL -  
 Truck Stop - Lay Over

**B**  
 RETAINING STRUCTURE  
 Stepped Gabion Baskets  
 IRRIGATION TANKS  
 In-ground Vessels  
 HIGHWAY USES  
 SERVICE ROAD  
 HIGHWAY USES  
 PARKING

**C**  
 UN-NAMED WATERCOURSE  
 REGIONAL TERMINAL  
 ADMINISTRATION AND  
 SECURITY BUILDING  
 OSD - WATER  
 QUALITY POND - 1  
 ENTRY

**D**  
 HIGHWAY USES  
 DEVELOPMENT  
 Rear Service Road  
 REGIONAL  
 TERMINAL  
 ACCESS  
 BRIDGE  
 EXIT

**E**  
 EXIT

REGIONAL  
 TERMINAL  
 SATELLITE  
 HARDSTAND -  
 Containerized  
 Goods Storage  
 REGIONAL  
 TERMINAL  
 WAREHOUSING  
 RETAINING  
 STRUCTURE  
 Stepped Gabion  
 Baskets  
 SERVICE ROAD  
 SERVICE ROAD  
 180 Degree Truck  
 Turning Area  
 BRIDGE (17.50)  
 Road + Loading  
 Zone access  
 UN-NAMED  
 WATERCOURSE

**8**  
 REGIONAL TERMINAL  
 FORKLIFT  
 MAINTENANCE  
 FACILITY  
 MASTER SIDING  
 EXTENSION  
 70m OSD  
 Switch  
 Clearances  
 70m OSD  
 Switch  
 Clearances  
 60m PRIVATE SIDING  
 Capacity to load 4 Trains  
 Total length of 522m  
 1:100 Grade east to west  
 PRIVATE Run-a-Round Siding

STAFF PARKING  
 TRUCK STOP -  
 Railway Engineers  
 Accommodation  
 REGIONAL TERMINAL HARDSTAND -  
 Containerized Goods Storage (37,000 sqm)  
 REGIONAL TERMINAL WAREHOUSING  
 REGIONAL TERMINAL HARDSTAND -  
 Supplementary Container Storage Area

LOADING ZONE  
 Direct Containerized  
 Goods Storage (Private Siding)  
 to Hardstand Storage Area  
 60m PRIVATE SIDING  
 Capacity to load 4 Trains  
 Total length of 522m  
 1:100 Grade east to west  
 PRIVATE Run-a-Round Siding

SERVICE ROAD  
 4 lanes - 15m width  
 Direct Containerized  
 Goods Storage  
 to Hardstand Storage

SPRINKLER  
 - HYDRANT  
 TANKS

OSD -  
 WATER  
 QUALITY  
 POND - 3

70m OSD  
 Switch  
 Clearances

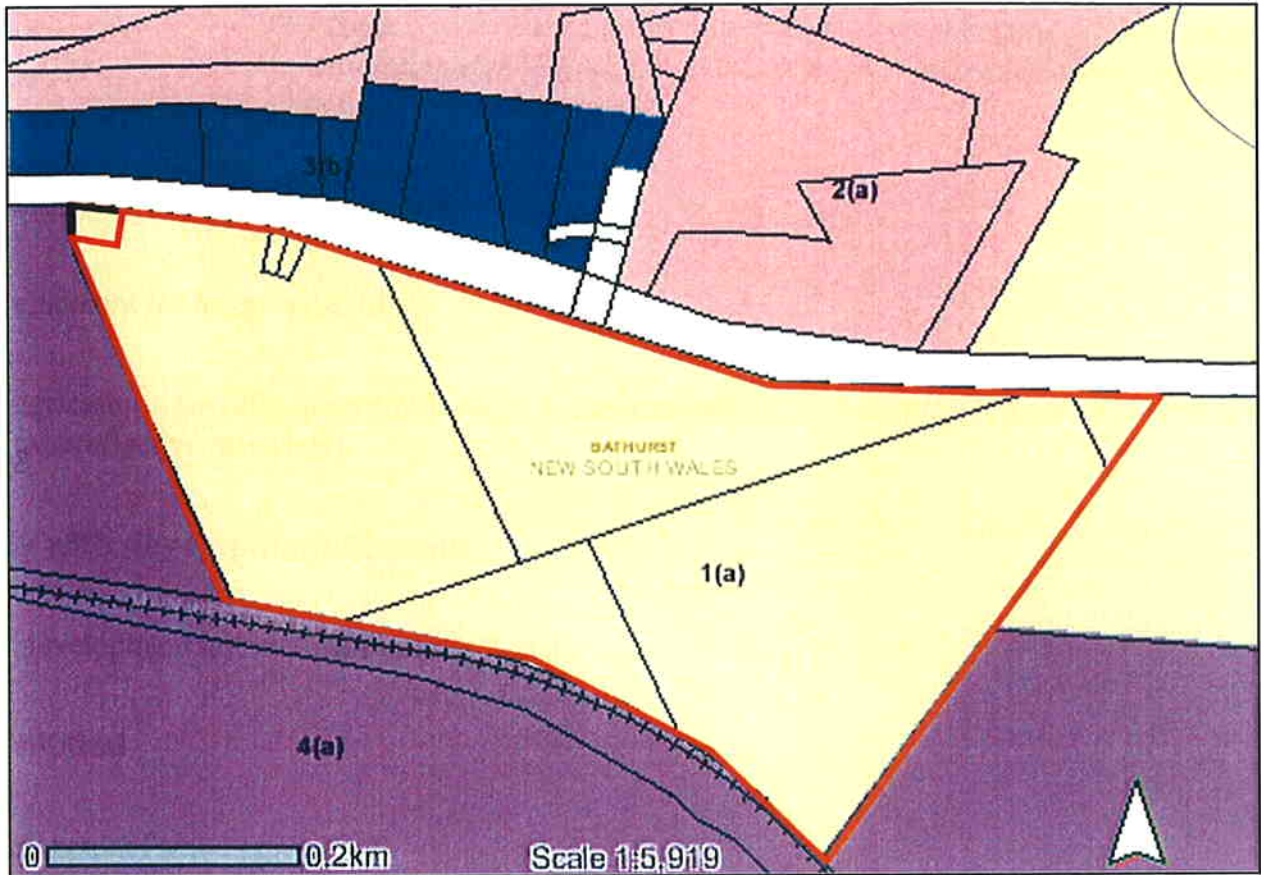
70m OSD  
 Switch  
 Clearances

THROUGH LANE

**Attachment 8: Bathurst LEP Zoning Map**

# BATHURST LOCAL ENVIRONMENTAL PLAN 1997

The site is zoned 1 (a) General Rural



Subject site = boundary in red

**Attachment 9: Bathurst LEP Zoning Table for General  
Rural Zone**

**BATHURST LOCAL ENVIRONMENTAL PLAN 1997 AS AMENDED****1(a) GENERAL RURAL ZONE****1. Objectives of the Zone**

- (1) The objectives of the zone are:
- (a) to support and maintain the continued viability of agricultural development in rural areas, and
  - (b) to enable development that is appropriate for broad acre productive lands used for grazing and cropping, and
  - (c) to provide for a range of compatible land uses to be carried out on land within the zone which are in keeping with the rural character of the locality and do not unnecessarily convert prime crop and pasture land to non-agricultural landuses, and
  - (d) to protect or conserve the scenic environment by controlling the location of buildings and materials used, particularly in respect of development adjacent to a major road or located within a scenic protection area or within an identified remnant bushland area, and
  - (e) to protect or conserve valuable deposits of minerals, coal, petroleum, and extractive materials by controlling the location of development to enable the efficient extraction of those deposits.
- (2) Development for the purpose of the following is usually not consistent with the objectives of this zone:
- Boarding houses, bulky goods salesrooms or showrooms, generating works, motor showrooms, road transport terminals, service stations, vehicle body repair workshops, vehicle repair stations, warehouses.

**2. Without Development Consent**

Development for the purpose of:

Agriculture, bushfire hazard reduction, home occupations, outbuildings (constructed of non-reflective materials).

**3. Only with Development Consent**

Any development not included in Item 2 or 4.

**4. Prohibited**

Development for the purpose of:

Advertisements (except those displayed in conjunction with a permissible use and situated on the land on which that use is conducted), commercial premises, dual occupancies, gas holders, industries (other than high technology, home, rural or extractive industries), residential units, shops.

The complete LEP can be viewed at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

**Attachment 10: Environmental Assessment  
Draft Table of Contents**





# **ENVIRONMENTAL ASSESSMENT –**

## **DRAFT Table Of Contents**

**Masterplan Concept: Central West Regional  
Road/Rail Freight Terminal at**

**Great Western Highway, Kelso,  
Bathurst**

Prepared for:  
**SLOBOBAX PTY LTD**  
C/-Mellor Gray  
Suit 2 142 Spit Road  
MOSMAN NSW 2088

Prepared by:  
**GSA PLANNING PTY LTD**  
**Urban Design, Heritage, Environmental & Traffic Planners**  
(A.B.N 18 003 667 963)

JOB NO: 04135  
August 2005

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## ANNEXURES

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- Indigenous Heritage Assessment - Ozark Environment & Heritage Management Pty Ltd;
- Flora & Fauna Assessment – Geolyse Pty Ltd;
- Preliminary Assessment of Muldoons Quarry Kelso, NSW for Contamination – Central West Envirotech;
- Preliminary Assessment of Reedy's Orchard Kelso, NSW for Contamination – Central West Envirotech;
- Hydraulic Services Masterplan Report – Whipps Wood Consulting;
- Traffic and Parking Report – GSA Planning;
- Rail Construction and Operational Options – Wands Solution Pty Ltd;
- Orange, Cabonne and Blayney Industry Research – Western Research Institute;
- Architectural Drawings – Mellor Gray Architects;
- Landscape Design Report and Landscape Drawings – Guy Sturt & Associates;
- Operations Summary - Mellor Gray Architects;
- Consultation;
- Reference Documents; and,
- Director-Generals Requirements for an EIS

**Attachment 11: Environmental Assessment  
Draft Executive Summary**



# **ENVIRONMENTAL ASSESSMENT**

## **DRAFT EXECUTIVE SUMMARY**

**Masterplan Concept: Central West Regional  
Road/Rail Freight Terminal at**

### **Great Western Highway, Kelso, Bathurst**

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## EXECUTIVE SUMMARY

### 1.0 Introduction

This report is prepared to assess the likely impacts of a proposed development, which involves development of the land in accordance with a Concept Plan for a Road/Rail Freight Terminal, Great Western Highway, Kelso.

The proposal is a unique opportunity to contribute to the increased efficiency of land transport in NSW, by creating a road/rail freight terminal for the Bathurst region. The proposed rail freight terminal responds to the need for such facilities that has been expressed at national and state levels of government and is supported by interested groups.

The proposed facility is strategically located some 4km from Bathurst with the Great Western Highway (GWH) and the Great Western Railway (GWR) forming its northern and southern boundaries. It will take advantage of the opportunity to link with an existing Master Siding off the GWR, and has the large site area necessary to accommodate a major rail and road freight interchange. Its proximity to Bathurst provides employment opportunities for residents that will benefit the city and surrounding communities and will provide a service to locally and regionally based agricultural and rural industries that have already expressed interest in using the facility.

The proposed development is classified as a Major Project under Part 3A of the Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Act 2005 No.43 (EP&A Act 2005) by reason of its classification under Schedule 1 (Group 8 – Rail and related transport facilities) in State Environmental Planning Policy (SEPP) (Major Projects) 2005. Accordingly, the Minister is the consent authority for and will determine the project application (PA).

The application is for concept approval for a proposed freight-handling complex at the above-mentioned property. The application also seeks project approval to allow specific aspects of the project to proceed to construction, including the initial earthworks, site grading and associated stormwater management, site services, the roads, railway siding and associated hardstand, as well as (works) to the watercourse, including the removal of willows, piping of the northern section and establishment of the riparian zone.

This report has also considered the findings of a number of specialist reports including: Noise Assessment; Indigenous Heritage Assessment Aboriginal; Flora and Fauna Assessment; Preliminary Assessment of Muldoons Quarry Kelso, NSW for Contamination; Preliminary Assessment of Reedy's Orchard Kelso, NSW for Contamination; Hydraulic Services Masterplan Report; Traffic and Parking Report; Rail Construction and Operational Options and Director-Generals Requirements that were previously issued by DIPNR for an EIS prior to the enactment of planning reforms that have introduced provision for approval of major projects under Part 3A.



This report contains fourteen (10) sections which include an Introduction, Site Analysis, Consideration of the Environmental Factors, Description of Proposed Development, Consultation, Local and State Planning Controls, Assessment of the Likely Impact of the Proposed Development, Environmental Planning Assessment and the final section contains the Conclusion and the Recommendations.

## **2.0 Site Analysis**

Bathurst is located approximately 200kms west of Sydney and within the Bathurst Region Local Government Area. Bathurst is served by the Great Western Railway that links Bathurst with Sydney to the east and centres to the north, south and west via the state rail network.

The site is located to the south of the Great Western Highway approximately 4km east of Bathurst Town Centre. The site has a northern frontage to the GWH and a southern frontage to the GWR, providing a total site area of 29.81ha. The south eastern part of the site is disturbed having previously been used for the supply of gravel (referred to as the Kelso Gravel Quarry). The site is also bisected by an intermittent watercourse (referred to as the Main Watercourse) which runs from the southeastern corner to the middle of the site's GWH frontage. In addition, a drainage trench is located along the northern frontage and joins the Main Watercourse, approximately in the middle of the site. The site is currently vacant of any improvements with the exception of one dwelling on the GWH frontage and a centrally located derelict structure (formerly a small abattoir) close to the Main Watercourse.

Development surrounding the site mainly comprises a mix of rural, industrial, commercial and residential development. In addition, the site is located in excess of 600m from any established residential area.

## **3.0 Existing Environment**

As part of the site assessment a detailed flora and fauna study was carried out. The assessment indicates that approximately 10% of the site's area has been disturbed by the previous use of granite gravel quarrying and a long history of agricultural land. The site has been extensively cleared of native vegetation and exotic species occur in tightly configured corridors within the Northern Watercourse and the Main Watercourse. The fauna populations at the site are low as a consequence of land degradation and limited habitat diversity. In terms of amphibian and reptilian species, no small terrestrial native mammal species were observed or are likely to occur on the study area due to lack of habitat diversity. However, based on potential habitat resources within the immediate vicinity of the site and the listings recorded in nearby locations, an "Eight Part Test" to determine whether any threatened species or communities would be significantly affected by the proposed development has been undertaken

There are existing services available to serve the proposed development which will be upgraded or augmented as required based on further detailed analysis.

Existing noise level were recorded prior to assessing the potential noise impact on the surrounds, to ascertain the typical noise levels as a result of ambient conditions, traffic on the GWH and the trains on the GWR.

## **4.0 The Proposal**

As indicated, the application is for concept approval for a proposed freight-handling in accordance with a Concept Plan prepared by Mellor Gray Architects. The application also seeks project approval to allow specific aspects of the project to proceed to construction, including the initial earthworks, site grading and associated stormwater management, site services, the roads, railway siding and associated hardstand, as well as (works) to the watercourse, including the removal of willows, piping of the northern section and establishment of the riparian zone. The remaining works will be subject of subsequent Development Applications as required that will accord with the building envelopes shown conceptually in the drawings, however will be the subject of further detailed drawings and specifications in terms of building design and layout, details materials finishes and colours will be subject to be prepared for the future DAs.

## **5.0 Consultation**

The proposed development has been the subject of consultation with various government agencies, interested community groups and local business representatives that could be potentially affected by the proposed development. This consultation has enabled potential issues of concern to be identified early in the Masterplan process to ensure that potentially adverse impacts can be mitigated or avoided, and that the necessary investigations are to be undertaken. The overall outcome of the consultation is considered to have confirmed the suitability of the site for development as a Road/Rail Freight Terminal.

## **6.0 Planning Controls & Legislation**

The proposed freight terminal, which comprises Rail Infrastructure, Containerised Goods Storage, Regional Terminal Warehousing, Truck Stop–Railway Engineers Accommodation, Service Station and Highway Uses including Bulky Goods Storage, Small Warehousing, and rehabilitation of the existing watercourse are permissible with development consent within the 1(a) zone, subject to being consistent with one or more of the objectives of that zone.

It is considered that the proposed freight terminal will support the continued viability of agricultural and rural development, as it will provide improved infrastructure for the transfer of local goods/produce to any freight terminal within Australia including Sydney and Melbourne and hence overseas. The infrastructure will be compatible and in keeping with its character as rural land, located adjoining a major road and rail corridor. The site is also considered most suitable for the proposed development given its location adjacent a major road and rail corridor and only some 4km east of Bathurst. In addition, based on the history of previous uses, the site is not considered to have good capability for agriculture. Hence the proposed rail infrastructure will not unnecessarily convert prime crop and pasture land to non-agricultural land uses. Accordingly

Accordingly, the proposed freight terminal, which comprises Rail Infrastructure, Containerised Goods Storage, Regional Terminal Warehousing, Truck Stop–Railway Engineers Accommodation, Service Station and Highway Uses including Bulky Goods Storage, Small Warehousing, and rehabilitation of the existing watercourse are considered to be consistent with objectives (a) (c) and (d) of Zone 1 (a) and hence permissible with consent in accordance with Section 6 of the LEP.

The proposed development is classified as a Major Project under Part 3A of the Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Act 2005 No.43 (EP&A Act 2005) by reason of its classification under Schedule 1 (Group 8 – Rail and related transport facilities) in State Environmental Planning Policy (SEPP) (Major Projects) 2005. Accordingly, the Minister is the consent authority for “Major Infrastructure Development, and will determine the project application (PA).

The proposal has also been considered as “integrated development” in respect of improvements to the watercourse and works to the GWH to provide access to the site. Accordingly, consultation has occurred with the Department of Primary Industries (DPI), the Roads and Traffic Authority (RTA) and to DIPNR, including the former Department of Land and Water Conservation (DLWC). The proposal also meets the definition of “designated development” under the EP&A Regulation 2000, and requirements for an Environmental Impact Statement (EIS) have also been considered.

The proposed development will be consistent with the relevant SEPPs, Bathurst DCP – Rural Lands and the Masterplan concept. Furthermore, the proposed development will be consistent with the Disability Discrimination Act, Threatened Species Conservation Act and the Commonwealth EPBC Act.

The following Section will discuss the compliance of the proposed development with Commonwealth legislation requirements and the requirements of Commonwealth agencies.

## **7.0 On-Site Assessment**

The On-site Assessment includes the assessment of the potential impacts of the activity on flora and fauna and Aboriginal heritage. This section also assesses BCA compliance, hydraulics and services, soil contamination, hazard and waste management.

In terms of flora and fauna the proposed development is unlikely to have a significant impact on the ecology of the study area and the overall local and regional ecology. However as some threatened terrestrial fauna species that are present in the locality have been identified as having the potential to occur on site and threatened amphibian species have been recorded in the vicinity of the site. Accordingly an ‘Eight Part Test’ has been carried out which concludes that the proposed development would not have a significant effect on any threatened species, populations or ecological communities or their habitats.

In order to retain and rehabilitate the Main Watercourse, the hydraulics serves report has developed design principles for detailed design for the rehabilitation of the watercourse. Services which include sewer lines, water and gas mains, electricity and telecommunications are available to serve the proposed development, and will be upgraded or augmented as required based on further detailed analysis. The landscaping of the site, including the riparian zones will be supported by a Vegetation Management Plan to be prepared in consultation with Bathurst Council to ensure consistency with overall management objectives for the locality as a whole.

In terms of Indigenous heritage, no Aboriginal sites were located or Aboriginal artefacts detected on site. In addition, the potential for intact, undetected, sub-surface deposits is considered low and hence no further archaeological assessment is required and there are no constraints to the proposed development.

Based on the preliminary assessment for contamination, the site is considered suitable for development subject to compliance with the recommendations in the report.

The proposed facility is not considered a potentially hazardous industry or potentially offensive industry. Notwithstanding this, the proposed underground fuel storage tank will be designed, installed and operated in accordance with relevant standards and guidelines. All waste will be managed in accordance with a Waste Management Plan to be prepared as part of the relevant subsequent DAs.

## **8.0 Off-Site Assessment**

The Off-Site Assessment includes an assessment of the acoustic and vibration, visual, traffic and, which is supported by detailed specialist consultant reports. Social and economical impacts have also been assessed.

In terms of noise and vibrations, noise criteria during construction, and for future freight terminal operation, traffic, railway, warehousing and highway development, and service station have been established. In terms of construction noise, given the existing traffic noise and the intermittent nature of the construction noise limited to daylight only, the construction noise is unlikely to have a significant impact on the surrounding development.

The forklift operations of the proposed development will satisfy the predicted noise criteria under normal weather conditions. Under adverse conditions, the proposed warehouses will provide an effective noise barrier to forklift noise which may otherwise exceed noise criteria. In terms of traffic noise, there will be negligible increase on the GWH. In terms of train operations, the likely noise generated by the trains on site will meet the maximum noise goals. The predicted noise levels from trains at Raglan are likely to be lower than the existing noise levels. Although noise levels from the use of service station are likely to exceed sleep disturbance noise limits, they will be lower than the existing noise levels generated by the existing through traffic on GWH. Given that individual DAs will be lodged in future for the warehousing sites, separate noise assessment will be required for those uses.

The proposed building heights, scale, form and density will be in accordance with the Concept Plan. The materials, finishes and colours of the proposed building will be sympathetic to the surrounding development in order to minimise the visual impacts. In addition, the proposed landscaping will screen and soften the appearance of the buildings when viewed from the GWH.

The traffic to be generated by the proposed development is unlikely to significantly affect the level of service, function or capacity of the surrounding road and intersections and is considered appropriate in terms of traffic and parking.

Accordingly, the proposed development is unlikely to have a significant impact on the environment and surrounding development in terms of noise, views, traffic and railway operations. In addition, given the demand for such a facility in the region, the location and size of the site and potential for local employment, for the proposed development is considered most appropriate and to be in public interest.

## **9.0 Justification of the Proposal**

The subject site has been selected considering its location some 4km west of Bathurst, which is an established manufacturing region. The site is of a large size (approximately 29.81ha) that is necessary to accommodate a major road/rail freight terminal. The site is also located adjacent the GWH, GWR and in the vicinity of the existing Master Siding at Raglan. For these reasons, the site is considered to be more suitable for the proposed use as a Road/Rail Freight Terminal than other permissible uses. Failure to develop the site for the proposed road/rail freight terminal will result in an opportunity lost or delayed to use a site which is particularly suited to the purpose of a road/rail freight terminal.

A rapidly growing Australian and regional economy places an increasing demand on transport infrastructure. The proposal will provide a much needed freight transport and support facility which is likely to reduce the demand for road transport and consequently reduce the number of fatalities on NSW highways. It will also provide a cost-effective long distance mode of transport and less polluting than road transport.

Accordingly, the proposed development is likely to promote substantial economic, social and environmental benefits to the region.

## **10.0 Conclusion and Recommendations**

### **Conclusion**

The application is for concept approval for a proposed Road/Rail Freight Terminal at Kelso, Bathurst. The application also seeks project approval to allow specific aspects of the project to proceed to construction, including the initial earthworks, site grading and associated stormwater management, site services, the roads, railway siding and associated hardstand, as well as (works) to the watercourse, including the removal of willows, piping of the northern section and establishment of the riparian zone.

The proposal is a unique opportunity to contribute to the increased efficiency of land transport in NSW, by creating a road/rail freight terminal for the Bathurst region. The proposed rail freight terminal responds to the need for such facilities that has been expressed at national and state levels of government and is supported by interested groups.

The subject site is ideally located some 4km west of Bathurst, which is an established manufacturing region and the size of the site, which is necessary to accommodate a road/rail freight terminal. The site is also ideally located adjacent the GWH, GWR and in the vicinity of the existing Master Siding at Raglan, with which it will be connected.

The site is within the 1(a) Inner Rural Zone pursuant to the Bathurst City Council Local Environmental Plan (LEP) 1997. The proposed freight terminal, which comprises Rail Infrastructure, Containerised Goods Storage, Regional Terminal Warehousing, Truck

Stop–Railway Engineers Accommodation, Service Station and Highway Uses including Bulky Goods Storage, Small Warehousing, and rehabilitation of the existing watercourse are considered to be consistent with objectives (a) (c) and (d) of Zone 1 (a) and hence permissible with consent in accordance with Section 6 of the LEP.

The proposed development is classified as a Major Project under Part 3A of the Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Act 2005 No.43 (EP&A Act 2005) by reason of its classification (under Schedule 1 (Group 8 – Rail and related transport facilities) in State Environmental Planning Policy (SEPP) (Major Projects) 2005. Accordingly, the Minister is the consent authority for and will determine the project application (PA).

Consultation has occurred with the Department of Primary Industries (DPI), the Roads and Traffic Authority (RTA) and to DIPNR, including the former Department of Land and Water Conservation (DLWC). The proposal also meets the definition of “designated development” under the EP&A Regulation 2000, and requirements for an Environmental Impact Statement (EIS) have also been considered.

The proposed development will be consistent with the relevant SEPPs, Bathurst DCP – Rural Lands and the Masterplan concept. Furthermore, the proposed development will be consistent with the Disability Discrimination Act, Threatened Species Conservation Act and the Commonwealth EPBC Act.

An assessment of the potential impacts of the proposed development in terms of noise, flora and fauna, Indigenous heritage, traffic and the visual environment has been carried out and is detailed in this report.

Based on the various specialist studies undertaken, the proposed development is unlikely to have a significant impact on the local and regional environment and is considered appropriate, subject to compliance with the recommendations from various statutory agencies.

### **Recommendations**

The report includes recommendations from various statutory agencies, in respect of the following: Traffic, Noise Assessment, Indigenous Heritage, Soil Contamination, Landscape and Hydraulic Services. The Concept Plan is consistent with the recommendations, all of which have been incorporated in the proposal to obtain approval for this Concept Plan and specific aspects of the project or can be incorporated in subsequent approvals that will realise the project in its totality.