



**PRELIMINARY ENVIRONMENTAL
ASSESSMENT
to accompany a
PART 3A PROJECT APPLICATION FOR
PROPOSED ADDITIONS TO
LITHGOW CORRECTIONAL CENTRE**

Prepared for

NSW Department of Commerce

By

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Job No. 05181
PEA.doc
28 November 2006



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1. INTRODUCTION

1.1 Purpose of this Report

This Preliminary Environmental Assessment (“PEA”) accompanies an application to the Director-General under Section 75E of the Environmental Planning and Assessment Act 1979 (“the Act”) for approval to carry out a project as defined in Part 3A of the Act (“a major project”).

The major project to which this application relates is alterations and additions to Lithgow Correctional Centre to provide accommodation and associated support facilities for an additional 250 inmates.

On 20 October 2006, the Director General of the Department of Planning, as delegate to the Minister, formed the opinion that the proposed development meets the criteria in Schedule 1 of State Environmental Planning Policy (Major Projects) 2005 (“the major project SEPP”). Accordingly the project is subject to Part 3A of the Act.

This PEA accompanies the project application and seeks the Director General’s Environmental Assessment Requirements for the project.

The PEA comprises:-

- a site description and analysis;
- an overview of the design concept;
- a preliminary assessment; and
- the legislative framework applicable to the project.

The report is accompanied by:-

- a completed application form; and
- a concept plan of the proposed development.

The required fee will be provided with the Environmental Assessment.

In the preparation of this report, we have had regard to the following:

- siting options prepared by the Department of Commerce;
- aerial photographs and other information provided to us by the Department of Commerce;
- discussions with the Governor and officers of the Lithgow Correctional Centre;
- a site inspection undertaken with an officer of the Lithgow Correctional Centre and associated inspection of the surrounding locality;
- telephone discussions with Council officers;

- relevant local and State planning controls, including recent legislative changes relating to Major Projects.

The report examines the existing environment, the planning and approvals framework, and identifies key planning issues associated with the project.

1.2 Summary of Project

In May 2005, the Premier of NSW announced the construction of 1000 new beds in existing or new correctional facilities across NSW. It has been determined to provide a 250-bed minimum or medium security co-location at the Cessnock Correctional Centre, a 250-bed maximum security co-location at the Lithgow Correctional Centre, and a new, 500 bed regional centre in south eastern NSW. The purpose of this report is to provide a preliminary environmental assessment of the proposed additions at Lithgow Correctional Centre.

The project involves the construction of an additional 250 mens minimum security beds adjacent to the existing centre together with associated facilities and services such as inmate industries and programs building and visits building. Associated development includes relocation of internal access roads, upgrade of services and additional parking.

1.3 Capital Investment Value

The Capital Investment Value of the project is \$50 million.

2. THE PROJECT

The project involves the construction of a correctional centre on the site comprising the following elements within a secure environment:

- accommodation buildings to house an additional 250 minimum security inmates.
- areas for security, administration, health and welfare, industries (employment), and education;
- visits building;
- recreation and contemplation areas.

These facilities will be constructed within a secure fenced area. Outside the secure area, works include:

- internal access roads;
- additional car parking areas required to meet the needs of the additional staff and visitors;
- landscaping;
- stormwater management;
- infrastructure works; and
- demolition of existing buildings.

Earthworks are required to form building pads and provide efficient security.

The orientation and articulation of the building forms will ensure the use of natural light is maximised. Articulation and variety of roof forms will contribute to creating a domestic, non-institutional character for the minimum security accommodation units. Initiatives with respect to Ecologically Sustainable Development will be incorporated in the design.

The proposed development has the following benefits:

- it facilitates development that is consistent with the State Government's policies on improving corrective facilities in NSW;
- it provides additional opportunity for inmates from the central west to serve sentences closer to home;
- it provides a boost to the regional and local economies through the construction and operational phases;
- it will create social and economic benefits for the local community;
- it is permissible in the zone and is not inconsistent with the objectives of the LEP for the site;



- it has been designed in a manner that minimises the impact on the natural environment and surrounding land uses;
- it establishes new areas of landscaping on the site and provides for the management of the site;
- it incorporates high quality site and facility design consistent with principles of ecological sustainability; and
- it provides a necessary community service and improves the standard of correctional facilities leading to better correctional outcomes.

The accompanying Site Plan provides an indication of the location of the proposed works.

3. PLANNING & APPROVALS FRAMEWORK

3.1 State Planning Framework

3.1.1 State Environmental Planning Policy (Major Projects) 2005

The Major Projects SEPP was gazetted in May 2005 as the “State Significant Development SEPP”, and further amended on 1 August 2005, with one of the amendments involving the retitling of the SEPP to “Major Projects”.

Pursuant to Section 75B of the amended EP&A Act, Part 3A applies to the carrying out of development that is declared to be a major project.

The Major Projects SEPP identifies the following as being a Major Project:

“Correctional facilities

Development for the purpose of correctional facilities that:

- (a) has a capital investment value of more than \$30 million, or*
- (b) employs 100 or more people, or*
- (c) provides accommodation for an additional 100 or more persons.”*

The Minister has declared the development to be a major project.

3.1.2 State Environmental Planning Policy No. 11 — Traffic Generating Developments (SEPP 11)

SEPP 11 establishes the Roads and Traffic Authority as the traffic management authority to be consulted in relation to development proposals, and ensures it is given the opportunity to make a representation on a development application before the local council decides whether to approve a proposal. Schedules 1 and 2 of SEPP 11 list forms of development which are required to be subject to varying levels of consultation.

If the extension will require parking for more than 50 cars, the proposal will be classified as a Schedule 2 development and require referral to the Roads and Traffic Authority.

3.1.3 State Environmental Planning Policy No. 44 — Koala Habitat Protection (SEPP 44)

SEPP 44 encourages the conservation and management of natural vegetation areas that provide habitat for koalas to ensure permanent free-living populations will be maintained over their present range, and to reverse the current trend of population decline. SEPP 44 applies to various local government areas in regional New South Wales, including Lithgow.

SEPP 44 primarily encourages the identification of areas of “core koala habitat”. Pursuant to the definitions contained in Clause 4 of the SEPP, “core koala habitat” means an area of land with a resident population of koalas, evidenced by attributes such as breeding females (females with young) and recent sightings of and historical records of a population.

It is proposed that the flora and fauna investigations will include an assessment of the site as a “potential koala habitat”. It is considered highly unlikely that the land will comprise core koala habitat as there are no recorded sightings of Koalas in the locality, according to the NPWS Atlas.

3.1.4 State Environmental Planning Policy No 55 – Contaminated Land (SEPP 55)

SEPP 55 aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment by specifying certain considerations to be had in determining development applications in general by requiring that a remediation work meet certain standards.

The contamination status of the site will be considered in the preparation of the EA.

3.2 Lithgow Local Environmental Plan 1994

The Site is zoned 1(a) Rural General, as shown on the zoning map at **Figure 4**. The objectives of the 1(a) zone are as follows:

“The objective of the zone is to promote the proper management and utilisation of natural resources by:

(a) protecting, enhancing and conserving:

- (i) rural land, in particular prime crop and pasture land, in a manner which sustains its efficient and effective agricultural production potential,*
- (ii) soil, by controlling and locating development in accordance with soil capability,*
- (iii) forests of existing and potential commercial value for timber production,*
- (iv) valuable deposits of minerals, coal and extractive materials, by controlling the location of development for other purposes in order to ensure the efficient extraction of those deposits,*
- (v) trees and other vegetation in environmentally sensitive areas, where the conservation of the vegetation is significant for scenic amenity or natural wildlife habitat or is likely to control land degradation,*
- (vi) water resources for use in the public interest, preventing the pollution of water supply catchment and major water storages,*
- (vii) localities of significance for nature conservation, including places with rare plants, wetlands and significant wildlife habitat, and*
- (viii) items of heritage significance,*

- (b) preventing the unjustified development of prime crop and pasture land for purposes other than agriculture,*
- (c) facilitating farm adjustments,*
- (d) minimising the cost to the community of:*
 - (i) fragmented and isolated development of rural land, and*
 - (ii) providing, extending and maintaining public amenities and services,*
- (e) providing land for other non-agricultural purposes, in accordance with the need for that development, and*
- (f) providing for the separation of conflicting land uses.”*

The proposed correctional centre additions are defined as an “Institution” for the purposes of the LEP. Institutions are neither identified as being prohibited in the 1(a) zone, nor are they able to be undertaken without the need to obtain development consent.

Therefore, the proposal is permissible and may be undertaken with approval.

Clause 11 sets out General Considerations for Development in Rural Areas. These considerations deal with relatively standard matters that would be addressed in the EA.

Clause 30 requires consideration to be given to access, safeguards and water supplies in relation to the erection of a building on land subject to bushfire hazards.

4. SITE, CONTEXT AND KEY ISSUES

4.1 Site Location and Access

The Lithgow Correctional Centre is situated at 596 Great Western Highway, Marrangaroo. It is located in a small rural-residential locality around 5 kilometres north-west of Lithgow, on the eastern side of the Highway when travelling from Lithgow to Bathurst. Lithgow is located around 150 kilometres from the Sydney CBD, and 50 kilometres from Bathurst.

The site is situated to the east of the off-ramp to the Castlereagh Highway to Mudgee, and is accessed directly off the Great Western Highway. Access for east bound traffic is via a slip lane, or via a right turn bay for west bound traffic. Egress in either direction along the Highway is assisted via merging lanes.

The Site is shown in its regional context in **Figure 1**, and local context in **Figure 2**. An aerial photograph of the site from September 2003 is provided at **Figure 3**.

4.2 Real Property Description and Ownership

The Site comprises:

- Lots 1 and 2 DP 805938. Lot 1 comprises the secured fenced area or “Lithgow Correctional Centre – Inner”, and Lot 2 comprises much of the remainder of the Site or “Lithgow Correctional Centre – Outer”. The land is owned by the Minister for Corrective Services;
- Portion 34 in DP 751655, being heavily timbered land behind the borrow pit;
- Lot 1 DP 242965, being the small area of land to the south of the gas pipeline easement, in the southern extremity of the site.

A disused railway line bisects Lot 2 in DP 805938. This land comprises Lots 1 and 2 in DP 87273.

There are three separate (but presumably partly overlapping) easements for electricity transmission lines being of 27.5m, 30.48m, and 30.48m, in the south western part of the site, close to the Highway. The total width of the easements appears to be approximately 65 metres.

A 20 metre wide easement for a gas pipeline is located on the south western part of the site, close to the Highway.

There is a further, narrow transmission easement line to the south of the gas pipeline, affecting (or forming a northern boundary to) Lot 1 DP 242965.

The contiguous land in the ownership of the Minister for Corrective Services has a total area of 190.4 ha, as detailed in the following table.

Lot & DP	Area (hectares)
Lot 1 DP 805938	7.174
Lot 2 DP 805938	165.2
Portion 34 DP 751655	16.19
Lot 1 DP 242965	1.842
Total	190.4

The site has frontage to the Great Western Highway of approximately 714 metres, and to the operational Great Western Railway line of around 330 metres. Marrangaroo Creek forms a boundary to the site of some 2.5 km in length.

The implications of development in proximity to overhead transmission line easements will be considered in the EA.

4.3 Current Improvements

The Lithgow Correctional Centre is a 300 bed, maximum security male-only facility, which opened in December 1990. The Centre comprises a group of one to two storey accommodation and ancillary buildings within a highly secure fenced compound, located in the southern portion of the site, between the disused railway line and the Marrangaroo Creek (refer to Aerial Photograph at **Figure 3**). Directly to the west of and adjoining the fenced compound, are administration and visits buildings. To the west of this is on grade car parking for staff and visitors, some being covered with open sided steel and colourbond carport structures. Further west is the site security fenceline, beyond which are playing fields and three houses with associated outbuildings. It is understood that these houses are used for staff accommodation and community purposes.

To the east of the secure fenced compound is situated a group of small buildings which comprise the main security unit for the centre. A large colourbond shed is also located in the vicinity. Land to the east of these buildings is generally flat and cleared, and appears to have been subject to the informal placement of fill and rubbish.

While the entrance road and perimeter roads around the main compound are sealed, a gravel road or track extends from the compound, around the cleared area to the east, and generally along the creekline in a north easterly direction. The gravel road/track continues through hillier topography, to a Rifle Range, and then further north to the so-called 'borrow pit' area, which is a cleared gully where fill was sourced and replaced during the construction of the main compound in the mid 1980's.

4.4 Surrounding Locality

The Site is located within the predominantly rural-residential locality of Marrangaroo. Reference is made to the aerial photograph at **Figure 3**, and the cadastral base shown on the zoning map at **Figure 4**.

To the south of the Site are allotments with frontage to the northern side of Reserve Road (with rear boundaries to Marrangaroo Creek), of around 10ha in size. Allotments on the southern side of Reserve Road, and along the eastern side of the Highway, are generally 4-8ha in size. The allotments appear to be predominantly used for residential purposes, and a number of new and large houses have recently been constructed alongside older dwellings. Some allotments are used for very small scale grazing purposes. Other land uses include an earthmoving establishment and dirt bike riding.

Larger rural allotments are situated to the east of the Site. Cattle grazing is the predominant form of rural enterprise on adjoining land.

To the north of the site are undulating to rugged hills, heavily timbered. Indeed, the northern two thirds of the Site largely comprises the same type of landform and vegetation.

Allotment sizes and land uses in the area to the west of the Site are of a more mixed nature. This area is elevated above the Site, and physically separated from the Site by the Great Western Highway and Railway line. Uses include dwellings, a trout farm and a nursery/café.

Further to the south west, on the southern side of Marrangaroo Creek, is 2(a) zoned land, some of which has been released and developed over the past 15 years for high quality detached housing.

The relationship of the project to development on adjoining lands and in particular the rural residential areas to the south will be considered in the EA.

4.5 Views

The existing fenced compound within the Centre is visible to east bound motorists on the Great Western Highway. Limited views are also available from the residential properties to the west of the Highway.

Glimpses of the existing compound, partially screened by vegetation, are expected to be available from some properties on Reserve Road, in particular from two storey dwellings.

The proposed development may also be visible from the highway and surrounding lands. A related issue is light spill. As a result of the halo effect of the high security lighting of the existing Centre, the complex is likely to be more visible by night than day. It is expected that light would be visible from the properties identified above, albeit subject to some screening by vegetation.

The extent of this visibility and the impacts on the character of the area will be considered in the EA.

4.6 Flora

With the exception of the lower lying areas which have been completely cleared, much of the Site is covered in original or remnant vegetation. This vegetation is contiguous, with an

extensive area of vegetated ridgelines, escarpments and hills, and partially cleared gullies, as can be seen on the topographic map at **Figure 2** and the aerial photograph at **Figure 3**.

The creek bed of Marrangaroo Creek and adjoining bank is vegetated to varying widths. The riparian zone appears to extend some distance from the main waterway in some locations.

The adjoining vegetated areas are neither State Forest nor National Park, and are not part of the Greater Blue Mountains World Heritage Area.

The proposed development will be located in a mostly disturbed and cleared part of the site. However it may require the removal of some vegetation on the site. The EA will identify the nature of this vegetation and the extent of any impact.

4.7 Fauna

A large number of eastern grey kangaroos were observed on the Site, and wombat scats were observed during the inspection. We were advised by Council that platypus colonies are known to be present in Marrangaroo Creek, however it is not known if any colonies are located within proximity of the Site.

A review of the NPWS website indicated that Koalas may be present in the locality. The flora and fauna consultant will need to consider whether the site comprised Potential Koala Habitat pursuant to the provisions of SEPP 44 (refer Section 3.2.3 of this report), based on the presence of preferred Koala feed species trees.

A number of threatened fauna species may potentially be present on the Site. This will be investigated further in the EA.

4.8 Contamination

The site of the proposed development includes part of a former railway spur line and may contain contaminated base materials in the construction of the line. Preliminary investigations into the contamination status of the development site will be undertaken as part of the EA.

4.9 Bushfire Risk

Bushfire risk at the existing centre has been limited by the extensive cleared zone around the facility, which is required for security purposes.

With the exception of highway frontage and adjoining land, and much of the existing secure complex, the remainder of the Site is mapped as Bushfire Prone Land by Lithgow City Council (refer plan at **Figure 5**). As it is defined as a Special Fire Protection purpose, the site layout, design, construction, provision of asset protection zones, and ongoing management, will require consideration in the design of the facility.

An assessment of bushfire risks and management will be undertaken as part of the EA.

4.10 Hydrology

The Site drains to Marrangaroo Creek, which forms the Site boundary, and is located in close proximity to the existing Centre. It would be necessary to carefully plan stormwater management for the proposed extension to minimise impacts on the watercourse. The stormwater management concept for the development will be designed with this purpose.

4.11 Heritage

Our preliminary investigations indicate that there are no European heritage issues associated with the Site.

There are not expected to be any Aboriginal cultural heritage issues associated with the planned additions to the Centre. The site comprises mostly cleared and significantly disturbed land. An Aboriginal database search should be undertaken if works are likely to be undertaken in undisturbed areas, particularly near Marrangaroo Creek.

4.12 Access

The Site access arrangements from the Great Western Highway are expected to be acceptable with minimal additional works required. This will be confirmed by traffic impact assessment undertaken as part of the EA.

4.13 Utility Services

The provision of additional inmates will require augmentation of existing services on the site. The site has a water supply and sewerage service and other utilities are available. It is expected that these can be readily augmented to meet the needs of the development. These matters will be investigated as part of the EA.

4.14 Social and Community Issues

In 1998, BBC Consulting Planners prepared a Social and Economic Impact Assessment (SEIA) for the Lithgow Correctional Centre. The SEIA was the second post-occupancy study prepared for the Centre. The first was undertaken in 1991 in response to a condition of the original development consent which required the preparation of a post-occupancy study 12 months after opening. The second was undertaken following a request from Lithgow City Council in 1997.

In general, the Centre was found to be well established in the social and economic fabric of Lithgow. The findings of the SEIA were that negative social impacts were generally minimal or non-existent, contrary to some perceptions in the local community. Indeed, the Lithgow Correctional Centre had introduced a number of positive social benefits into the community. The SEIA found that economic and employment impacts, while positive, were generally far less than that predicted in the original development application. Notwithstanding this fact, there were found to be substantial positive economic benefits to Lithgow as a result of the operation of the Centre.

Nevertheless the introduction of an additional minimum security facility at Lithgow is likely to raise new community concerns, for example, in the areas of:

- safety and security;
- visitor accommodation and emergency housing;
- low cost housing for families of inmates; and
- welfare services.

These matters would need to be considered in relation to the proposed development.

4.15 Summary of Issues

In general terms, having regard to the foregoing, the proposed extension of the Lithgow Correctional Centre is considered to be reasonable from a town planning perspective.

The following comprises a discussion of key issues arising from the investigations.

- Site Access:** The additional beds will result in additional parking requirements and traffic generation which will be addressed in the EA. The Site access arrangements from the Great Western Highway are expected to be acceptable with minimal improvements required.
- Views and visibility:** The site is visible from the Great Western Highway. The visual impact will be addressed by selection of materials, colours and landscaping. Consideration will be given to the impacts of security lighting. The impacts of the development on the landscape and scenic character of the area will be considered.
- Flora and fauna:** It would appear that Flora and Fauna is unlikely to impose a significant constraint on development, given the disturbed nature of the site. An assessment of the impact of the development on existing vegetation will be made to determine their ecological value. The habitat qualities of the site will also be investigated.
- Hydrology:** The Site drains into natural creek systems. Stormwater management will be planned to minimise impacts on downstream waterways.
- Bushfire Risk:** The overall site comprises land that is subject to a bushfire risk which is defined as bushfire prone land. The implications for the proposed development will be investigated.
- Heritage:** There are no known issues relevant to the development.
- Social and Community:** It is anticipated that the additions to the existing Correctional Centre would create certain social impacts which would include:

- impact on welfare and charitable services;
- impact on drug and alcohol services;
- increased demand for public housing and emergency/crisis accommodation;
- concerns about safety and security;
- post-release issues and recidivism.

Lithgow derives economic and social benefits from the centre that additions to the Correctional Centre would contribute to.

Utility Services

Requirements for the provision of utility services to the proposed development and associated impacts will be investigated. It is expected that existing services can readily be augmented to meet the needs of the development.



FIGURES
