

DEVELOPMENT APPLICATION

Fixed Rail Loading Facility

Lot 10 (No Street Address), Konnongorring & Landgate ID Number 4090928 (Rail Corridor)
and 3123814 (Unmade Road Reserve)



SHIRE OF GOOMALLING
AUGUST 2024

CLE Town Planning + Design



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1. Background

On behalf of CBH Group (CBH), CLE Town Planning + Design has prepared this planning report to support the proposed fixed load rail facility at Lot 10 (No Street Address), Konnongorring, Landgate ID Number 4090928 (Rail Corridor) and 3123814 (Unmade Road Reserve).

CBH has over 150 sites across the State which receive, handle, store and outload approximately 90 percent of Western Australia's grain harvest. The existing Konnongorring site includes rail loading facilities which have been operating at capacity for a number of years, resulting in delays and inefficiencies along the main rail line. This development application proposes to upgrade the existing facilities on site by expanding the grain loading capacity to support the approved rail siding extension and thereby alleviating the current deficiencies on site.

The rail loading facility represents the second phase of new infrastructure at the Konnongorring site with a new rail siding recently approved to support the expansion of the proposed rail siding and associated works. In November 2023, a new 1.15km rail siding and associated works was approved by the Shire and included the preliminary works associated with the facility including clearing and earthworks/civil works for the loading facility. The rail siding upgrade is one of the projects within the first package of the WA Agricultural Supply Chain Improvements (ASCI) funding program. Along with other rail siding and out loading upgrades at Broomehill (under construction), Cranbrook (under construction), Brookton (constructed) and Moora (commencing construction), this proposal aims to maximise efficiencies to deliver more tonnes to port. The use of rail to deliver tonnes to Port further reduces reliance on road transport which has benefits to road users and the community.

For CBH and the grain growing industry, these works will further assist the effort to move grain rapidly to port, to capitalise on market demand. Loading longer trains more quickly at the strategically located CBH bins will bring tangible financial returns to growers in the region.

The approved rail siding will be owned by State Government and managed and maintained by Arc Infrastructure. The following report provides background information and supporting technical reporting related to the proposed works and operation of the facility in conjunction with the approved siding.

1.1 Site Details

Land ID 4090928 forms part of the rail reserve and will be the site of the proposed loading facility. This will support the new 1.15km rail siding, maintenance access track and a temporary maintenance and construction pad which was approved within the rail corridor to support the proposed rail loading facility as part of the 2023 approval.

CBH has a long-term lease over lot 10, which is owned by the State of Western Australia (Public Transport Authority) will also form part of the rail loading facility given its location on the boundary of the rail corridor (Land ID 4090928).

Lot 300 is located along the western and southern boundaries of the application area and is owned by CBH. Lot 300 provides vehicle access to the site from Konnongorring West Road to the south and includes a number of existing open bulkheads for grain storage purposes and storage within the unmade road reserve.

The spatial extent of these land parcels are shown in **Figure 1 – Lot Overview Plan** as below.

Land ID 3123814 is an unmade road reserve, which is owned and managed by the Shire of Goomalling, located just south of the new loading facility. A portion of this reserve has already been approved for temporary storage purposes as part of the rail siding approval, with the northern portion of the reserve proposed as well for storage and lay down purposes as part of this application.

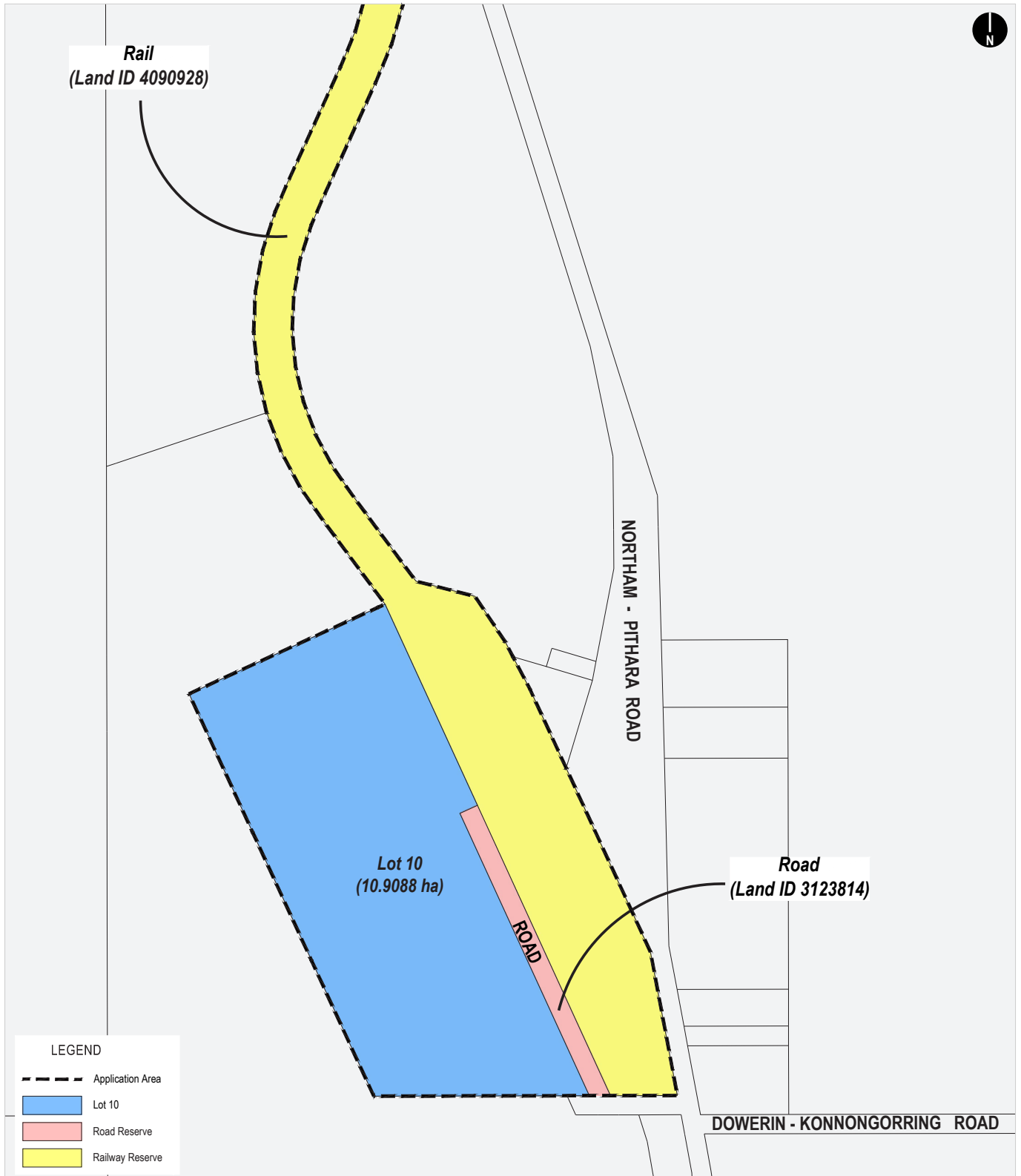


Figure 1 - Lot Overview Plan

1.2 Planning Framework

The site of the proposed fixed load rail facility (Lot 10) is zoned 'Rural 3 – General Farming' under the Shire of Goomalling Town Planning Scheme No.3 (TPS 3), shown in **Figure 2** below.

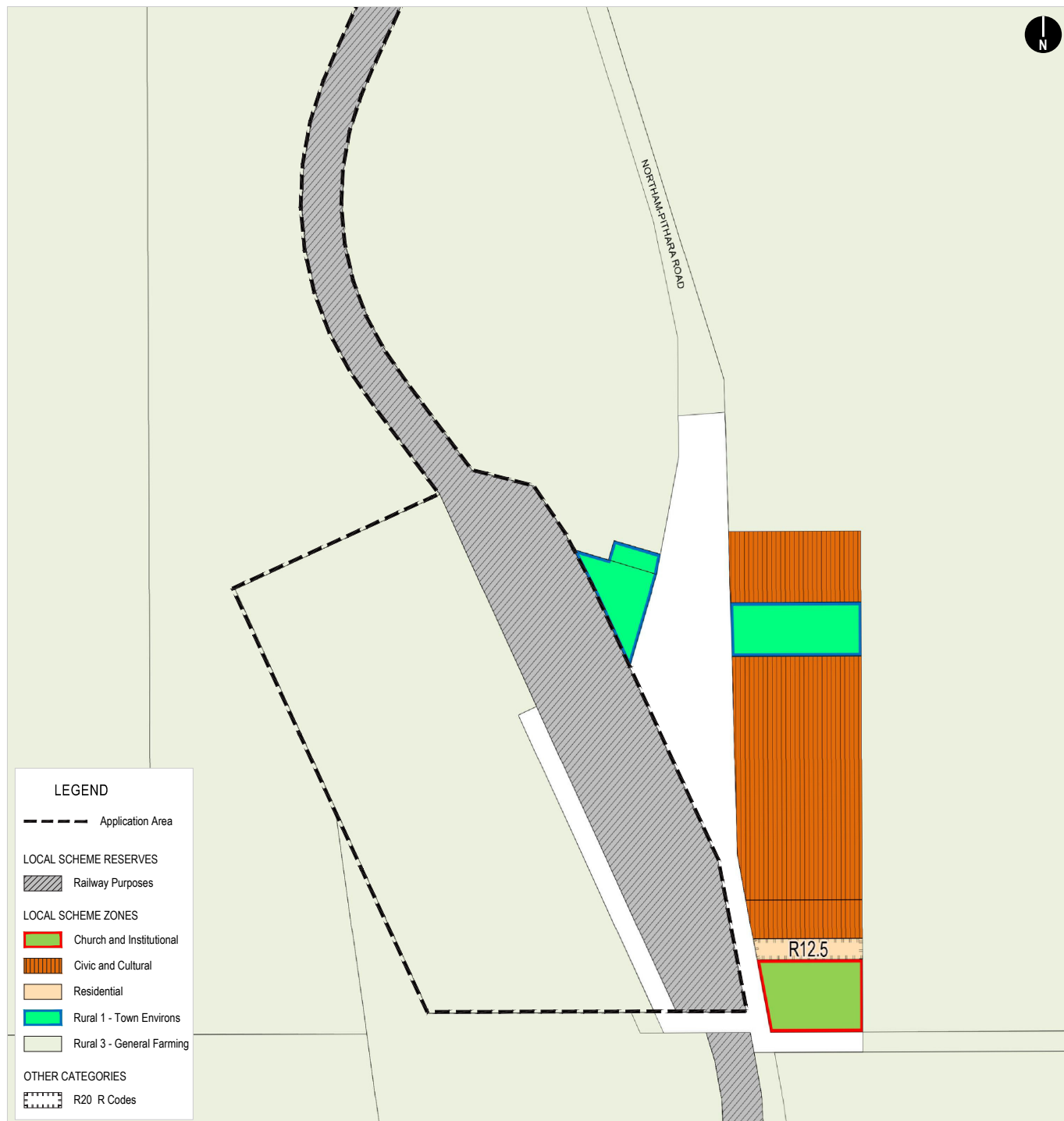


Figure 2 - Shire of Goomalling Town Planning Scheme No.3 (TPS 3)

The primary objective of the 'Rural 3 – General Farming' zone is *"to maintain the rural economy of the Shire and protect the rural landscape and environment generally."* TPS 3 also provides additional objectives for the zone, such as:

- a. *ensure that the zone contains predominantly rural uses and reserves for various purposes;*
- b. *protect land from urban uses which may jeopardise the future use of that land for other planned purposes which are compatible with the rural zoning;*
- c. *protect the land from closer development which would detract from the rural character and amenity of the area;*
- d. *prevent any development which may affect the viability of a rural holding; and*
- e. *require that planning approval be obtained for all buildings including a residence and assess such applications to ensure minimal intrusion onto the rural landscape and the amenity of adjoining properties.*

A portion of facility is also located within the rail corridor which is reserved for 'Railway Purposes' in TPS 3. The objectives for 'Railway Purposes' is *"to set aside land for railway and other authorised purposes."*

The fixed load rail facility is consistent with the 'Industry – Rural' land use classification as defined in TPS 3 and reflects previous approvals which established the 'Industry – Rural' land use for the site.

As defined under TPS 3, 'Industrial – Rural' means *"an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality."*

'Industry – Rural' is a 'AA' land use within the 'Rural 3 – General Farming' zone under TPS 3.

Clause 2.2 of TPS 3, requires that Council have regard *"for the ultimate purpose intended for the reserve"* in respect to granting planning approval and confer with the relevant public authority. In this instance, the Public Transport Authority, provided their consent to construct the new siding in the 'Railways' reserves, as outlined in the application forms (**Attachment 1**).

1.3 Previous Approvals

The proposed works follow on from the existing development approval issued by the Shire of Goomalling in November 2023 for a new rail siding abutting the proposed development. This approval including the following:

- A new 1.15km rail siding within the rail reserve corridor and the eastern portion of Lot 300;
- Removal of a portion of the existing rail siding;
- A new rail maintenance access track along the western portion of the rail reserve boundary (Landgate ID 4090928 & 3123951);
- The clearing of 0.16 hectares (Ha) of remnant (native) vegetation;
- Temporary turnout installation pads;
- Temporary laydown area; and
- Associated earthworks / civil works.

A copy of the previous development approval is enclosed within **Attachment 7**.

2. Proposal

To support the approved rail siding works, this application proposes the construction of a new fixed rail loading facility and new loading silos within Lot 10 and Land ID 4090928 (rail reserve). The details of the proposal include the following:

- A new Fixed Rail Loading Facility;
 - Two 1.75kt capacity grain silos.
 - Overhead transfer belt conveyor.
 - Elevator tower with bucket elevator and concrete basement and V-pit.
- Switch / control room building (14m long x 3.6m wide);
- Air compressor shed (6.7m long x 3.6m wide);
- Temporary laydown area within the unconstructed road reserve (Land ID 3448141); and
- A 3.6m high acoustic fence, 65m in length.

The extent of these works are depicted within the area denoted as 'Development Area' as shown in **Figure 3** – Site Plan.

The managing body of the rail reserve and the landowners of Lot 10, the Public Transport Authority (PTA) have provided their consent to construct the proposed rail loading infrastructure, as outlined in the application forms and within the letter enclosed within **Attachment 8**.

Further detail regarding the extent of the proposed works are enclosed within the detailed design drawings prepared by EDG (refer **Attachment 3**).

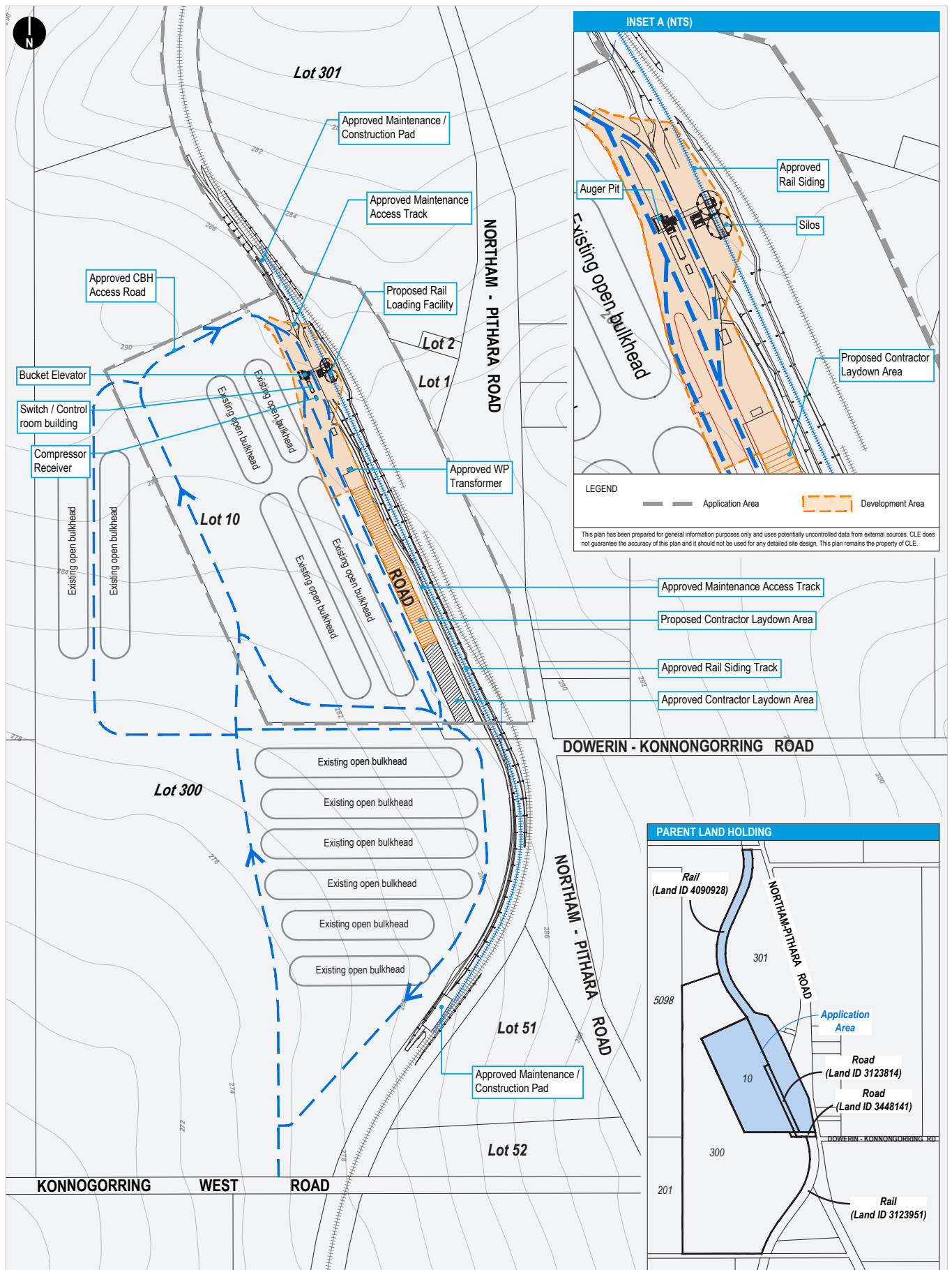


Figure 3 - Site Plan

The proposed works will support the implementation of new loadout infrastructure for train loading, grain storage silos and associated conveyor systems. The extension of the new 1.15km rail siding approved by the Shire, will allow rail freight access to this new loadout infrastructure and will ultimately enhance the loading and operational capacity of nearby farming pursuits and ensure efficiencies along the main rail line.

In doing so, these works represent a wider shift from road to rail, by removing the need for grain out loading via trucks outside of harvest periods and thereby improving road safety in the locality. The new facility will now be able to load up to 52 wagons within a 3.5 hour average, reducing the loading time at Konnongorring by 9 hours from 12.5 hours, to facilitate greater loading capacity for the region, without impacting the functionality of the main rail line.

Operating Hours and Staff

No changes to the existing operating hours are proposed as part of this application. As is currently the case, the facility will operate all day on a 24/7 basis.

During off-peak periods, typical daylight operations hours will apply and will occur predominately between 6:00am and 6:00pm with some night-time day loading when required.

It is anticipated that there will be no increase in the number of staff currently operating the facility, with two facility operators required at all times.

3. Planning Assessment

The following section summaries the key planning requirements outlined in TPS 3, as well as policies relevant to the proposal.

Land Use

The proposed development has been assessed against the criteria of TPS 3 and is consistent with the applicable requirements, which are limited to the general guidance of land use within the 'Rural 3 – General Farming' zone.

The proposed loading facility is consistent with the objectives of the zone by facilitating the handling and processing of grain on site and intends to expand on the existing infrastructure by improving the current grain processing and loading capability of the site, consistent with the 'Industry – Rural' use, which is defined as:

“means an industry handling, treating, processing or packing primary products grown, reared or produced in the locality, and a workshop servicing plant or equipment used for rural purposes in the locality.”

The proposed 'Industry – Rural' land use is consistent with the existing use of the site, as well as the recent rail siding approval, which intends to re-establish rail out-loading operations by improving the grain processing and loading capability of the site. In this regard, the facility is consistent with the 'Industry – Rural' use.

A portion of the proposed works are located within the adjoining rail reserve (Land ID 4090928) which is reserved as 'Railways Purposes' under TPS 3. The proposal has been considered against the objectives of the 'Railways Purpose' reserve, which is “to set aside land for railway and other authorised purposes”. The proposed loading facility satisfies the objectives of the reserve by facilitating loading of grain in the locality to support the farming and rural pursuits in Konnongorring and its surrounds.

The managing body Public Transport Authority have provided their consent to construct the new siding in the 'Railways' reserves, as outlined in the application form (**Attachment 1**).

Setbacks

As the portion of the fixed rail loading facility interfacing with the site closest site boundary is located within Lot 10 which is zoned 'Rural 3 – General Farming', the setback requirements for this zone have been considered.

Table 2 of TPS 3 sets out the minimum setback requirements for the 'Rural 3 – General Farming' zone as below:

- From Road Frontage – 50m
- From Other Boundaries – 20m

The proposed loading facility complies with the minimum 50m frontage setback requirement, however given the nature of the proposal does not comply with the 20m boundary setback requirement. Noting that the silos are located within the rail reserve and the over rail bulk weigher traverses the boundary of the rail reserve to facilitate grain loading onto rail wagons, a nil setback is necessary to undertake the proposed works given obvious need to load grain directly onto rail wagons.

Clause 5.6.1 (b) of TPS 3 provides scope for the minimum setback requirements to be varied subject to the Council being satisfied a variation is desirable by reason of lot configuration, topography or economy. The siting and location of the loading facility and the associated silos are a logical necessity and such is an entirely appropriate variation in the context of the sites underlying zoning and the abutting rail reserve. Furthermore, in doing so the proposal remains consistent with the use of the site, does not prejudice future development and has no impact on the amenity of surrounding properties.

State Planning Policy 2.5 - Rural Planning

State Planning Policy 2.5 (SPP2.5) applies to development on rural land and where rural land uses are proposed. SPP2.5 provides measures to balance the need to support existing rural land uses, manage natural resources, protect biodiversity and minimise land use conflict with surrounding sensitive land uses.

As this proposal intends to transition grain loading facilities from road to rail, the proposal is entirely consistent with the intent of SPP2.5 by reducing the amenity of impact of trucks on rural roads and improving the grain loading capacity of the rail network to further support economic growth in the region. The facility is essential for primary production and the rural pursuits of the locality in supporting the improved yield and harvests being experienced in the area. The proposed development does not adversely affect the environment, local biodiversity or any other natural resource and relates only to upgrade of the grain receival site at Konnongorring and surrounding rural areas. It is consistent with the objectives for SPP 2.5 and warrants approval accordingly.

In consideration of the application, limiting the potential land use conflict with surrounding rural residential land uses has been a key consideration. The use of separation distances and buffers is recommended by SPP2.5 to manage of-site impacts of industrial uses. The relevant separation requirements applicable to the proposed development are outlined in the EPA's Separation Distances between Industrial and Sensitive Land Uses (the Guidance Statement), further commentary is provided below.

EPA Separation Distances between Industrial and Sensitive Land Uses No.3 (2005)

The EPA's Separation Distances between Industrial and Sensitive Land Uses (the Guidance Statement) provides guidance on the assessment of industry and generic separation distances between sensitive land uses. In the consideration of the proposed application, the impact of the grain elevator (conveyor belt) incorporated as part of the train loading machinery is a relevant consideration. Accordingly, an acoustic assessment and dust management plan have been prepared by SLR acoustic consultants and CBH Group respectively in response to the considerations of the Guidance Statement.

A notional buffer distance of 500m is assumed as part of the Guidance Statement, which provides a default in lieu of any subsequent modelling having been undertaken with impacts such as noise, dust and risk applicable considerations. These considerations are relevant in respect to the parcel of 'Rural 1 – Town Enviros' zoned land to the east on the opposite side of the rail reserve at 7153 Northam-Pithara Road. It is noted that only one dwelling is within this parcel, with CBH having been in ongoing discussions with the landowner regarding the detail, nature and timing of the proposal, who have to date indicated no objection to the proposal. It should be emphasised that this application only looks to upgrade the existing facility, rather than facilitate development on a new site, as part of CBH's transition from road to rail and in doing so reduces the impacts of noise and dust to the surrounding community.

The Noise Impact Assessment prepared as part of this application confirms that the facility results in an overall net reduction in noise ensuring the property complies with the relevant noise criteria once mitigated measures are implemented. Refer Section 6 of this report for further information.

In regard to the factor of risk, the Guidance Statement identifies risk to be an accident of incident causing injury or death to the public. Given the location, layout, and separation of the land use from any public or private property, there is an insignificant public risk associated with the land use which already operates without detriment to surrounding sensitive land uses. All considerations of the Guidance Statement are therefore managed and have been demonstrated in the relevant technical documents outlined below.

4. Bushfire

A Bushfire Management Plan has been prepared by Green Start Consulting which demonstrates that the operation of the facility will be compliant with the requirements of *State Planning Policy 3.7 Planning in Bushfire Prone areas* (SPP3.7). The portion of the site where development is proposed is identified as being bushfire prone within the DFES state map of bushfire prone areas. SPP 3.7 and the relevant guidelines set out considerations for the assessment of development within bushfire prone areas which have been considered as part of this application.

The facility will not be subject to a BAL rating greater than BAL-29, through the implementation of a 13m Asset Protection Zone (APZ) around all boundaries of the facility. The APZ is partially located within land zoned Railways under TPS 3 and is owned by the State Government which is managed and maintained by Arc Infrastructure. CBH confirmed that they will be responsible for the ongoing management of vegetation within the APZ in accordance with the WAPC's Guidelines for Planning in Bushfire Prone Areas. Subject to the implementation of the APZ, bushfire is not an impediment to development.

Additionally, each of the elements listed within Appendix 4 of the Guidelines for Planning in Bushfire Prone Areas has been addressed in the Bushfire Management Plan prepared by Green Start Consulting (refer **Attachment 4**).

5. Traffic Assessment

The new loading facility will have a positive impact on the wider community and the surrounding road network as all truck out loading movements will no longer be required as operations transition from road to rail.

Currently, CBH out loading movements from the existing Konnongorring site travel along Northam-Pithara Road to Avon where grain is unloaded and transferred via rail to the Kwinana port. These trucks then travel back to Konnongorring from Avon as part of a round trip. The proposed upgrade will remove the need for these road movements outside of the harvest period as part of the transition to rail outloading operations.

It is anticipated that the proposed loading facility will result in a reduction of 3 truck outloading movements per hour from the road network between Konnongorring and Avon, which results in an overall 4,257 reduction in truck movements per year by 2035 along Northam-Pithara Road.

This reflects a shift from road to rail, with the new facilities removing the need for out-loading truck trips between Konnongorring to Avon, and instead divert loading via rail.

It is noted that the proposal does not involve an increase in grain storage capacity and such there will be no change in harvest period traffic movements beyond the site's existing approved operating conditions.

6. Acoustic Assessment

The new loading facility will result in a net reduction in noise emissions in the locality as the site transition from road to rail, resulting in an overall 9.5 hour reduction in loading times on site given the more efficient rail loading capabilities. A Noise Impact Assessment report has been prepared by SLR acoustic consultants which demonstrates that the operation of the facility will meet the requirements of *State Planning Policy 5.4 Road and Rail Noise (SPP 5.4)* and the *Environmental Protection (Noise) Regulations 1997*.

These policies aim to manage the impact of noise on sensitive land uses which is relevant given the two nearby residential properties.

The report assesses the impact of noise and vibration from both rail and road operations associated with the facility and concludes that the site can operate to meet all applicable noise targets and will not pose any additional noise impacts to nearby residential properties.

The demolition of the old E-type shed which acted as a partial noise barrier between truck and equipment operations has necessitated the need for new noise mitigation measures to reduce noise impacts to the nearby property at 7153 Northam-Pithara Road, Konnongorring (R1), not because of an increase in noise associated with the new operations. CBH have been in ongoing discussions with the landowner and the PTA, with the preferred solution being the provision of a 3.6m high acoustic wall within the rail corridor. The installation of this new acoustic barrier will ensure the facility remains compliant with the relevant noise targets.

Whilst rail loading operations may be required during evening and nighttime periods, subject to train scheduling, Tables 8 and 9 of the Noise Impact Assessment, demonstrate that regardless of time, fixed plant, on-site road transport and on-site railway operations comply with the relevant noise regulations during day, evening and night time periods.

The only exception where noise levels are exceeded, is for the nearby church at 7122 Northam-Pithara Road, Konnongorring (R3). The noise emissions marginally exceed Holiday and Sunday noise levels due to emissions associated with period of maximum truck movements. The church which operates on a semi-regular basis is already subject to higher noise emissions from public roads which are noted to be compliant with the requirements of *State Planning Policy 5.4* (SPP 5.4) which manage traffic related noise. As the facility results in a net reduction in traffic movements on CBH's site, the noise and associated amenity impact of truck activity on CBH's site during peak periods will be negligible in the context of surrounding traffic noise on public roads.

It should also be emphasised that the proposed facility results in an overall reduction in evening and night time noise emissions, due to reductions in road traffic associated with the movement of grain via rail rather than road, resulting in an overall reduction in noise for the surrounding locality.

Further detail on the predicted noise levels and the proposed acoustic is enclosed within the Noise Impact Assessment (**Attachment 5**).

7. Environmental

The new loading facility has been sited to ensure that no further vegetation clearing is required on site or the rail reserve corridor. The clearing required for the approved rail siding will be undertaken in accordance with the necessary approvals through the Department of Water and Environmental Regulation.

8. Dust Management

A Dust Management Plan (refer **Attachment 6**) has been prepared by CBH to outline the commitments associated with minimising the ongoing impact of dust emissions from the proposed fixed rail loading facility.

The measures outlined in the plan will ensure that any potential dust emissions will be mitigated so that surrounding properties are not impacted.

9. Drainage

No modifications to the drainage infrastructure approved as part of the rail siding development application is required for the facility, with the site being able to accommodate onsite stormwater and upstream runoff without any impact to the new rail siding or other surrounding infrastructure or properties. The minor drainage design modifications approved as part of the rail siding approval will be implemented as required, with all access and maintenance tracks and roads to be suitably sealed and drained.

10. Summary

The proposed fixed rail loading facility is consistent with the objectives and intent of the 'Rural 3 – General Farming' zone of TPS 3 and is entirely appropriate for the location.

This application follows on from the rail siding approval granted last year, with the upgrades to loading infrastructure proposed as part of this application ensuring CBH's Konnongorring's successful grain loading transition from road to rail. The works will vastly improve the capacity of the region to transport grain, which will have a significant benefit for road users, the local economy and the wider community.