

# Sydney Trains Environmental Management System Site Environmental Management Plan (SEMP)



## Introduction

Sydney Trains is the proponent and determining authority for this activity. This environmental impact assessment is being completed in accordance with Division 5.1 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and Part 8 of the Environment Planning and Assessment Regulation 2021 (EP&A Reg). This SEMP forms the assessment when paired with the associated Environmental Work Method Statements.

The activity covered by this assessment is routine maintenance or ancillary works associated with the ongoing safe operation and management of the Sydney Trains rail network in accordance with NSW and Federal statutory objectives. As such, and in respect to this assessment, the cumulative impacts of the routine maintenance and ancillary works are negligible and alternatives to undertaking the works have not been assessed.

## 1 Project / Program details

Project / Program Details		
Project/Program Name	RMVI – Lithgow Area 4 corners of Bridge St Bridge	
Project/Program No	P.0043821.03.027	
Scope of Works	<p>Summary: Installation of 23 Omni Stop Bollards and 18m of Ezy Guard Steel Rail Barrier at each corner of the Bridge St Bridge.</p> <ul style="list-style-type: none"> <li>• Work Area Northeast has 12m of Barrier and 2 Bollards</li> <li>• Work Area Northwest has 10 Bollards</li> <li>• Work Area Southeast has 11 Bollards</li> <li>• Work Area Southwest has 6m of Barrier</li> <li>• Establish temporary fencing to separate work areas</li> <li>• Survey and service locating</li> <li>• Supply and installation of Bollards</li> <li>• All material to be disposed appropriately</li> </ul>	
What is the cost of the scope of works?	<input type="checkbox"/> Routine maintenance - any value <input checked="" type="checkbox"/> Capital investment - less than \$5 million <input type="checkbox"/> Capital investment - more than \$5 million	
Location	Lithgow Area 4 corners of Bridge St Bridge 155km .....	
Attach applicable Environmental Work Method Statement (EWMS)	EWMS Number	EWMS Title
	EWMS – 0267	Fencing
	EMS-03-EW-0264	Bridge Upgrade - screens barriers and walkways

Is any of the proposed work outside of the EWMS' scope?	<input checked="" type="checkbox"/> No: Continue to next question
	<input type="checkbox"/> Yes:  Contact your environmental officer to determine how the works' environmental assessment can proceed
Does this work have any steps or equipment that are not covered by the EWMS?	<input checked="" type="checkbox"/> No: Continue to next question
	<input type="checkbox"/> Yes: Provide details below .....
Is the work part of a larger job?	<input checked="" type="checkbox"/> No: Continue to Part 2 Project Timing and Location
	<input type="checkbox"/> Yes: Provide details of larger job and relationship to these works .....
	 Contact your local environmental officer. The larger project may have environmental controls that need to be applied to this job. All relevant conditions and controls need to be added to PART 5. Summary of approvals and control measures

## 2 Project timing and location(s)

### 2.1 Project timing

Activity	Dates & work hours, noting any 'Out of hour' periods (Out of hour = outside of 7am–6pm Monday to Friday or 8am–1pm Saturday)
Works/program commencement: <i>Including pre-works, site establishment (including access, laydown/stockpiles, site amenities, parking), installation of erosion and sediment controls, etc</i>	Works commencing Week starting 12/09/2023
Site construction and/or periodic maintenance activities <i>For programs/ recurring maintenance detail recurrence frequency and work hours of activities</i>	N/A
Works/program completion: <i>Including demobilisation and removal of all site offices, equipment and materials.</i>	Works to be completed by 30/10/2023

### 2.2 Existing environment



Where multiple sites are to be covered by this form each location is to be identified separately in the following question set (e.g. Site 1, Site 2, etc)

The descriptions are to be derived from desktop studies such as aerial photos, and databases (e.g. WebGIS ME) and are to be confirmed, modified and expanded pre-work site inspection and. Descriptions must include aspects such as acute waterways, drains, vegetation and individual trees, heritage items or curtilage, access, traffic, nearest neighbours etc

**Site 1: <Site description>**





Local environment includes:

- In, or near, residential area
- In, or near, customer areas
- Tunnel/underground location
- Easement/off corridor areas
- Open spaces
- Sparsely vegetated spaces
- Thickly vegetated spaces
- In, or near, waterways or drains
- Other (specify):

Southwest area has some thick hedges being trimmed to allow installation and access to existing maintenance gate

Southeast area has some sparsely grassed areas

### Site 2: Work Area 1



### Site 3: Work Area 2



### 3 Consultation requirements

#### 3.1 Consultation with adjoining land managers


Do the works require consultation with other land managers <sup>(1)</sup> ?	
Will the works result in substantial impacts on Council related infrastructure and services or locally listed heritage items? (i.e. local heritage items, stormwater, traffic, sewerage, water or impact on public place or footpaths, or works that impact flood prone areas or coastal areas)	<input checked="" type="checkbox"/> No: Continue to next question <input type="checkbox"/> Yes: Identify requirements and how they were addressed: .....
Are the works adjacent to land reserved under the <i>National Parks &amp; Wildlife Act 1974</i> ?	<input checked="" type="checkbox"/> No: Continue to next question <input type="checkbox"/> Yes: Identify requirements and how they were addressed: .....
Consultation required with other stakeholders (e.g. Roads, Crown Land, Private landholder etc.)	<input checked="" type="checkbox"/> No: Continue to next question <input type="checkbox"/> Yes: Identify requirements and how they were addressed: .....
(1) Where consulted, all land managers must have a minimum 21 days to provide comments. Comments received must be considered and appropriate actions identified in Part 5.1	


#### 3.2 Community consultation

Could there be community interest in the works?	
<input checked="" type="checkbox"/> No: Community consultation assessment not required	<input type="checkbox"/> Yes: Complete <b>EMS-03-FM-0104 EIA Public Engagement Assessment</b> and identify the assessment outcome; <ul style="list-style-type: none"> <li><input type="checkbox"/> 'Outrage' risk management</li> <li><input type="checkbox"/> Targeted public consultation</li> <li><input type="checkbox"/> Public engagement not required</li> </ul> Actions arising from this assessment are to be identified in Part 5 Summary of approvals and control measures

### 4 Environmental assessment

#### 4.1 Working outside the Active Operational Zone (AoZ)


Are any works to be completed outside the AoZ?	
<input checked="" type="checkbox"/> No: Continue to Section 4.2 Vegetation condition	<input type="checkbox"/> Yes: Contact your environmental officer for support.  <b>EMS-03-FM-0249 EWMS activities outside AoZ must be completed by an environmental officer and must be attached to this SEMP.</b>

 Vehicle access across land that is not in the control of Sydney Trains via roads, access ways, easements, or with the consent of the relevant landowner is not considered to form part of the works outside the AOZ

**4.2 Vegetation condition**

Has all the vegetation within the worksite been maintained <sup>(1)</sup> within the last 10 years?	
<input checked="" type="checkbox"/> Yes: Continue to Section 4.3	<input type="checkbox"/> No/Don't know Discuss with your local environmental officer whether the site should be considered as a sensitive site due to some biodiversity aspect. If so, add site to 4.3 Sensitive Sites as directed
Note (1): 'Maintained' means pruned, weeded, mowed or other activity that significantly disturbed the vegetation.	

**4.3 Sensitive sites**

 For works undertaken outside of the AOZ the following section is to include all sites identified by the environmental officer in the activities' **EMS-03-FM-0249 EWMS activities outside AOZ.**

Will the works be located in, or within 100m of a Sensitive Site? (Ref: <a href="#">Web GIS ME</a> )		
• Aboriginal heritage site or Environmentally Sensitive Site?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Contaminated Site?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
• Non-Aboriginal Heritage site?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<b>A separate line is to be completed in the following table for each site/location identified</b>		
Location and distance (m) from the worksite	Nature of site (Details from database or register)	Potential for the works to impact <sup>2</sup>
Within Curtilage	Eskbank Railway Station group State Heritage Register No. 01138	Low
Notes: <ul style="list-style-type: none"> <li>Information about sensitive sites must be sufficient to be able to make an informed decision on potential impacts and appropriate project controls.</li> <li>Additional assessments may be required for works in or adjacent to some sensitive sites. Please see the environmental officer and/or individual subject matter procedures for specific requirements.</li> <li>Where works have the potential to impact sensitive sites the required additional controls, approvals, notifications, etc must be listed in the relevant section of <i>Part 5 Summary of approvals and control measures</i></li> </ul>		

**4.4 Noise and vibration assessment of the works**

A. Are there any noise sensitive receivers <sup>(1)</sup> within 350m of works?	
<input type="checkbox"/> No Works do not need further noise assessment, go to Section 5.	<input checked="" type="checkbox"/> Yes Describe receivers and continue to Part B.  Receivers: Industrial closes at 14m no further action required as per noise assessment (closest retail is 30m).....



		Distance: 14m
<b>B. Track work on a moving face</b>		
Will work be limited to track work on a moving face, be undertaken for less than five (5) consecutive days and consist only of one or more of the following activities: <input type="checkbox"/> Ballasting or ballast clean <input type="checkbox"/> Resurfacing (tamping, stabilising, regulating) <input type="checkbox"/> Rail profiling <input type="checkbox"/> Continuous track welding / rail adjusting	<input type="checkbox"/> Yes	Works do not need noise and vibration assessment, go to Section 5.
	<input type="checkbox"/> No	Continue to Part C.
<b>C. Answer the following</b>		
Will there be any equipment producing noise levels of: <input type="checkbox"/> more than 80 dBA <sup>(2)</sup> during Standard Hours <sup>(3)</sup> , and/or <input checked="" type="checkbox"/> more than 60 dBA <sup>(2)</sup> outside of Standard Hours <sup>(3)</sup> or <input type="checkbox"/> Will the works use pile drivers, hydraulic hammers or vibratory rollers (or similar vibration inducing plant)? or <input type="checkbox"/> Will works at any one location last more than 3 weeks in duration?	<input type="checkbox"/> No	Works do not need further noise and vibration assessment, go to Section 5.
	<input checked="" type="checkbox"/> Yes	Complete <b>EMS-09-FM-0166 Maintenance Quantified Noise and Vibration Assessment</b> and include any resulting actions in Section 5.
(1) Noise sensitive receivers include residences, hospitals, places of worship, schools, aged, childcare facilities, etc. (2) Noise levels are for the loudest equipment's 'Modified 10m Sound Pressure' as given in <b>EMS-09-FM-0166 Maintenance Quantified Noise and Vibration Assessment</b> ('SoundPressure' Table, 'References' Tab). (3) Standard Hours' = 7am-6pm Monday to Friday and 8am-1pm Saturday		

## 5 Summary of approvals and control measures



For works undertaken outside of the AOZ, the following section is also to include all actions and controls arising from the project's **EMS-03-FM-0249 EWMS Activities Outside of AOZ**.

### 5.1 Permits, approvals and consultation

Describe all relevant permits, approvals and consultation requirements for the works.

Environmental Hazard	Permits/Other Requirements	Timing	Responsibility
Heritage	Section 62 of the Heritage Act 1977 Eskbank Railway Station group State Heritage Register No. 01138 (dated 07/08/2023)	Approved	ST PM



## 5.2 Environmental controls

<b>Environmental Hazard</b>	<b>Work controls and responsibility</b> <i>including those from the EWMS, PART 4 of this SEMP, specialist reports and/or licences and all other relevant activities</i>
<b>Works community notification:</b>	Project manager Letterbox notification provided: Local <input type="checkbox"/> Possession <input type="checkbox"/>
<b>Awareness and responsibility:</b> <i>Staff unaware of the works' environmental controls and their responsibilities</i>	Site supervisor <ul style="list-style-type: none"> <li>Undertake site pre-work briefings and local inductions using the SEMP and the SECM to cover the work's environmental risks and controls and the workers environmental responsibilities</li> <li>Delivery tool-box talks relevant to the environmental hazards</li> <li>Maintain a readily accessible copy of the environmental approval (including all associated specialist approvals and plans) at the worksite whenever work is being undertaken.</li> <li>Display prominently on site, where possible, the SECM and make sure it is accurate and used</li> </ul>
<b>Heritage:</b> <i>Unintentional or unapproved impact on Aboriginal and non-Aboriginal heritage</i>	Follow conditions set out within S60 Approval received from Rochelle Johnston Heritage NSW.
<b>Incidents and emerging issues</b> <i>An incident or emerging issue is not controlled and causes an environmental impact</i>	Project Manager <ul style="list-style-type: none"> <li>Support management of emerging issues and incident management, notification, investigation and the completion of corrective and preventative actions</li> </ul> Site supervisor <ul style="list-style-type: none"> <li>Complete daily inspections of the site, plant and equipment and the surrounding area</li> <li>Implement incident procedures on unapproved impacts, spills and other environmental incidents</li> <li>Notify incidents to the Incident and Injury Hotline 1800 772 779 or enter incident directly into SHEM</li> </ul>
<b>Noise and vibration:</b> <i>Impact of works noise and vibration on neighbouring residents and properties – particularly the potential for sleep disturbance</i>	As per Noise and vibration assessment implantation of 1 hour respite for every 3 hour period of PNL over HAL and plant used intermittently is to be throttled or shut down when not required – no other requirements Site supervisor: <ul style="list-style-type: none"> <li>Schedule more noisy work for 'standard hours' (7am to 9pm Monday to Friday, 8am to 1pm Saturday), where practical</li> <li>Limit operating and idling plant and equipment on site, where practical</li> <li>Locate noisy equipment, parking areas and assembly areas away from sensitive receivers, where practical and instruct workers to minimise noise during shift changes and at crib areas</li> <li>Use non-tonal reversing alarms on vehicles, where practical</li> <li>All plant and equipment to be operated with effective noise attenuation equipment (e.g., mufflers)</li> </ul>
<b>Plant and equipment emissions and spills:</b> <i>Smoke, fumes., odours and other emissions from plant and equipment. Spills of hydrocarbons from plant and equipment</i>	Site supervisor <ul style="list-style-type: none"> <li>Plant and equipment is operated and maintained in a proper and efficient manner with all of its pollution control equipment in place and functioning</li> <li>Plant and equipment not used when needing repair</li> <li>Plant and equipment is regularly checked for wear, leaks, odours, fumes and smoke</li> <li>All plant to have suitable spill kits and operators trained in their use and the disposal of used spill kit materials</li> </ul>
<b>Traffic:</b>	Site supervisor

Environmental Hazard	Work controls and responsibility <i>including those from the EWMS, PART 4 of this SEMP, specialist reports and/or licences and all other relevant activities</i>
Traffic disruption to community and other users around worksite	<ul style="list-style-type: none"> <li>Plan all vehicle movements to occur outside of local peak traffic periods</li> <li>Place offsite staging areas in low impact areas</li> <li>Obtain a Road Occupancy Licence, as necessary</li> <li>Utilise qualified traffic control staff</li> </ul>
<b>Waste:</b> Unnecessary generation of wastes and poor or illegal disposal of wastes	Construction waste (e.g. spoil, concrete, litter and rubbish, etc) quantity/contamination Site supervisor <ul style="list-style-type: none"> <li>Do not overestimate quantities of materials required</li> <li>Separate wastes, place all wastes in appropriate containers and dispose of them as they are generated</li> <li>Prevent the mixing of similar new and waste materials</li> <li>Classify all wastes in accordance with the NSW EPA Waste Classification Guidelines</li> <li>Only use approved waste contractors and dispose of all wastes leaving site to facilities licenced to receive the waste</li> <li>Keep records of all waste classification, transport, disposal, reuse and recycling activities</li> </ul>

## 5.3 Biodiversity offset

Is a Biodiversity Offset required for the project?	
<input checked="" type="checkbox"/> No: Continue	<input type="checkbox"/> Yes: Provide the following information: Value <sup>(1)</sup> : _____
(1) All calculations are to be in accordance with <b>EMS-06-WI-0177 Biodiversity Offsets Calculator</b>	

## 5.4 SEMP documents

For environmental planning and assessment purposes the SEMP for this job comprises of:

- This SEMP
  - The Environmental Work Method Statement (EWMS) referred to in Section 1
  - The attached project's Site Environmental Control Map
- Plus (tick as appropriate):
- EMS-03-FM-0248 EWMS Scope Exception**
  - EMS-09-FM-0249 EWMS Activities outside AOZ** (see Section 4.1)
  - EMS-09-FM-0166 Maintenance Quantified Noise and Vibration Assessment** (see Section 4.3)
  - Additional environmental studies, approvals (including Aboriginal and non-Aboriginal heritage)

## 5.5 Environmental review requirements

Is review required by an environmental assessor?	
Is this for a program of work?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is any of the work to be completed outside of the Active Operational Zone (AOZ)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is any work being undertaken or will impact on land controlled by others?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is access required across land controlled by others that is not a road, easement or right of way?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Were any sensitive sites identified in Section 4.2?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is any work being undertaken in embankments, cuttings or on the boundary fence?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is extensive Council or other Authority consultation required?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Are environmental impacts “likely” <u>and</u> “significant”	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Was an <b>EMS-10-FM-0166 Maintenance Quantified Noise Assessment</b> required (Section 4.3) AND was a work phase identified as High Risk?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Is work likely to cause community concern (other than noise)?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Were additional environmental studies or approvals (e.g. heritage) required?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Were any biodiversity Offsets required for the project?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No



*If “Yes” to any of the above, this form must be submitted to the local environmental officer for assessment at least 4 weeks prior to the planned commencement date of the works.*

## 6 Determination

The works covered by this document have been determined to proceed under Division 5.1 of the *Environmental Planning & Assessment Act 1979* and Part 8 of the *Environmental Planning & Assessment Regulation 2021* subject to the implementation of all mitigation measures and actions identified in this document.

**Position of Determiner: Environment and Sustainability Manager**

**Date of Determination: 12/09/2023**

This version of the document has been redacted to remove personal information.



*To provide comments on this EIA please complete a [Sydney Trains Feedback Form](#) or call the Sydney Trains Feedback Line on 131 500.*

**Report all pollution and environment incidents immediately to SHEM or the Incident and Injury Hotline (1800 772 779) and your local environment officer.**

## Acknowledgement of Country



Sydney Trains acknowledges the traditional custodians of the land on which we work and live. We pay our respects to Elders past and present and celebrate the diversity of Aboriginal people and their ongoing cultures and connections to the lands and waters of NSW.



Project Number: HN000537-A



## STATEMENT OF HERITAGE IMPACT – ERRANT VEHICLES PROJECT LITHGOW

FINAL 11 / 04 / 2023

**REPORT TO: WSP AUSTRALIA**  
Level 27, 680 George Street, Sydney, NSW 2000

**REPORT BY HERITAGE NOW PTY LTD**  
projects@heritagenow.com.au  
(02) 8318 9770  
www.heritagenow.com.au



## Executive Summary

Heritage Now Pty Ltd (Heritage Now) was engaged by WSP Australia Pty Limited to prepare a Statement of Heritage Impact for the Lithgow Bridge Street Errant Vehicle Risk Reduction Project. The purpose of this report is to assess the heritage impact of proposed works involving the installation of road approach barriers (bollards and guard rail) to the Bridge Street Over Bridge, Lithgow. The Project Area is the rail over bridge and its approaches which is centred on Bridge Street and west of the Lithgow Railway Station buildings and platform.

The following works are proposed for the Bridge Street Over Bridge, Lithgow and its approaches installation of:

- Bollards north-west of over bridge (in Work Area 1)
- Bollards north-east of over bridge (in Work Area 1)
- Guard rail north-west of over bridge (in Work Area 1)
- Bollards south-east of over bridge (in Work Area 2)
- Guard rail south-east of over bridge (in Work Area 2).

The Project Area is located partly within the curtilage of the Eskbank Railway Station group, also known as the Eskbank Railway Precinct, which is listed in on the State Heritage Register (Item ID 01138), Transport Asset Holding Entity (TAHE) s.170 Register (Item ID 4801018), and on Schedule 5 of the Lithgow Local Environmental Plan 2014 (L434). The Project Area is also located partly within the Lithgow Main Street Heritage Conservation Area (C7).

While the proposal would not physically impact significant fabric, the proposed road approach barrier (bollards and guard rail) installation is partly within the heritage curtilage of the Eskbank Railway Station group / Eskbank Railway Precinct and the Lithgow Main Street Heritage Conservation Area.

The project proposal would have a minor adverse visual impact on these heritage items.

The historical archaeological potential of the Project Area is assessed as nil-low.

The Proposal has been assessed in relation to the standard exemptions, Section 60 Fast Track and a Section 60 requirements. To satisfy the exemption criteria under the under the Heritage Act 1977 for alterations to non-significant fabric *“any new fabric must not impact setting or views to or form the item”* Standard Exemption 3 (K). The Proposal will have a minor adverse impact on setting and views to and from the heritage item and therefore do not meet this exemption, nor any other of the standard exemptions. As the works will cost under \$150,000 and they meet the criteria for a fast-track Section 60 approval pathway.

The visual impact of the proposal may be reduced by selection of a subdued or darker colour for posts, such as stainless steel or black, to match existing fencing.

In addition to the s60 fast-track approval, all on-site personnel are to be made aware of their obligations under the *NSW Heritage Act 1977*, including the reporting of any historic, or suspected historic material. This may be implemented through an on-site induction or other suitable format.

In the unlikely event that archaeological, or suspected archaeological material is uncovered during works, then works in that area are to cease, the area is to be cordoned off and the *Sydney Trains*

*Environmental Management System - Unexpected Archaeological Finds (EMS-09-PR-0164)* procedure to be followed.

The works are to be carried out following the recommendations below.

**Recommendation 1**

The proponent is to apply for a s60 fast-track approval from Heritage NSW. This approval is needed before construction works are undertaken in the Project Area.

**Recommendation 2**

The selection of a subdued or darker colour for posts, such as stainless steel or black, to match existing fencing is preferred.

**Recommendation 3**

All on-site personnel are to be made aware of their obligations under the *NSW Heritage Act 1977*, including the reporting of any historic, or suspected historic material. This may be implemented through an on-site induction or other suitable format.

**Recommendation 4**

In the unlikely event that archaeological, or suspected archaeological material is uncovered during works, then works in that area are to cease, the area is to be cordoned off and the *Sydney Trains Environmental Management System - Unexpected Archaeological Finds (EMS-09-PR-0164)* procedure to be followed.

**Recommendation 5**

If there are any alterations to the proposed works, further heritage assessment will be required.

## Acronyms, Terms and Definitions

Acronym/Term	Definition
CMS	Conservation Management Strategy
DCP	Development Control Plan
EP&A Act	<i>Environmental Planning and Assessment Act 1979 (NSW)</i>
HCA	Heritage Conservation Area
ICOMOS	International Council on Monuments and Sites
ID	Identification (number)
LEP	Local Environmental Plan
NSW	New South Wales
SEPP	State Environmental Planning Policy
SHR	State Heritage Register
SIX Maps	Spatial Information Exchange (NSW government portal holding a range of spatial and property data)
TAHE	Transport Asset Holding Entity
TISEPP	Transport Infrastructure State Environmental Planning Policy

## Version Control

Version	Revision Description	Reviewed by	Date	Approved by	Date Approved
1	Draft	Tessa Boer-Mah, Heritage Now Principal Heritage Consultant	6/3/2023	Tessa Boer-Mah, Heritage Now Principal Heritage Consultant	6/3/2023
2	Final	Tessa Boer-Mah, Heritage Now Principal Heritage Consultant	11/4/2023	Tessa Boer-Mah, Heritage Now Principal Heritage Consultant	11/4/2023



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# 1 Introduction

Heritage Now Pty Ltd (Heritage Now) was engaged by WSP Australia Pty Limited to prepare a Statement of Heritage Impact for the Lithgow Bridge Street Errant Vehicle Risk Reduction Project. The purpose of this report is to assess the heritage impact of proposed works involving the installation of road approach barriers (bollards and guard rail) to the Bridge Street overbridge, Lithgow.

## 1.1 Project Area

The Project Area is located in the town centre of the City of Lithgow, within the Lithgow Local Government Area (Figure 1), and is centred on the Bridge Street road overbridge and its approaches (Figure 2). It is within the Parish of Lett, County of Cook.

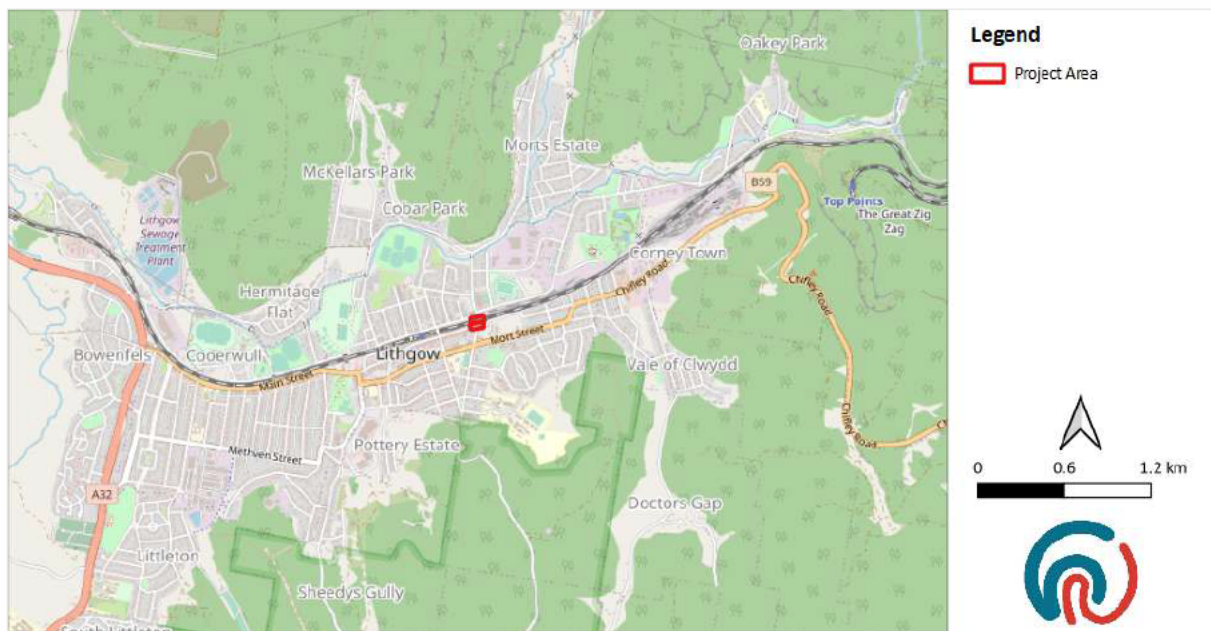


Figure 1. The Project Area in a regional context. (Source: Six Maps with Heritage Now additions)





Figure 2. The Project Area in a local context. (Source: Bing Maps with Heritage Now additions)

## 1.2 Overview of Project Proposal

The Errant Vehicle Risk Reduction Project for Lithgow has identified localised areas where there is a higher risk of vehicles entering or reaching the railway line. The identification of these areas has been developed through a risk assessment, particularly assessing road overbridges where a vehicle accident could cause severe consequences to both the vehicles and the railway line / railway traffic. The project proposes to install bollards and guard rail, where appropriate, to protect the Bridge Street overbridge approaches only. No works are proposed on the overbridge, as impacting the bridge structure would also likely trigger the requirement for significant bridge upgrade works.

Installation of the following road approach barriers are proposed (Figure 3):

- Bollards on north-west approach (in Work Area 1)
- Bollards and guard rail on north-east approach (in Work Area 1)
- Bollards on south-east approach (in Work Area 2)
- Guard rail on south-west approach (in Work Area 2).

The project proposal is further detailed in Section 6.1 and drawing set assessed was: PS118781-DRFT-CDR-Lithgow, Version A.



Figure 3. The Proposal. (Source: Six Maps and Bing Maps with Heritage Now additions)

## 1.3 Methodology

This document was prepared in accordance with relevant Heritage NSW guidelines, including, but not limited to:

- Assessing Heritage Significance<sup>1</sup>
- Statements of Heritage Impact<sup>2</sup>

This Statement of Heritage Impact includes:

- Identification of heritage items and heritage conservation areas which could be impacted by the proposed works
- An overview of the heritage significance of elements concerning the project proposal
- What impact the proposed works will have on that significance
- What measures have been proposed to mitigate negative impacts
- Why more sympathetic solutions are not viable

## 1.4 Previous Studies

The Project Area has been included in a number of previous studies. The primary conservation and management document relevant to the proposal is:

- Otto Cserhalmi and Partners Pty Ltd 2007, *Eskbank Railway Precinct: Conservation Management Strategy*, RailCorp Office of Rail Heritage (the 2007 CMS)

In addition, this report draws on an updated assessment of archaeological potential, provided in:

<sup>1</sup> NSW Heritage Office, *Assessing Heritage Significance*, NSW Heritage Office, 2001.

<sup>2</sup> Heritage Office & Department of Urban Affairs and Planning, *Statements of Heritage Impact*, 2002.

- *Artefact Heritage 2017, New Intercity Fleet Springwood to Lithgow Rail Corridor Modifications - Eskbank Station Statement of Heritage Impact*, Transport for NSW.

## 1.5 Authorship

This report was produced by the Heritage Now team. The report was written primarily by Ngaire Richards and (Principal Heritage Consultant), with some input from Tessa Boer-Mah (Principal Heritage Consultant), with mapping input from Joven Sanchez (Heritage Officer). Technical input and quality review was provided by Tessa Boer-Mah.

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## 2 Legislative Context and Heritage Listings

This section provides a brief overview of the relevant legislation and heritage listings pertaining to the Project Area at the time of writing the report. The legislative overview is provided solely as contextual information for the proponent and does not constitute legal advice.

### 2.1 Legislative Context

#### 2.1.1 Heritage Act 1977 (NSW)

The *Heritage Act 1977* (Heritage Act) seeks to encourage the conservation of items of environmental heritage, which are defined as “those places, buildings, works, relics, moveable objects, and precincts, of State or local heritage significance.”

Part 3A of the Heritage Act establishes the State Heritage Register (SHR), which is kept by the Heritage Council of NSW and provides for the identification and listing of items of State heritage significance. Part 8, Section 170 of the Act requires government agencies and State-owned corporations to keep a Heritage and Conservation Register (also known as a Section 170 Register) of their heritage assets.

Under the Heritage Act, approval is required for works or activities that may have an impact on the significance of a SHR-listed item or a place subject to an Interim Heritage Order. A standard section 60 approval must be obtained to carry out works within the curtilage of an SHR item that will have a moderate or greater impact on the heritage significance of the item. A section 60 fast track approval may be used for minor works or activities that will have little or no adverse impact on the heritage significance of the item, and will not exceed an estimated cost of \$150,000. Approval is not required if the proposed works or activities are exempt from approval under standard or site-specific exemptions granted under the Heritage Act.

Historical archaeological resources are also protected under the relics provisions of the Heritage Act. A ‘relic’ means:

*[...] any deposit, artefact, object or material evidence that—*

*(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and*

*(b) is of State or local heritage significance.*

A section 140 excavation permit (issued under s 141 of the Act) is required prior to disturbance or excavation of any land likely to contain relics and is not an SHR-listed item. An exception from the need for an excavation permit may apply under section 139(4), for the following activities undertaken in accordance with relevant Heritage NSW guidelines:

- minor works involving limited impact to relics of local heritage significance<sup>3</sup>,

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<sup>3</sup> Heritage NSW, *Relics of local heritage significance: a guide for minor works with limited impact*, 2022.



- archaeological monitoring of relics of local heritage significance<sup>4</sup>, or
- archaeological test excavation of relics of local heritage significance<sup>5</sup>.

If a relic is discovered or located, section 146 of the Heritage Act requires the Heritage Council of NSW to be notified.

## 2.1.2 Environmental Planning and Assessment Act 1979 (NSW)

The *Environmental Planning and Assessment Act 1979* (EP&A Act) provides triggers for undertaking environmental and heritage assessments as part of the wider land-use planning framework. Part 4 details how authorities are to determine development applications, as well as identifying whether projects require an Environmental Impact Statement. Part 9 outlines the implementation and enforcement of the EP&A Act.

The EP&A Act also allows for the making of State Environmental Planning Policies (SEPPs) that deal with matters of State or Regional planning significance, and local environmental plans (LEPs) for the purpose of planning within a local government area.

Heritage items (which can include buildings, works, places, relics, trees, objects or archaeological sites) and heritage conservation areas (including associated fabric, settings and views) are identified in the environmental heritage schedule attached to a SEPP or LEP. These items may be of local, state, or national significance.

### State Environmental Planning Policy (Transport and Infrastructure) 2021

The State Environmental Planning Policy (Transport and Infrastructure) 2021 (TISEPP) sets out planning rules and controls for infrastructure. The aims of the TISEPP include identifying the environmental assessment category into which different types of infrastructure and services development fall (including identifying certain development of minimal environmental impact as exempt development).

Division 17 Subdivision 1 deals with roads and road infrastructure facilities, and the following section is applicable to the proposed installation of safety barriers and bollards:

#### 2.113 Exempt development

*(1) Development for any of the following purposes is exempt development if it is carried out by or on behalf of a public authority or the Minister responsible for Crown roads (within the meaning of the Roads Act 1993) in connection with a road or road infrastructure facilities and complies with section 2.20—*

*(a) erection, installation, maintenance, reconstruction or replacement of any of the following, and any associated landscaping works—*

*(i) security fencing with a height above ground level (existing) of not more than 3.2m,*

*(ii) safety barriers or systems, including Jersey barriers,*

<sup>4</sup> Heritage NSW, *Relics of local heritage significance: a guide to archaeological monitoring*, 2022.

<sup>5</sup> Heritage NSW, *Relics of local heritage significance: a guide for archaeological test excavation*, 2022.

To be exempt development, it is a general requirement that the proposed works must have “no more than minimal impact” on the heritage significance of a State or local heritage item or a heritage conservation area (Section 2.20, Clause (2)(e)).

If the development is likely to have impacts on local heritage in a way that is “is more than minor or inconsequential”, Section 2.11 of the TISEPP requires consultation with the relevant local council(s):

*(2) A public authority, or a person acting on behalf of a public authority, must not carry out development to which this section applies unless the authority or the person has—*

*(a) had an assessment of the impact prepared, and*

*(b) given written notice of the intention to carry out the development, with a copy of the assessment and a scope of works, to the council for the area in which the heritage item or heritage conservation area (or the relevant part of such an area) is located, and*

*(c) taken into consideration any response to the notice that is received from the council within 21 days after the notice is given.*

#### **Lithgow Local Environmental Plan 2014**

Heritage conservation provisions are set out in section 5.10 of the Lithgow Local Environmental Plan 2014 (Lithgow LEP 2014). Development consent is required for demolishing, moving or altering a heritage item; or disturbing or excavating an archaeological site, while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed. The consent authority must consider the effect of the proposed development on the significance of a heritage item or heritage conservation area.

#### **Lithgow Development Control Plan**

The Lithgow Development Control Plan 2021 is a non-statutory instrument which implements and supports the objectives of the Lithgow LEP 2014, and provides guidelines for various forms of development. Chapter 6 sets out provisions in relation to heritage and cultural conservation, with general controls that apply to development on and in the vicinity of heritage items and heritage conservation areas (Section 4.3), as well as specific controls for heritage conservation areas identified in the Lithgow LEP 2014 (Section 4.4).

## **2.1 Heritage Listings**

Heritage items are registered on statutory heritage lists according to their level of significance: local, state, national, and in rare cases world heritage significance (places that are of outstanding universal value to humanity).

The Project Area is located partly within the curtilage of the Eskbank Railway Station group, also known as the Eskbank Railway Precinct, which is listed in on the State Heritage Register (Item ID 01138) (Figure 4), Transport Asset Holding Entity (TAHE) s.170 Register (Item ID 4801018), and on Schedule 5 of the Lithgow Local Environmental Plan 2014 (I434). The Project Area is also located partly within the Lithgow Main Street Heritage Conservation Area (C7) (Figure 5).

Several heritage items with local significance are also within the vicinity of the proposed works. A summary of the relevant heritage listings is provided in Table 1. The location of the heritage items with respect to the proposed works is shown in Figure 6.

*Table 1 Heritage items and heritage conservation areas within the vicinity of the Project Area.*

Listing Type	Item Name	Item Type	Item ID	Significance	Spatial Relation to Proposed Works
SHR	Eskbank Railway Station group	Complex / Group	01138	State	Partly within
TAHE s.170	Eskbank Railway Precinct*	Built	4801018	State	Partly within
Lithgow LEP	Eskbank Railway Station Group including signal box	Built	1434	State	Partly within
Lithgow LEP	Lithgow Main Street Heritage Conservation Area	Conservation Area	C7	Local	Partly within
Lithgow LEP	Court House Hotel	Built	1383	Local	27m south
Lithgow LEP	Former Co-operative Store	Built	1289	Local	50 m northwest
Lithgow LEP	The Tin Shed	Built	1319	Local	55 m south
Lithgow LEP	Union Theatre	Built	1321	Local	73 m south
Lithgow LEP	Former Co-op bakery and pharmacy	Built	1290	Local	103 m west
Lithgow LEP	Office building	Built	1338	Local	116 m southwest

\*The s.170 curtilage of the Eskbank Railway Precinct is the same as the SHR curtilage of the Eskbank Railway Station group.

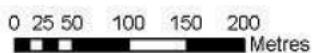


Heritage Council of New South Wales



State Heritage Register

Gazetted Date: 02 April 1999



Scale: 1:5,000

Produced by: Michelle Galea

Legend

-  SHR Curtilage
-  Land Parcel's
-  LGAs
-  Suburbs

Figure 4. Eskbank Railway Station Group - SHR curtilage. (Source: State Heritage Inventory). The approximate location of the Project Area is circled in black.



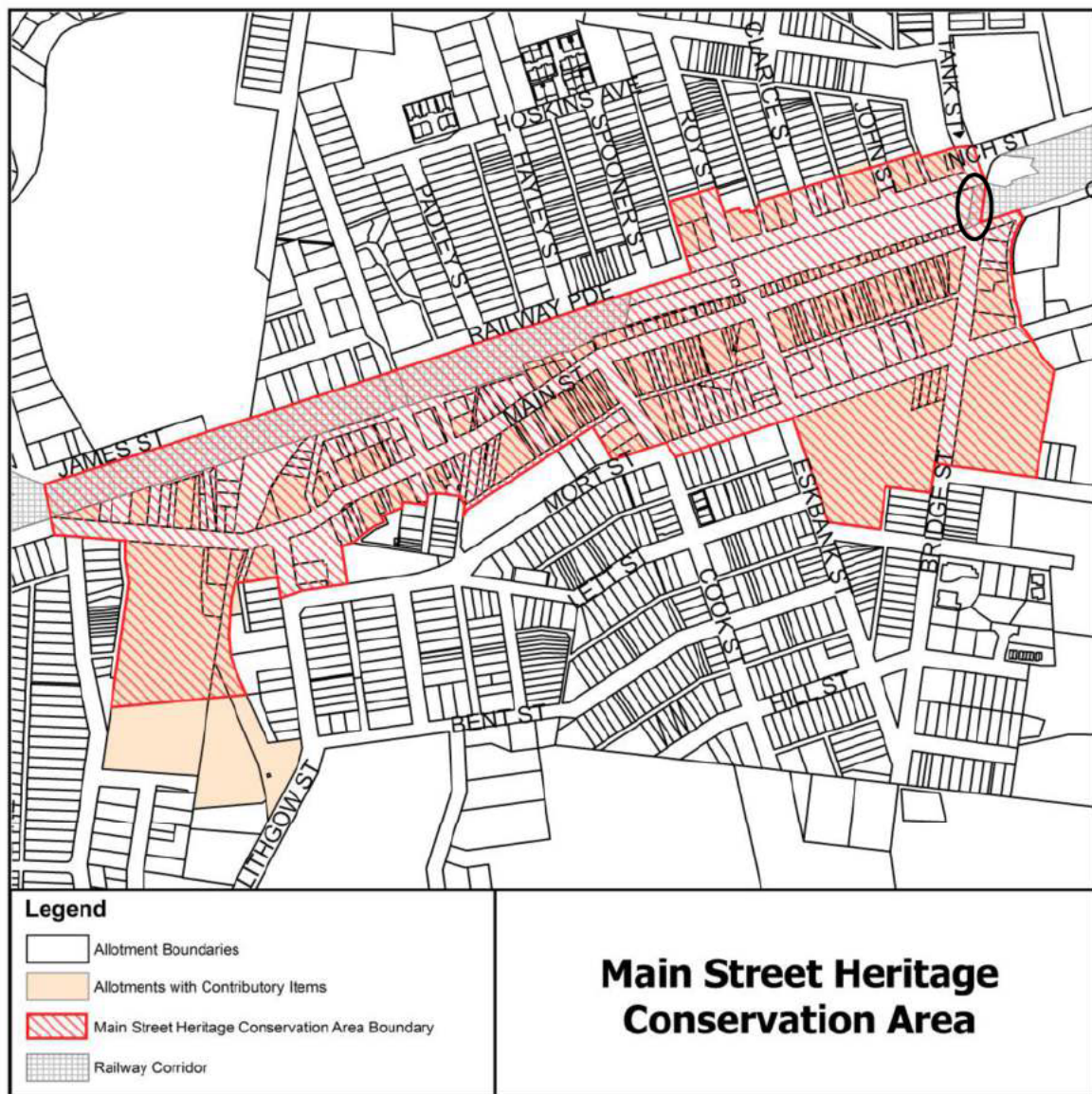


Figure 5. Lithgow Main Street Heritage Conservation Area "C7". (Source: Lithgow City Council DCP 2021). The approximate location of the Project Area is circled in black.





Figure 6. Proposed works showing nearby heritage listings. (Source: Bing aerial with Spatial Services, Department of Premier and Cabinet, Department of Planning and Environment, and Heritage Now additions)

## 2.2 Statements of Significance

Cultural significance is defined in *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance, 2013* (the Burra Charter) as meaning ‘aesthetic, historic, scientific, social or spiritual value for past, present or future generations’.<sup>6</sup> These values are expressed as specific criteria in the NSW Heritage Manual *Assessing heritage significance* guidelines, and are used to assess whether an item is of State or local heritage significance in New South Wales.<sup>7</sup>

### 2.2.1 Eskbank Railway Station group / Eskbank Railway Precinct

The following statement of significance for the Eskbank Railway Station group / Eskbank Railway Precinct is taken from the SHR listing (SHR01138) in the State Heritage Inventory:

*The Eskbank Railway Precinct is of state significance as an early railway precinct, important in the course of NSW’s history due to its key role in the industrial development of the Lithgow Valley. It was the first railway yard and locomotive depot in the Lithgow Valley and served as a major locomotive depot through the 1880s boom, the 1890’s depression and the Federation era. Eskbank Railway Precinct is of further significance as the terminating place of locomotive trials undertaken in the 1880s and 1890s, which evaluated the technologies and design principles which were to influence locomotive design in New South Wales until the close of the steam era. The Eskbank station and the nearby remains of the locomotive depot, branch line and associated infrastructure demonstrate a class of first generation railway places. The site was established within the context of other economic and industrial developments including mining, housing, transportation of goods to Sydney and greater NSW, and it is from these that it draws its greater significance. The precinct retains most of the original structures including one of the oldest goods sheds in the State; however, the demolition of all above ground locomotive depot structures in the 1920s has compromised the overall value of the place.*

*Eskbank Railway Precinct is of aesthetic significance as a fine example of the first stations built on the NSW railway system. The station building is aesthetically significant as an example of a Victorian Italianate style station building utilising tuck pointed brickwork to the body of the wall and classically detailed stone quoins, cornices and a pedimented bay window. The masonry details and Victorian ironwork was both functional and decorative and was a forerunner to the next generation of grander stations in NSW.*

*The Eskbank station building is of state heritage significance as a largely intact example of the simple, classically-inspired, masonry station building type introduced by John Whitton in the 1860s. Its history is closely associated with an area that is sometimes referred to as the cradle of Australian industry. As such it has a high level of significance due to its association with important*

<sup>6</sup> Australia ICOMOS, *The Burra Charter: The Australia ICOMOS Charter for Places of Cultural Significance*, 2013, p. 2.

<sup>7</sup> NSW Heritage Office, *Assessing Heritage Significance*, NSW Heritage Office, 2001, p. 9.



*developments in transport, technology and industry. The goods shed and the remains of the locomotive depot contribute to the overall value of the place, as well as the link to the State Mine site.*

*Eskbank Railway Precinct has research significance as a railway yard with varying buildings and infrastructure that remain partly intact and as an example of traditional country railway station yards in New South Wales. The weighbridge, yard crane, horse dock, gantry crane, two major bridges and the branch line contribute to the significance of the precinct. The archaeological remains of the locomotive depot have moderate technical significance for their connection to the evaluation and adaptation of comparative British and American technologies which took place in the 1880s and 1890s.*

*Lithgow Yard signal box is of state significance as a small and intact elevated signal box dating from 1885, and as the oldest operating in the state. The signal box retains most of the original equipment and still operates a number of original semaphore signals in the yard. It forms a classic 19<sup>th</sup> century railway structure in the historic Eskbank station yard. It is closely related to the early development of the Eskbank station precinct and branch colliery lines.*

## 2.2.2 Eskbank Railway Station Group including signal box

The following statement of significance for the Eskbank Railway Station Group including signal box is taken from the LEP listing (I-434) in the State Heritage Inventory:

*Historic: a good representative example of a mid-Victorian railway station, significant as the first major station complex erected in the urban and industrial part of Lithgow Valley. Includes original goods shed and loading platform and crane.*

Note that heritage curtilage of the Eskbank Railway Station Group LEP listing differs from the SHR listing, and does not include the Bridge Street overbridge.

## 2.2.3 Lithgow Main Street Heritage Conservation Area

The following statement of significance for the Lithgow Main Street Heritage Conservation Area (C7) is taken from the Lithgow City Council Development Control Plan (DCP) 2021:

*The Main Street HCA provides strong evidence growth of Lithgow from as far back as the mid 1800's through its well-preserved shops, pubs and hotels which have been repurposed over time. The Main Street HCA encompasses the length of main street bounded by Bridge Street and Hassans Walls Road in addition to adjoining streets where there are visual, functional and use connections including parts of Railway Parade, Cook Street, Mort Street and Eskbank Street. This section encompasses the majority of the Central Business District of Lithgow and includes the Cook Street Plaza area.*



## 3 Historic Context

### 3.1 Chronological Summary

The following timeline summarises key dates and events relating to the historical development of the Project Area (Table 2). It is based largely on historical research on the Eskbank Railway Precinct and the industrial development of the Lithgow valley provided in the and the following reports:

- Otto Cserhalmi and Partners Pty Ltd (2007) *Eskbank Railway Precinct: Conservation Management Strategy*, RailCorp Office of Rail Heritage.
- Cremin A (1989) 'The growth of an industrial valley: Lithgow, New South Wales', *The Australian Journal of Historical Archaeology*, 7:35–42.

This information is supplemented by the historical notes from the SHR listing for the Eskbank Railway Station group, and other sources as noted.

Table 2. Timeline

Phase of Historical Development	Date	Event
Pre-industrial (1839-1868)	June 1840	Thomas Brown takes up first land grants in the Lithgow valley. <sup>8</sup>
	5 February 1841	Portion 55, Parish of Lett (320 acres) granted to Brown. (Figure 7)
	1858	Edwin Barton engaged to survey a route for an extension of the Great Western Railway (now the Main Western Line) over the Blue Mountains to Bathurst. <sup>9</sup>
		Brown among local landholders who lobby for the railway to pass through the valley. <sup>10</sup>
	December 1866	Portion 283, Parish of Lett (110 acres) purchased by Robert Pitt. <sup>11</sup> Pitt was a local carpenter who is thought to have acted as a 'dummy purchaser' or proxy for Brown. <sup>12</sup> (Figure 7)
	1868	Land reserved for extension of the Great Western Railway. The rail corridor includes part Portion 55 and part Portion 283, inclusive of the property to the north of Main Street West between the road and the line of rail. <sup>13</sup>
Brown's holdings at Esk Bank total 700 acres		
Brown opens the first commercial coal mine in the Lithgow valley at Esk Bank (Eskbank 1), c.800 metres north of the line of rail.		

<sup>8</sup> Integrated Design Associates, *Conservation Management Plan: Eskbank House Lithgow, NSW [Final Draft]*, Lithgow City Council, January 2012, p. 17.

<sup>9</sup> *Empire*, 'GROSE RIVER SURVEY.', 7 September 1860, p. 5.

<sup>10</sup> High Ground Consulting, *Lithgow Migration History*, Lithgow City Council & NSW Migration Heritage Centre, 2014, p. 24.

<sup>11</sup> John Shoebridge & Bob McKillop, 'The Great Cobar Copper Mine', *Light Railways*, vol. 164, 2002, pp. 9–15.

<sup>12</sup> R. F. McKillop, *Furnace, fire & forge: Lithgow's iron and steel industry 1874-1932*, Light Railway Research Society of Australia, Surrey Hills, Vic, 2006, p. 27.

<sup>13</sup> *Certificate of Title Volume 64 Folio 213*, NSW Land Registry Services Historical Lands Record Viewer, 1868.

Phase of Historical Development	Date	Event
Early industrial (1869-1880)	October 1869	Section of line from Mount Victoria to Bowenfels opens. The route follows the course of Bells Line of Road down the Lithgow valley through various cuttings and embankments. (Figure 8)
	18 October 1869	A road overbridge is built at Bells Road (now Bridge Street) Eskbank over Cutting No. 10, as part of the construction of the railway; it is one of the first overbridges to be built outside of Sydney. <sup>14</sup> (Figure 9)
	1870	Title of Portion 283 transferred from Pitt to Brown, becomes part of Eskbank estate. <sup>15</sup>
	1873	Brown opens second coal mine at Esk Bank (Eskbank 2), just south of the railway.
	1874	Brown sells part of Esk Bank to the north of the railway line to James Rutherford and partners, who establish the Eskbank Ironworks.
	1875	Brown opens a private stopping place known as 'Brown's Siding'. to the west of the Project Area for loading coal from Eskbank Colliery. (Figure 9)
	1878	Ironworks siding established to serve the blast furnace for iron production. Brown supplies the Ironworks with coal from Eskbank 2 mine.
	October 1880	Duplication of the Main Western Line through Lithgow; cutting is widened and overbridge modified. <sup>16</sup> (Figure 10)
Industrial expansion (1881-1890)	1 March 1882	Eskbank Station opens, constructed on land given to the Government "free of charge" by Brown. <sup>17</sup>
	1882	Eskbank Locomotive Depot opens to stable and service locomotives. The depot is located in the east of the Eskbank Station precinct and contains a 60-foot turntable, provision for two round houses, an engine shed, stores, coal loading ramps and enginemen's barracks.
	1882	Eskbank Railway Station goods shed erected.
	1885	The signal box at Eskbank was opens. It was a standard design of the period (type E, timber elevated), and was the oldest signal box in use in NSW.
	1880s-1890s	Eskbank Locomotive Depot is location of extensive trials to ascertain the most suitable types of locomotives to be used for the haulage of freight and passengers over the Blue Mountains line.
Industrial consolidation (1891-1915)	1915	Eskbank Locomotive Depot ceases operation. A new locomotive depot (Lithgow Locomotive Depot) is established about one kilometre east of the Project Area.

<sup>14</sup> *Eskbank Railway Station group*, State Heritage Inventory, n.d., viewed 31 January 2023, <<https://www.hms.heritage.nsw.gov.au/App/Item/ViewItem?itemId=5012005>>.

<sup>15</sup> *Certificate of Title Volume 110 Folio 25*, NSW Land Registry Services Historical Lands Record Viewer, 1870, p. 110.

<sup>16</sup> *Artefact Heritage, New Intercity Fleet Springwood to Lithgow Rail Corridor Modifications - Eskbank Station Statement of Heritage Impact*, Transport for NSW, 2017, p. 25.

<sup>17</sup> *Sydney Morning Herald*, 'ESKBANK AND LITHGOW RAILWAY STATION.', 14 April 1879, p. 3.

Phase of Historical Development	Date	Event
Limitations of growth and decline (1916-1963)	1916	Lithgow State Coal Mine opens
	1920	A 2–3-kilometre railway branch line and associated infrastructure (including the Inch Street Underbridge and Farmers Creek Underbridge) was constructed to carry the rail line to the State Coal Mine and Lithgow Power Station. (Figure 11)
	1925	A new passenger station opens at Lithgow approximately 1 kilometre to the west of the Project Area. Eskbank station is closed for passenger use, becomes the Lithgow Goods Station and location of Station Master's headquarters.
	1926	Breadths of carriage and foot ways of the streets of Lithgow standardised. Main Street widened to north in vicinity of Project Area (total width 66 feet). <sup>18</sup>
	1926-1939	Railway land to the north of Main Street between Bridge Street and Bank Street subdivided into 32 lots, which are progressively sold off by the Railway Commissioners of NSW. (Figure 12)
	1927	Lots 1 and 2, Section 1, DP13964, next to the intersection of Main Street West and Bridge Street, sold to Penfolds Wines Ltd. [Note this property is outside the current Project Area.]
	1940	Small workshop/ gang shed established at Eskbank Railway Station
	c1940	'Stiff-legged' or 'tripod' crane (T499) installed at Eskbank Railway Station
	c1950s	20-ton Avery 'cart' weighbridge and shed installed at Eskbank Railway Station
	1957	Bridge Street overbridge widened for two-way vehicle traffic. Iron-plate deck is constructed, and brick abutments extended on the country side. <sup>19</sup>
	1959	Electrification of the metropolitan railway system extended to Lithgow.
	c1960	Awning of Goods Shed removed and replaced. Gantry crane (TC707) installed at Eskbank Railway Station.
Lithgow today (1964-present)	1964	Lithgow State Coal Mine closes after being flooded out. <sup>20</sup>
	1968-1969	Pioneers' Memorial Park built by the Rotary Club of Lithgow. (Figure 15)
	1977	Title of 18 and 20 Main Street transferred to the Council of the City of Greater Lithgow. <sup>21</sup> By 1984, the commercial building had been demolished and land incorporated into the Pioneers' Memorial Park. (Figure 16)
	1980s	Eskbank serves as a depot for railway maintenance activities.

<sup>18</sup> *Certificate of Title Volume 64 Folio 213.*

<sup>19</sup> *Artefact Heritage, New Intercity Fleet Springwood to Lithgow Rail Corridor Modifications - Eskbank Station Statement of Heritage Impact*, p. 22.

<sup>20</sup> *Tribune*, 'Lithgow torpedoed by Mining Co's greed', 1 July 1964, viewed 2 March 2023, <<http://nla.gov.au/nla.news-article236848824>>, p. 10.

<sup>21</sup> *Certificate of Title Volume 3998 Folio 77*, NSW Land Registry Services Historical Lands Record Viewer, 1927.



Phase of Historical Development	Date	Event
	1996	Major fire at Eskbank goods shed. Some timber roof framing members and parts of the roof sheeting were damaged and subsequently repaired, shed was reduced in length.
	c2005	Eskbank station building vacated by track staff. A lease for the premises taken out by the State Mine Railway.
	2020	Pioneers' Memorial Park revitalisation by Lithgow City Council, including kerb buildouts to narrow the carriageway at the intersection of Main Street West and Bridge Street, and widening the pedestrian walkway across the overbridge. <sup>22</sup> (Figure 18).



Figure 7. Detail from 1890 map of the Parish of Lett, Sheet 1 Edition 2. (Source: HLRV)

Portion 55 purchased by Thomas Brown is shaded blue, and Portion 283 purchased by Robert Pitt (transferred to Brown in 1880) is shaded green. The approximate location of the Project Area is circled in red.

<sup>22</sup> Greater Lithgow, *REVITALISED TOWN SQUARE FOR LITHGOW*, Facebook, 2020, viewed 22 February 2023, <<https://www.facebook.com/GreaterLithgow/photos/a.112677910343268/175326534078405/?type=3>>.



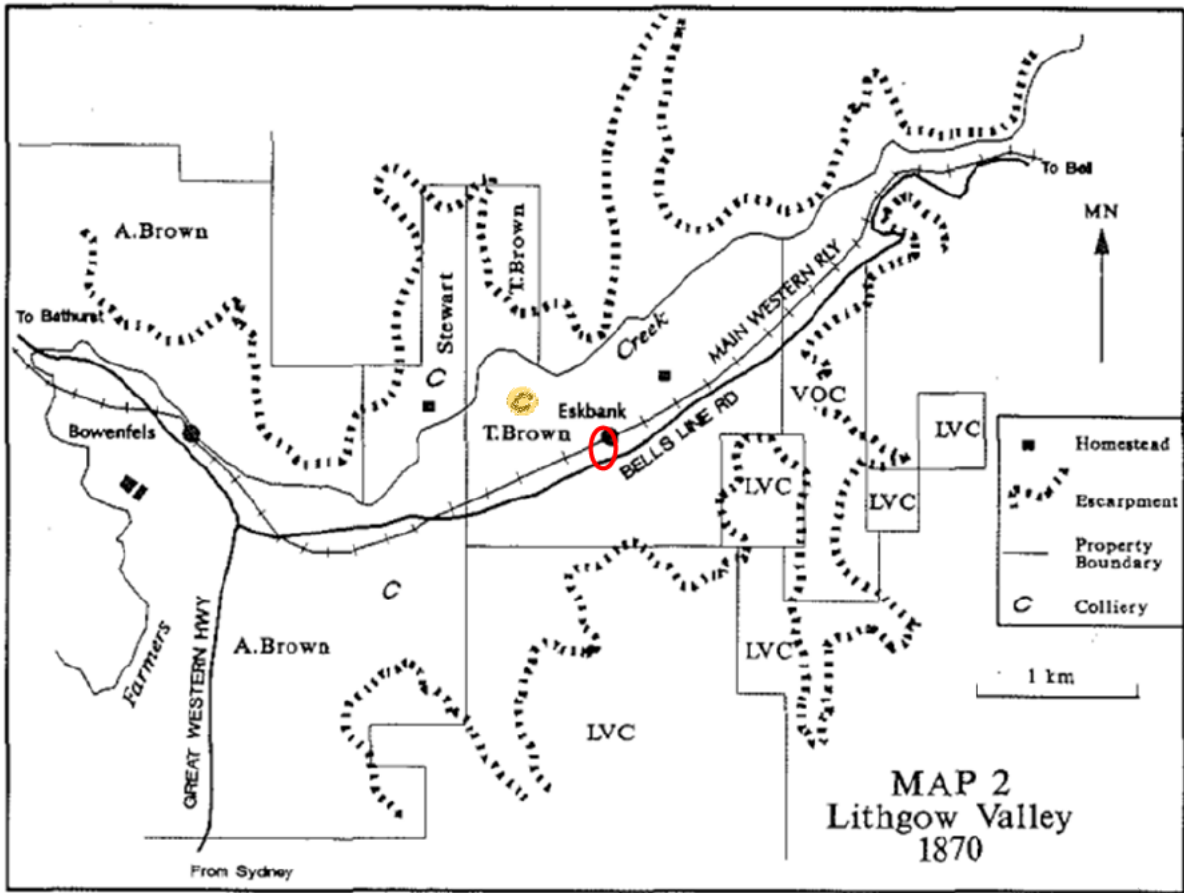


Figure 8. Early industrial land acquisition in Lithgow valley, 1870 (Source: Cremin 1989, p37).

The approximate location of the Project Area is circled in red. Eskbank 1 colliery is shaded yellow.

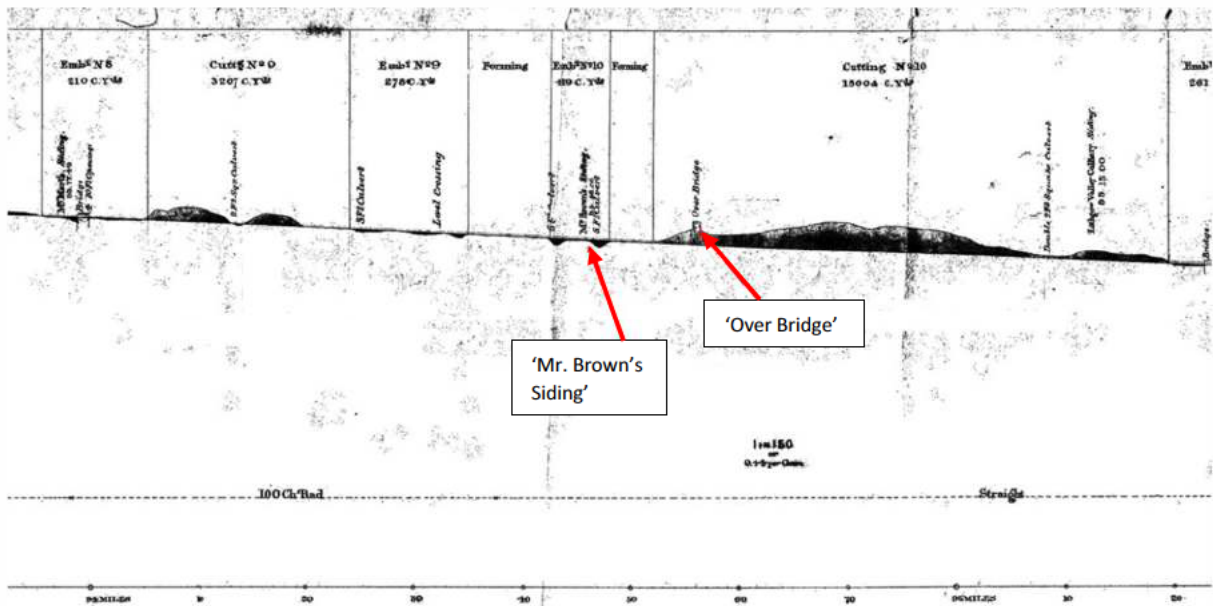


Figure 9. Detail from 1879 Main Western Line survey showing cuttings and embankments, Thomas Brown's siding, and the Bells Road (Bridge Street) Overbridge at Eskbank over Cutting No. 10. (Source: State Rail Archives CV-129078)

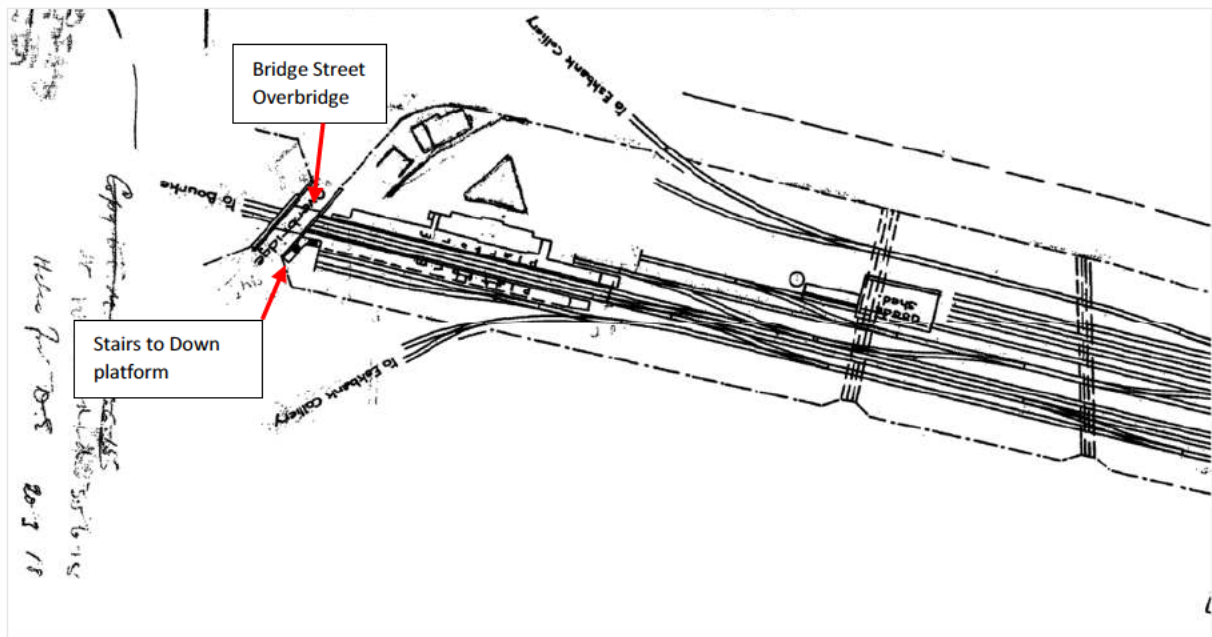


Figure 10. Detail from 1910 plan of Eskbank Station Arrangements (Source: Sydney Trains Virtual Plan Room EDMS CV0070731)

The plan shows the Bridge Street Overbridge at the western end of Eskbank Station after duplication of the line, stairs from the Down platform to Bridge Street, and Eskbank Colliery sidings.

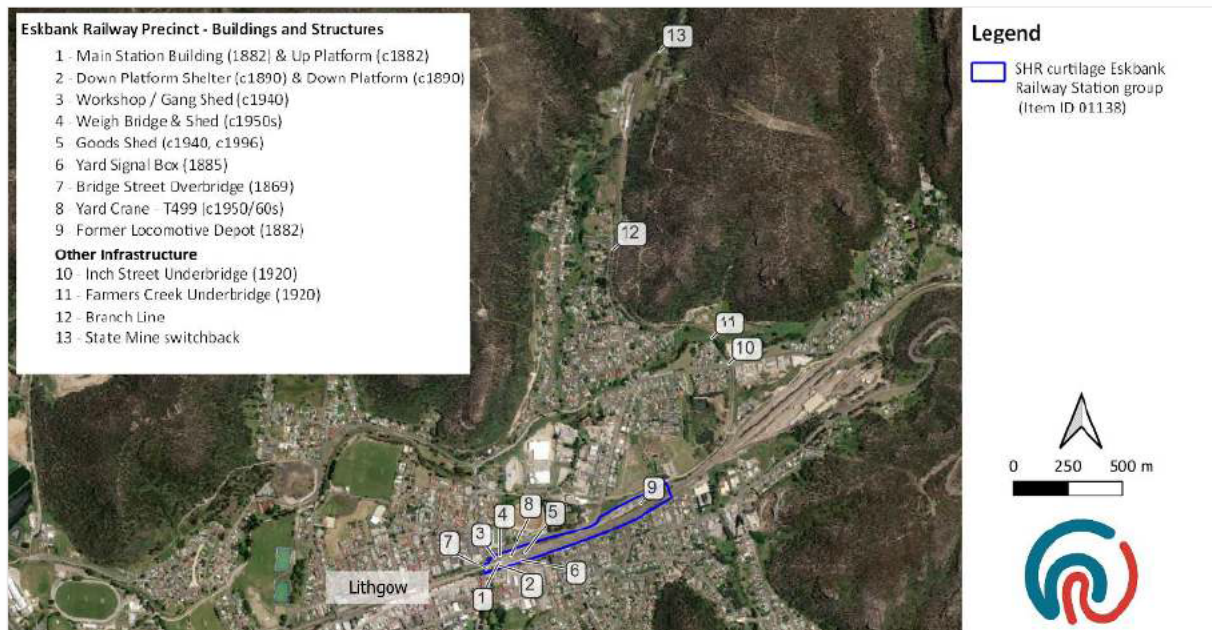


Figure 11. Eskbank Railway Station group in relation to the former State Coal Mine branch line and associated infrastructure.



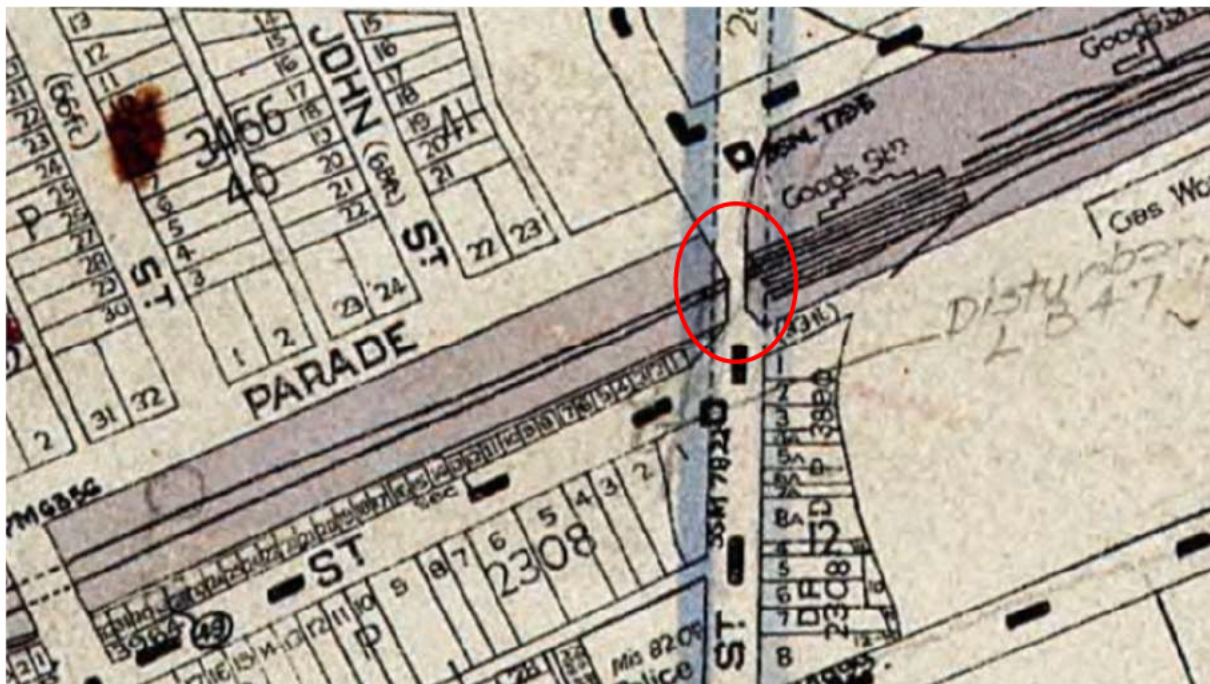


Figure 12. Detail of 1930 plan of the Municipality of Lithgow (Source: NSW HLRV)

Former railway land between Main Street and the rail line is subdivided. The approximate location of the Project Area is circled in red.



Figure 13. Bridge Street [c.1940] (Source: 'Historical view across Bridge Street to west', reproduced in TDEP (Turf Design + Environmental Partnership), Roberts Day, & Hill PDA, Lithgow CBD Revitalisation Action Plan, Lithgow City Council, July 2015, p. 22)

The photograph shows the Bridge Street Overbridge with original low stone parapet, and stair access to Down platform [Goods platform] at Eskbank Railway Station, as well as the footpath near the fenced yard of Penfolds Wines on the corner of Bridge Street and Main Street.





Figure 14. Detail from aerial view of Lithgow [c.1953-1956]. (Source: Lithgow Item 20: Milton Kent aerial views of Lithgow, Newcastle, Orange, Port Kembla, Tamworth, Temora, Wagga Wagga, Wollongong, Young between 1953-1956, Mitchell Library, State Library of New South Wales, <https://collection.sl.nsw.gov.au/record/YRIZXAln#viewer>)

Access to Eskbank Railway Station from Bridge Street has been fenced off.

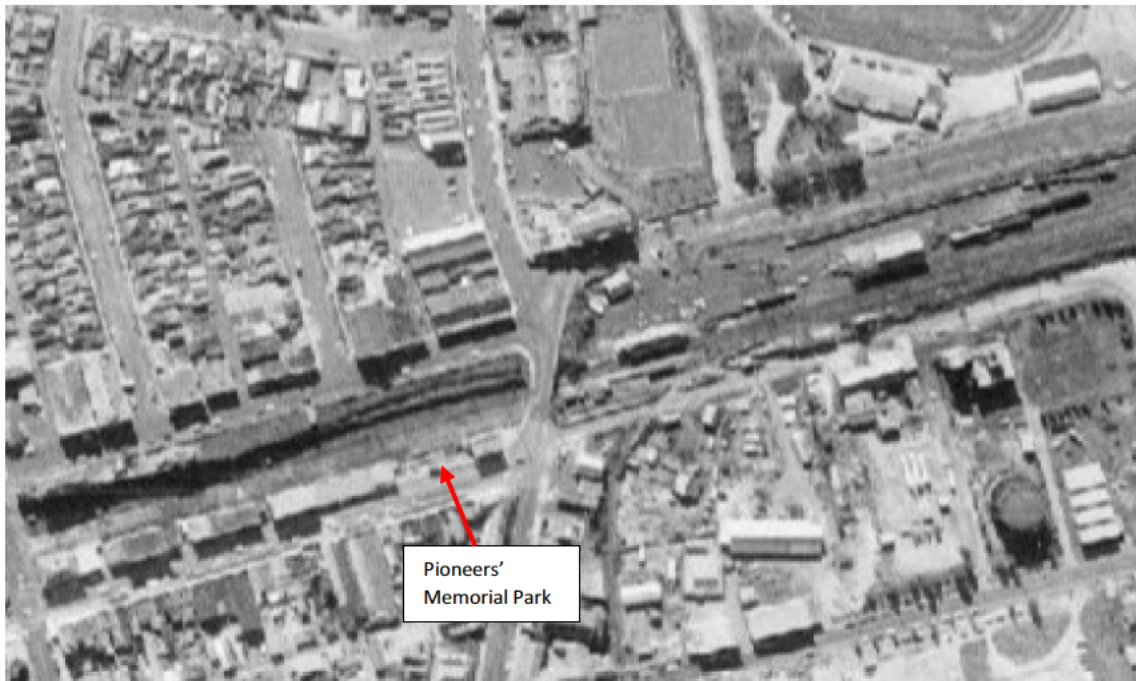


Figure 15. 1975 aerial imagery (Source: Spatial Services Historical Imagery Viewer, Image 2316\_4w\_007)

Pioneers' Memorial Park has been established, although the Penfolds Wines building near the intersection of Main Street and Bridge Street is still extant. Stairs from Bridge Street to the Eskbank Railway Station Down platform have been removed.

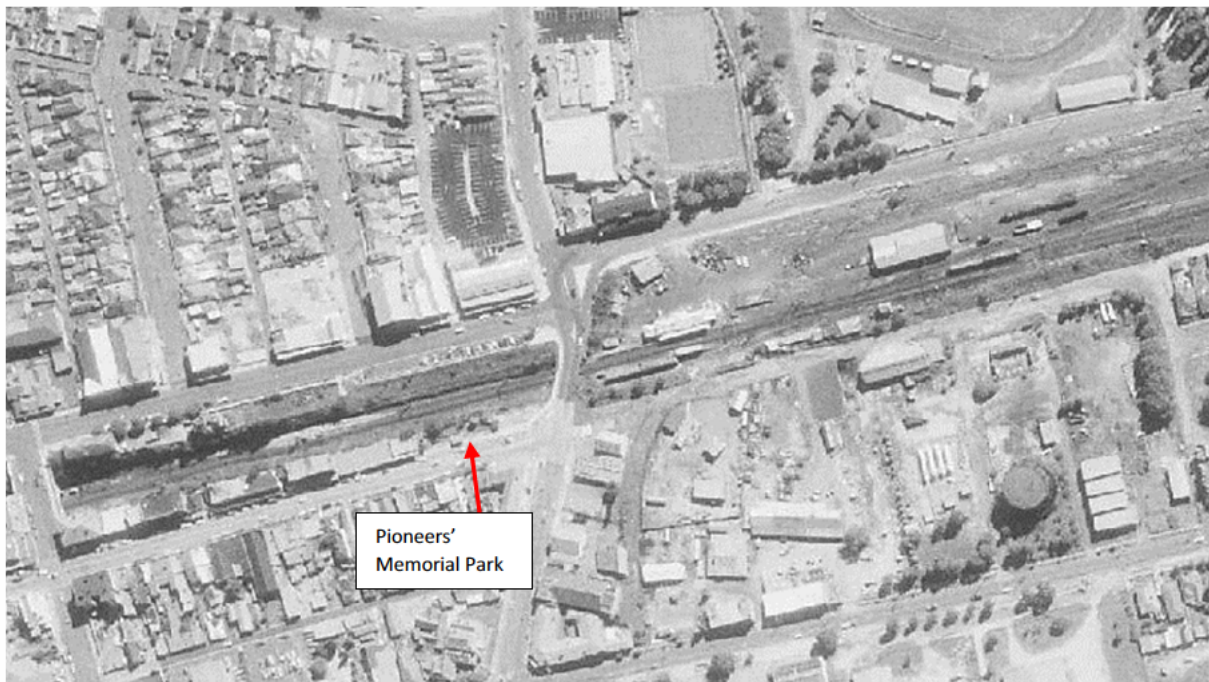


Figure 16. 1984 aerial imagery (Source: Spatial Services Historical Imagery Viewer, Image 3377\_13\_140)

The former Penfolds Wines building near the corner of Main Street and Bridge Street has been demolished and land incorporated into the Pioneers' Memorial Park, reflecting the current extent of the park.

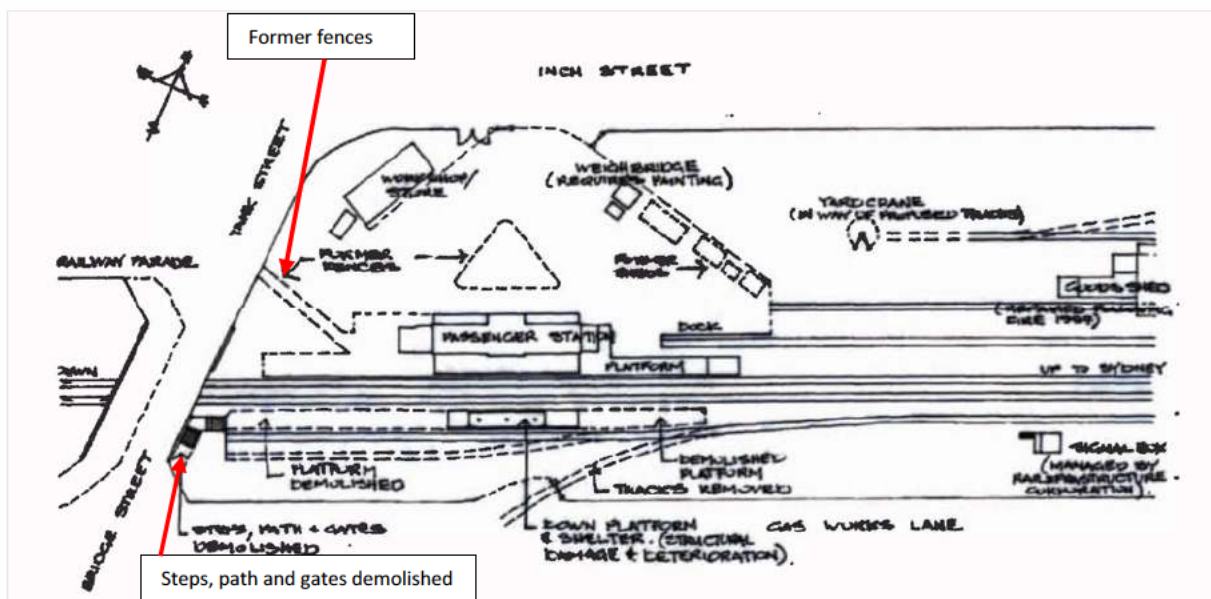


Figure 17. Eskbank Railway Station - 2000 Site Plan (Source: Otto Cserhalmi and Partners Pty Ltd 2007, p.92)

A plan of the site from 2000 notes that the steps, path and gates to Bridge Street have been demolished, as have former fences between Tank Street and the Up platform.





Figure 18. Pioneers' Park revitalisation in 2020 (Source: Lithgow Mercury, 17 September 2020, <https://www.lithgowmercury.com.au/story/6928852/top-end-streets-pioneer-park-undergoes-revitalisation/>)



## 4 Physical Analysis

A site visit was undertaken by Ngaire Richards (Principal Heritage Consultant, Heritage Now) on Monday 23 January 2023. The inspection of the Project Area was undertaken from the public domain as a visual assessment only, to inform the physical analysis and assist in assessment of the heritage context of the Project Area and surrounding streetscape.

### 4.1 Bridge Street Overbridge

The following description of the Bridge Street overbridge is provided in the 2007 CMS:

*The Bridge Street road overbridge is one of the oldest surviving overbridges on the NSW railway system. It was built at the time of the opening of the line to take the traffic from the Bell's Line of Road. It was modified in the 1880s when the line was duplicated and modified further when the deck width was increased to accommodate modern road traffic. The latter modifications can be seen in the brick extensions to the abutments on the Down [south] side.*

*The road overbridge was constructed in 1869 with rusticated sandstone abutments and plate iron deck. The modern concrete bridge deck on iron girders was constructed in 1957 to accommodate the overhead wiring when the line was electrified. The eastern abutments are believed to be substantially as built while the southern abutments were reconstructed or encased within new brickwork to accommodate widening for modern road traffic requirements. The Bridge was erected with a low stone parapet that has been replaced in recent years by an open chainmesh balustrade and pipe railing. It is generally [sic] but there is a large crack in the east side of the north abutment.<sup>23</sup>*

It is further noted in regard to fences at the Eskbank Railway Station that:

*The modern fences are mostly steel metal or three-metre high chain wire and galvanised steel pipe frame security fences topped with barbed wire. These do not have any heritage significance.<sup>24</sup>*

The Bridge Street overbridge is at the western extent of the Eskbank Railway Station group, and has been modified for modern road and rail operations. The existing fencing on either side of the overbridge consists of a galvanised pipe railing balustrade and open chainmesh (Figure 19 and Figure 20). A section of the fencing to the north-east of the overbridge shows evidence of recent and repeated impact damage (Figure 21). A recently erected pedestrian barrier, consisting of black vertical batten style fence panels of similar height to the balustrade, has been installed along the western side of the overbridge, and separates the carriageway from the pedestrian walkway along Bridge Street (Figure 22). In the north west of the Project Area, the fencing between the rail corridor and Railway Parade becomes high chain wire security fencing topped with barbed wire (Figure 23).

<sup>23</sup> Otto Cserhalmi and Partners Pty Ltd, *Eskbank Railway Precinct: Conservation Management Strategy*, RailCorp Office of Rail Heritage, 2007, p. 30.

<sup>24</sup> Otto Cserhalmi and Partners Pty Ltd, *Eskbank Railway Precinct: Conservation Management Strategy*, p. 20.



Figure 19. Bridge Street Overbridge, view north. (Source: Heritage Now 2023)



Figure 20. Bridge Street Overbridge, view south. (Source: Heritage Now 2023)





*Figure 21. Impact damage to fencing, view north east (Source: Heritage Now 2023)*



*Figure 22. Pedestrian walkway and barrier on western side of overbridge, view north west (Source: Heritage Now 2023)*





Figure 23. Security fencing along Railway Parade, view south west. (Source: Heritage Now 2023)

## 4.2 Lithgow Main Street Heritage Conservation Area

Pioneers' Heritage Park is located on the corner of Main Street and Bridge Street at the western extent of the Lithgow Main Street Heritage Conservation Area. The park has been recently landscaped by Lithgow City Council as part of the Lithgow CBD Revitalisation project, including installation of garden beds and turfing. In the vicinity of the proposed works near the intersection of Main Street and Bridge Street, the park contains existing mature trees, an interpretative sign for Eskbank Station, a 'Pioneers Wall' with plaques donated by the families of pre-1856 settlers, seating, and a crochet installation by Jannine Smith and Ludwina Roebuck in memory of Sue Graves (Figure 24). The fence separating the park from the railway corridor is obscured by vegetation (Figure 25).





Figure 24. Pioneers' Memorial Park showing locations of interpretive sign, Pioneers Wall and crochet memorial for Sue Graves (Source: Heritage Now 2023)



Figure 25. Pioneers' Memorial Park, view north (Source: Heritage Now 2023)

### 4.3 Views and Setting

The Project Area is bounded by the railway line to the east and west, which runs through a deep cutting to the west of Eskbank railway station. The Eskbank Railway Precinct Heritage Management Strategy identifies important views to and from the Bridge Road overbridge; including:



- the views between the Bridge Road overbridge and Eskbank station,<sup>25</sup> and
- views of the Eskbank Railway Station group roofscape from the overbridge.<sup>26</sup>

Primary views of the sandstone abutments of the overbridge, which are believed to be substantially as-built in their 1869 form, are largely limited to within the Eskbank Railway Station group. An oblique view of the abutments from the public domain (from Gas Works Lane) is partially obstructed by vegetation on the cutting at the corner of Gas Works Lane and Bridge Street (Figure 26).

A variety of station buildings and ancillary structures are located within the Eskbank Railway Station group (Figure 27), and the roofscape is visible from the pedestrian walkway along the Bridge Street overbridge through existing open chainmesh fencing (Figure 28).



Figure 26. View north west from Gas Works Lane across the Eskbank Railway Station group toward the sandstone abutments of the Bridge Street Overbridge. (Source: Heritage Now 2023)

<sup>25</sup> Otto Cserhalmi and Partners Pty Ltd, *Eskbank Railway Precinct: Conservation Management Strategy*, p. 46.

<sup>26</sup> Otto Cserhalmi and Partners Pty Ltd, *Eskbank Railway Precinct: Conservation Management Strategy*, p. 49.





Figure 27. Eskbank Railway Station group - Buildings and Structures.



Figure 28. View east from the Bridge Street Overbridge toward the roofscapes of the Eskbank Railway Station group. (Source: Heritage Now 2023)

The streetscape to the north- and south-west of the Project Area is characterised by one and two-storey commercial structures in the Lithgow Main Street Heritage Conservation Area. A number of these items are heritage listed, with middle distance views from the intersection of Railway Parade and Bridge Street (Work Area 1) to the Former Co-operative Store (Lithgow LEP item #1289) (Figure 29); and views from the intersection of Main Street and Bridge Street (Work Area 2) to both the Court House Hotel (Lithgow LEP item #1383) and the Tin Shed (Lithgow LEP item #1319) (Figure 30).





Figure 29. View north west from Work Area 1 at the intersection of Railway Parade and Bridge Street, toward the former Co-operative Store (centre of frame) (Source: Heritage Now 2023)



Figure 30. View south from Work Area 2 toward the Court House Hotel (centre of frame) and the Tin Shed (left of frame) (Source: Heritage Now 2023)

## 5 Historical Archaeological Potential and Significance

Under the SHR listing the:

*archaeological remains of the locomotive depot have moderate technical significance for their connection to the evaluation and adaptation of comparative British and American technologies which took place in the 1880s and 1890s. The challenge of moving freight across the rugged Blue Mountains and through the demanding Zig Zags from Eskbank to Penrith led local engineers into a world-wide search for steam engineering solutions, which were tested between Sydney and Eskbank. The results of the trials were then translated into purchasing and design decisions which led to the creation of Australian locomotives which were an amalgam of British and American design and construction principles... The locomotive depot is an archaeological site with remnants of a turntable pit that has been rimmed with sandstone coping. This gives the pit some significance, as it is possibly the only remaining pit of this type. The yard signal box is one of the oldest in NSW and one of only six similar boxes remaining in the State... The substantial archaeological remains of the locomotive depot are representative of a medium sized locomotive servicing depot of the 1880s. They and the branch line also represent the link between industrial and railway development. It is not considered to be rare as many other locomotive depots of this era survive in a far more complete state but it enhances the value of the overall site.<sup>27</sup>*

The 2007 CMS notes that an archaeological investigation was undertaken at the former Eskbank Locomotive Depot by the University of New England, after the 60' turntable pit was partly exposed during earthmoving activity in 2000 intended to remove fill from within the rail yard. Archaeological remains in the area were described as 'partially excavated', and consisted of water tank and building footings, pipes, servicing pits and the turntable pit.<sup>28</sup>

An updated assessment of historical archaeological potential at Eskbank Railway Station was undertaken by Artefact Heritage in 2017 as part of the *New Intercity Fleet Springwood to Lithgow Rail Corridor Modifications - Eskbank Station Statement of Heritage Impact*, prepared for Transport for NSW. No areas of archaeological potential were identified within the current Project Area. Known and potential archaeological remains identified at Eskbank are associated with the former Eskbank Locomotive Depot and former rail workers' accommodation (enginemen's barracks), located in the western portion of the Eskbank Railway Station group.

A summary of significance and archaeological potential of archaeological remains at Eskbank Railway Station, as identified in the assessment, is provided in Table 3 below, and mapped in Figure 31.

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<sup>27</sup> Eskbank Railway Station group.

<sup>28</sup> Otto Cserhalmi and Partners Pty Ltd, *Eskbank Railway Precinct: Conservation Management Strategy*, pp. 28–29.



Table 3. Significance assessment and summary of potential of archaeological remains at Eskbank Station<sup>29</sup>

Potential Archaeological Remains	Significance Assessment	Archaeological Potential	Level of Significance
Former Eskbank Locomotive Depot	The Eskbank Locomotive Depot was constructed in 1882 as the first locomotive maintenance and repair centre west of the Blue Mountains. The depot was the location of the historically important trials that evaluated locomotive designs that was to operate up and through the Great Zig Zag; these locomotive trials had long-lasting technical ramifications in train design in NSW. The remains of former structures at the depot are of aesthetic and technical significance as they demonstrate the remains of a first-generation railway depot. The closure of the depot in 1915 has prevented the site from being altered or adapted for ongoing use, preserving its architectural and industrial layout since that time.	High	State
Former rail workers' accommodation and amenities buildings	The rail workers' accommodation building was constructed in the 1880s to house rail workers and enginemen on the railway line on the western side of the Blue Mountains, and up until its demolition in the 1980s the accommodation quarters continued in that role. The former rest lodge was also originally surrounded by a number of amenities structures, including lavatories, storage facilities and workshops. Archaeological remains related to these buildings could demonstrate the daily lifestyles of rail workers on the NSW network, including their living, occupational and recreational habits, for a period of over a century. Due to the large number of workers who resided in these buildings over the period of their use, archaeological remains relating to these structures and their inhabitants would also have strong social significance to former rail workers.	Moderate-High	State

<sup>29</sup> Artefact Heritage, *New Intercity Fleet Springwood to Lithgow Rail Corridor Modifications - Eskbank Station Statement of Heritage Impact*, p. 31.

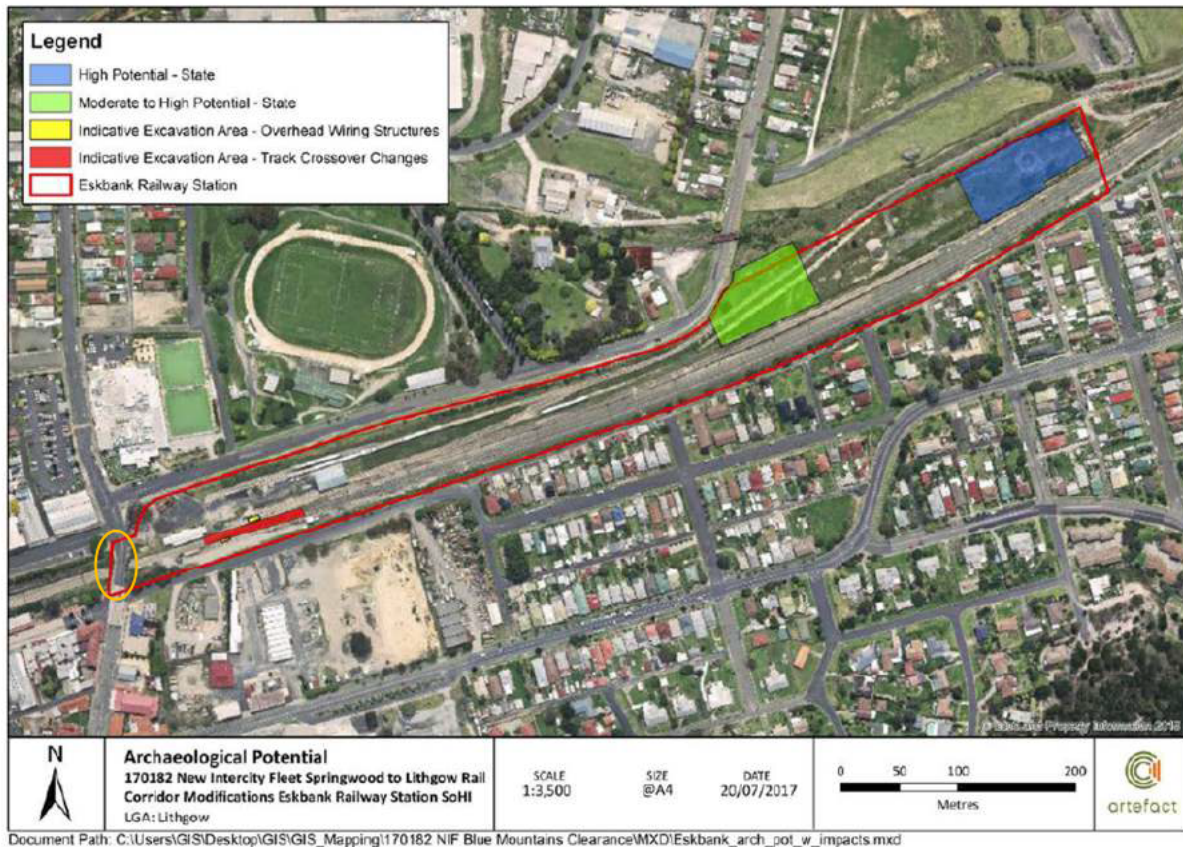


Figure 31. Areas of archaeological potential at Eskbank Railway Station (Source: Artefact Heritage 2017, p.33).

The Eskbank Railway Station group is outlined in red and the approximate location of the Project Area is circled in orange.

Based on the historic context and the findings of previous reports, no activities or structures have been identified likely to have left substantial or significant features or deposits within the Project Area:

- The north-east approach to the overbridge is in the vicinity of former fencing adjacent to the path between Tank Street and the Eskbank Railway Station Up platform.
- The south-east approach to the overbridge is in the vicinity of former stairs from Bridge Street to the Eskbank Railway Station Down platform, which were demolished in the 20th century.
- The north-west approach to the overbridge is within the rail corridor on the cutting to the west of the overbridge. No known previous structures have been identified in this area.
- The south-west approach to the overbridge is located on former railway land between Main Street and the rail line, in the vicinity of the footpath adjacent to the yard of Penfolds Wines Ltd. This area has been incorporated into the Pioneers' Memorial Park. An analysis of historical photographs suggests that historical development in this area was limited to the footpath paving and yard fencing (now demolished). The archaeological potential of this area may also be affected by disturbance from recent landscaping of the park undertaken for the Lithgow CBD Revitalisation program.

Potential archaeological remains within the Project Area are likely to be limited to late 19th century and early 20th Century landscape remains (i.e. evidence of platform stairs and position of fence lines). While these features reflect changing arrangements at Eskbank Railway Station and early 20th

Century commercial development of Main Street, Lithgow, potential remains are unlikely to be able to provide information not available from other sources and possess limited research potential.

As a result, they are unlikely to be of local or State significance and would not meet the threshold to be considered 'relics' under the Heritage Act. The historical archaeological potential of the Project Area is therefore assessed as be nil-low.



## 6 Assessment of Heritage Impact

This section provides an overview of significance, impact assessment and mitigation. The impact assessment includes the consideration of enhancement and detrimental impact to heritage item/s, as well as alternatives according to Heritage NSW's guideline *Statements of Heritage Impact*.

### 6.1 The Proposal

The Errant Vehicle Risk Reduction Project for Lithgow has identified localised areas where there a higher risk of vehicle entering or reaching the railway running lines. The identification of these areas has been developed through a risk assessment and particularly assessing the over rail bridges where the incident of a vehicle accident could cause severe consequences to both the vehicles and the rail line / trains. The project will install OmniStop Ultra security bollards and Ezyguard steel rail barrier where appropriate to protect the bridge approaches only. There are no works proposed on the overbridge, as impacting the bridge will likely require significant bridge upgrade works.

The following is proposed for the Lithgow over rail bridge and approaches (Figure 32), installation of:

- Bollards north-west of overbridge on rail side of the existing fence (in Work Area 1)
- Bollards north-east of overbridge on rail side of the existing fence (in Work Area 1)
- Guardrail barrier north-east of overbridge on rail side of the existing fence, maintaining 0.5m offset (in Work Area 1)
- Bollards south-west of overbridge on rail side of the existing fence (in Work Area 2)
- Guardrail barrier south-east of overbridge on road side of the existing fence, maintaining 0.5m offset (in Work Area 2)

Bollards would protrude 1050 mm above ground surface, extend 500mm below ground surface, and be 150 mm in diameter. The colour and styling of the bollards can be customised. The guardrail barriers are galvanised steel, and have a rail height above ground of 787 mm, Z-post height above ground of 777mm, and width of 200 mm. Barrier and bollard details and sections are shown in Figure 33, and in Figure 35 and Figure 34.

Minor trimming of vegetation would be undertaken south-west of the overbridge within the Pioneers' Memorial Park to enable installation and maintenance of bollards.

Drawing set assessed was: PS118781-DRFT-CDR-Lithgow, Version A.

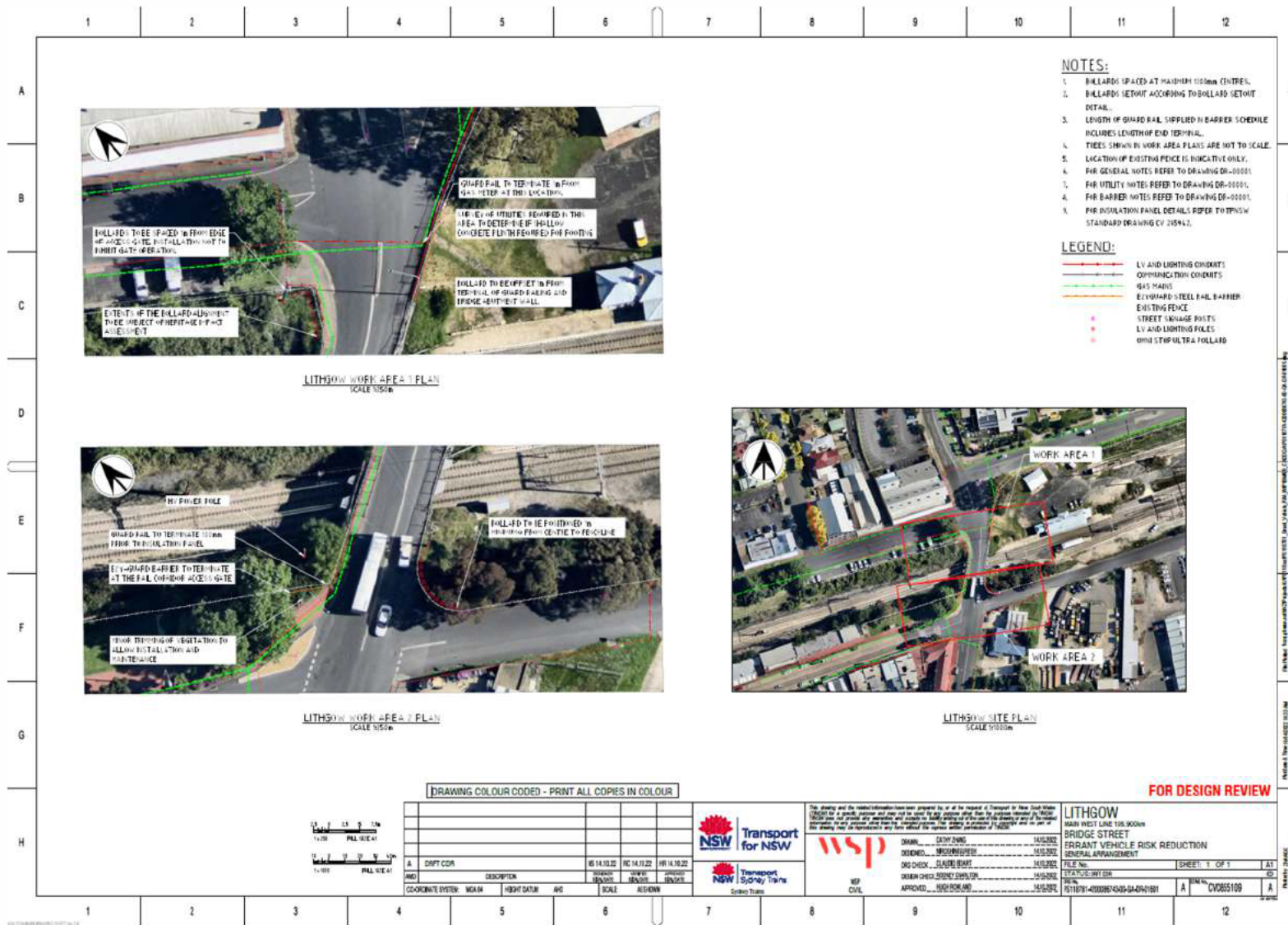


Figure 32. Lithgow Bridge Street Errant Vehicle Risk Reduction – General Arrangement (Source: WSP, PS118781-DRFT-CDR-Lithgow, Version A, 14/10/2022). Note: there may be minor amendments required in the future.

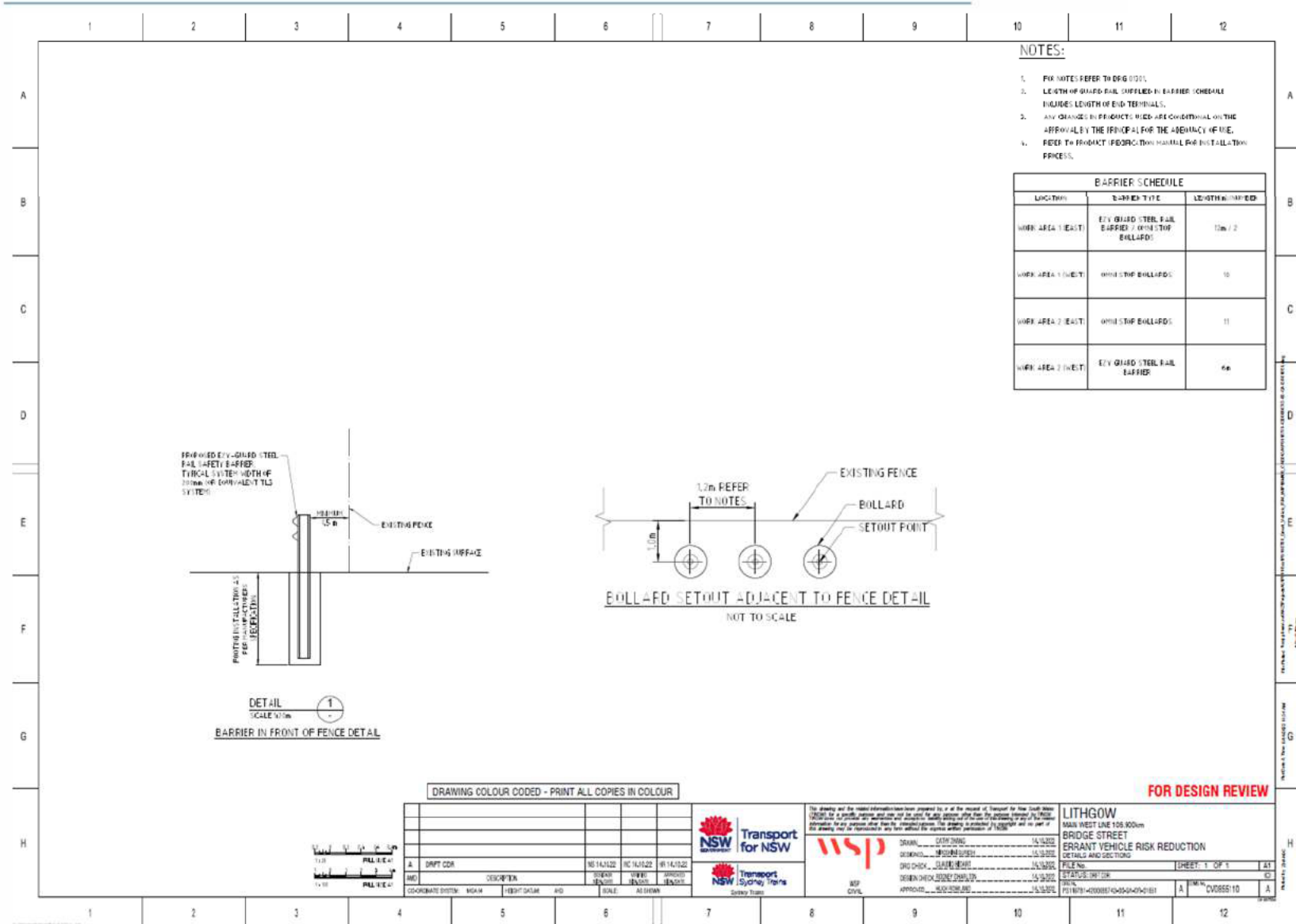


Figure 33. Bridge Street Errant Vehicles Risk Reduction - Barrier and Bollard Details and Sections (Source: WSP 14/10/2022)



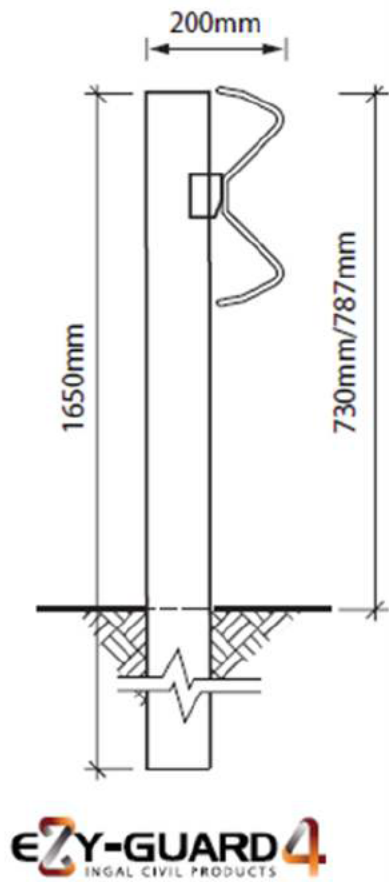


Figure 34. Ezyguard steel rail barrier – standard drawing

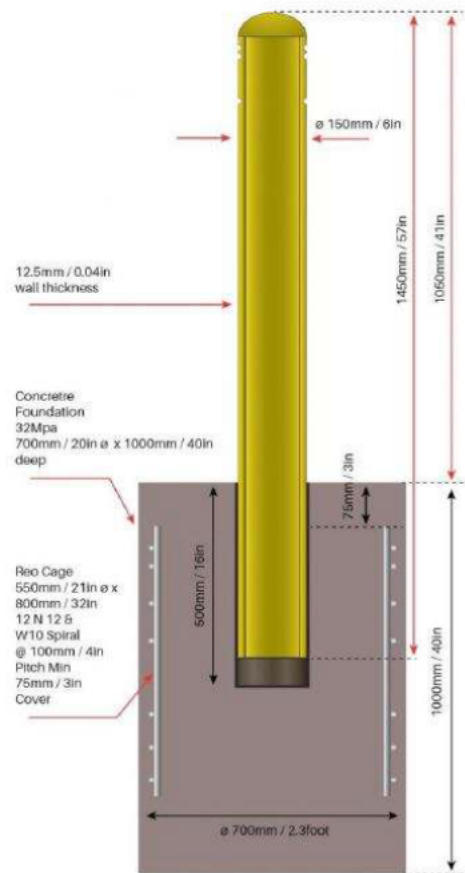


Figure 35 OmniStop Ultra security bollard – standard drawing

## 6.2 Impact Assessment

The assessment of the degree of heritage impact in this report is based on the following definitions in the Heritage NSW *Material Threshold Policy*<sup>30</sup>:

Table 4. Degree of impact to State heritage significance resulting from changes to State Heritage Register listed places

Degree of Impact	Definition
Total loss of significance	Major adverse impacts to the extent where the place would no longer meet the criteria for listing on the SHR.
Major adverse impact	Major (that is, more than minor or moderate) adverse impacts to heritage significance.
Moderate adverse impact	Moderate adverse impacts to heritage significance
Minor adverse impact	Minor adverse impacts to heritage significance
Little to no impact	An alteration to heritage significance that is so minor that it is considered negligible.
Positive impact	Alterations that enhance the ability to demonstrate the State heritage significance of an SHR listed place.

### 6.2.1 Eskbank Railway Precinct Conservation Management Strategy

A Conservation Management Strategy was prepared for the Eskbank Railway Precinct by Otto Cserhalmi and Partners Pty Ltd in 2007. The project proposal is assessed below in relation to relevant policies identified in the 2007 CMS (Table 5).

Table 5. Assessment against Conservation Management Strategy policies

Policy	Response
<b>7.3 Planning, Building &amp; Heritage Requirements</b>	
<b>7.4.5 Adjoining items</b> Seek to integrate adjacent authentic features, such as the Down platform and access stairs on the south side of the main line into the precinct.	The project proposal is a sufficient distance from the Down platform and access stairs such that integration with these features is not needed.
<b>7.5 New Work</b>	
<b>7.5.1 Cultural Significance Takes Precedence</b> Consideration of the cultural significance of the existing structures and their relationship with each other must take precedence in any alterations based upon current usage or upon future adaptive reuse.	The project proposal will have no physical impact on existing structures identified as part of the heritage listing.
<b>7.5.5 Introduced Fabric</b> Undertake the introduction of new fabric, including services, into areas where the fabric has been identified as having lesser significance. Where fabric is significant introduction of new fabric should not result in a lessening of the	The project proposal is located in the vicinity of the Bridge Street overbridge, which has been assessed as element of the Eskbank Railway Station group having significance. The existing fencing has been identified as having no significance.

<sup>30</sup> Heritage NSW, *Material Threshold Policy*, 2020.

<p>cultural significance of the area.</p>	<p>The project proposal (bollards and guard rail) will introduce new fabric adjacent to the existing fencing, the visual impact of the proposal may be reduced by selection of a subdued or darker colour for posts, such as stainless steel or black, to match existing fencing,</p>
<p><b>7.6 Views and Setting</b></p>	
<p><b>7.6.1 To the Town</b> The owners should liaise to preserve the view between the [over]bridge and the station as one aspect of a vital linkage between the railways and associated mining industries to the development of Lithgow.</p>	<p>Overall the view between the overbridge and station has been preserved, there will be a minor adverse visual impact from the introduction of the bollards and guard rail, but the safety benefits of this new fabric outweigh this impact.</p>
<p><b>7.7 Landscape Policies</b></p>	
<p><b>7.7.7 Remove Trees</b> Remove trees growing close to the brick retaining walls of the [over]bridge abutments etc.</p>	<p>No tree removal is proposed, although there will be minor trimming of vegetation south-west of the overbridge within the Pioneers' Memorial Park.</p>
<p><b>7.7.8 Fencing</b> Consider fencing the site using standard chain wire as used generally for rail corridors to control public access and limited vandalism, particularly when the site is in active rail use. Consider traditional picket fencing according to historic precedent in the immediate vicinity of the station building.</p>	<p>The project proposal is not in the immediate vicinity of the Eskbank station building. The use of picket fencing would be a greater visual impact than that proposed. Chain wire fencing is not adequate to address the safety issue of vehicles entering the rail corridor at this point.</p>
<p><b>7.10 Conservation of the Exterior</b></p>	
<p><b>7.10.3 Roofscape</b> Because the view of the roofscape from the [over]bridge is important the following alterations shall be only undertaken after all options have been considered and after the preparation of a Statement of Heritage Impact report by an architect or heritage consultant:</p> <ul style="list-style-type: none"> <li>- New openings or penetrations</li> <li>- Externally mounted services e.g. communications dishes, aerials or air - conditioning units</li> </ul> <p>These elements should be located in a sympathetic manner, where their introduction does not detract from the significance of the surrounding fabric.</p>	<p>There will be no change in the roofscape of the station. Views from the station to the overbridge will be slightly altered, but these are not considered to be significant views, as they are obscured by the differences in elevation, the buildings and vegetation.</p>



## 6.2.2 Statements of Heritage Impact Guidelines

Table 6. Assessment against Statements of Heritage Impact Guidelines

Proposed Change to Heritage Item	Question	Response
New landscape works and features (including carparks and fences)	How has the impact of the new work on the heritage significance of the existing landscape been minimised?	The proposal has minimised impact by introducing as little new fabric as possible while also addressing the safety issue.
	Has evidence (archival and physical) of previous landscape work been investigated? Are previous works being reinstated?	Archival recording is not considered necessary for the scope of works.
	Has the advice of a consultant skilled in the conservation of heritage landscapes been sought? If so, have their recommendations been implemented?	Yes, recommendations in this report are to be implemented
	Are any known or potential archaeological deposits affected by the landscape works? If so, what alternatives have been considered?	The archaeological potential of the proposal has been assessed as nil-low
	How does the work impact on views to, and from, adjacent heritage items?	There will be a minor adverse visual impact on these heritage items

## 6.2.3 Enhancement of Heritage Item/s

**The following aspects of the proposal respect or enhance the heritage significance of the item or conservation area for the following reasons.**

The proposal would be compatible with the existing character of the area and would not detract from the amenity or visual quality of the area, particularly with the use of bollards and guardrails with subdued colours. Overall, the safety aspects of the proposal will overall enhance the protection of the heritage item.

## 6.2.4 Detrimental Impact on Heritage Item/s

**The following aspects of the proposal could detrimentally impact on heritage significance.**

While the proposal would not physically impact significant fabric associated with the heritage listings, the proposed road approach barriers (bollards and guard rail would introduce new fabric to these locations, as such the project proposal would have a minor adverse visual impact on these heritage items.

To satisfy the exemption criteria under the under the Heritage Act 1977 for alterations to non-significant fabric *“any new fabric must not impact setting or views to or form the item”* Standard Exemption 3 (K). The Proposal will have a minor adverse impact on setting and views to and from the heritage item and therefore do not meet this exemption, nor any other of the standard exemptions.

### 6.2.5 Alternatives

**The following sympathetic solutions have been considered and discounted for the following reasons.**

No other solutions have been considered.

## 6.3 Statement of Heritage Impact

The Project Area is located partly within the curtilage of the Eskbank Railway Station group, also known as the Eskbank Railway Precinct, which is listed in on the State Heritage Register (Item ID 01138), Transport Asset Holding Entity (TAHE) s.170 Register (Item ID 4801018), and on Schedule 5 of the Lithgow Local Environmental Plan 2014 (L434). The Project Area is also located partly within the Lithgow Main Street Heritage Conservation Area (C7).

While there is archaeological potential associated with the locomotive depot, former rail workers accommodation and amenity buildings these are not within the Project Area. Assessment of archaeological potential of the Project Area has considered the identified archaeological areas, as well as other additional structures. The assessment has identified that the historical archaeological potential of the Project Area is nil-low.

The proposal would be compatible with the existing character of the area and would not detract from the amenity or visual quality of the area, particularly with the use of bollards and guardrails with subdued colours. Overall, the safety aspects of the proposal will overall enhance the protection of the heritage item.

While the proposal would not physically impact significant fabric associated with the heritage listings, the proposed road approach barriers (bollards and guard rail would introduce new fabric to these locations, as such the project proposal would have a minor adverse visual impact on these heritage items.

To satisfy the exemption criteria under the under the Heritage Act 1977 for alterations to non-significant fabric *“any new fabric must not impact setting or views to or form the item”* Standard Exemption 3 (K). The Proposal will have a minor adverse impact on setting and views to and from the heritage item and therefore do not meet this exemption, nor any other of the standard exemptions. As the works will cost under \$150,000 and they meet the criteria for a fast-track Section 60 approval pathway.

## 6.4 Management and Mitigation

The selection of a subdued or darker colour for posts, such as stainless steel or black, to match existing fencing is preferred to reduce the visual impacts.

For works on State Heritage Register items, there are standard exemptions, as well as two approval pathways available for proposed works: s60 fast track and s60 approval.

### 6.4.1 Section 60 Fast Track

A s60 fast track is for minor works. For a project to be eligible, the proposal must relate to activities or works to an SHR or Interim Heritage Order (IHO), which:

1. *will have little or no adverse impact on the heritage significance of the item, (and)*
2. *is not listed as an exemption under the Heritage Act 1977, (and)*
3. *has a cost of works of up to \$150,000.*

### 6.4.2 Section 60

The Proposal does not meet the criteria for an exemption or for a s60 fast track application and therefore, although the impact will be minor, a s60 application is required.

The s60 application needs to include the following:

- A Statement of Heritage Impact,
- Drawings of proposed works,
- Owners consent, and
- A copy of the Conservation Management Plan.

### 6.4.3 Approval Pathway – Section 60 Fast Track

To satisfy the exemption criteria under the under the Heritage Act 1977 for alterations to non-significant fabric *“any new fabric must not impact setting or views to or form the item”* Standard Exemption 3 (K). The Proposal will have a minor adverse impact on setting and views to and from the heritage item and therefore do not meet this exemption, nor any other of the standard exemptions. As the works will cost under \$150,000 and they meet the criteria for a fast-track Section 60 approval pathway.

The s60 fast-track needs to be approved by Heritage NSW before the commencement of construction works in the Project Area. Works are to be undertaken in accordance with the s60 fast-track approval.

In addition to the s60 fast-track approval, all on-site personnel are to be made aware of their obligations under the *NSW Heritage Act 1977*, including the reporting of any historic, or suspected historic material. This may be implemented through an on-site induction or other suitable format.

In the unlikely event that archaeological, or suspected archaeological material is uncovered during works, then works in that area are to cease and the *Sydney Trains Environmental Management System - Unexpected Archaeological Finds (EMS-09-PR-0164)*<sup>31</sup> procedure to be followed.

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<sup>31</sup> Sydney Trains, *Sydney Trains Environmental Management System: Unexpected Archaeological Finds (EMS-09-PR-0164)*, NSW Government, n.d.



## 7 Conclusions and Recommendations

The Project Area is located partly within the curtilage of the Eskbank Railway Station group, also known as the Eskbank Railway Precinct, which is listed in on the State Heritage Register (Item ID 01138), Transport Asset Holding Entity (TAHE) s.170 Register (Item ID 4801018), and on Schedule 5 of the Lithgow Local Environmental Plan 2014 (L434). The Project Area is also located partly within the Lithgow Main Street Heritage Conservation Area (C7).

While the proposal would not physically impact significant fabric, the proposed road approach barrier (bollards and guard rail) installation is partly within the heritage curtilage of the Eskbank Railway Station group / Eskbank Railway Precinct and the Lithgow Main Street Heritage Conservation Area.

The project proposal would have a minor adverse visual impact on these heritage items.

The historical archaeological potential of the Project Area is therefore assessed as nil-low.

The Proposal has been assessed in relation to the standard exemptions, Section 60 Fast Track and a Section 60 requirements. The Proposal will have a minor adverse impact on the heritage significance of the item and therefore do not meet the Standard Exemption 3 (K) criteria, nor any other of the standard exemptions. As the works will cost under \$150,000 and they meet the criteria for a fast-track Section 60 approval pathway.

In addition to the s60 fast-track approval, all on-site personnel are to be made aware of their obligations under the *NSW Heritage Act 1977*, including the reporting of any historic, or suspected historic material. This may be implemented through an on-site induction or other suitable format.

In the unlikely event that archaeological, or suspected archaeological material is uncovered during works, then works in that area are to cease, the area is to be cordoned off and the *Sydney Trains Environmental Management System - Unexpected Archaeological Finds* (EMS-09-PR-0164) procedure to be followed.

The works are to be carried out following the recommendations below.

### **Recommendation 1**

The proponent is to apply for a s60 fast-track approval from Heritage NSW. This approval is needed before construction works are undertaken in the Project Area.

### **Recommendation 2**

The selection of a subdued or darker colour for posts, such as stainless steel or black, to match existing fencing is preferred.

### **Recommendation 3**

All on-site personnel are to be made aware of their obligations under the *NSW Heritage Act 1977*, including the reporting of any historic, or suspected historic material. This may be implemented through an on-site induction or other suitable format.

**Recommendation 4**

In the unlikely event that archaeological, or suspected archaeological material is uncovered during works, then works in that area are to cease, the area is to be cordoned off and the *Sydney Trains Environmental Management System - Unexpected Archaeological Finds* (EMS-09-PR-0164) procedure to be followed.

**Recommendation 5**

If there are any alterations to the proposed works, further heritage assessment will be required.

## 8 References

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*Tribune* 1964, 'Lithgow torpedoed by Mining Co's greed', 1 July, viewed 2 March 2023, <<http://nla.gov.au/nla.news-article236848824>>.



## APPLICATION UNDER SECTION 60 OF THE HERITAGE ACT 1977

Eskbank Railway Station group  
State Heritage Register No. 01138

**Address:** Main Western railway, LITHGOW NSW 2790

**Proposal:** The following works are proposed for the Bridge Street Overbridge and its approaches: installation of bollards to the north-west, north-east & south-east of overbridge and guardrails to the north-west & south-east of overbridge

**Section 60 fast track application no:** HMS ID 3227, received 19 July 2023

As delegate of the Heritage Council of NSW (the Heritage Council), I have considered the above fast track application, including those matters identified under section 62 of the Heritage Act 1977. Pursuant to section 63 of the Act, approval is granted subject to the following conditions:

### Approved development

1. All work shall comply with the information contained within:
  - a. Engineering drawings, prepared by WSP Civil as listed below:

Dwg No	Dwg Title	Date	Rev
<b>Project Name:</b> Lithgow Bridge Street Errant Vehicle Risk Reduction			
PS118781-4200086743-00-GA-DR-01601	General Arrangement	14/10/2022	A
PS118781-4200086743-00-GA-DR-01651	Details and Sections	14/10/2022	A

- b. **Statement of Heritage Impact - Errant Vehicles Project Lithgow**, prepared by Heritage Now, dated 11/04/2023

**EXCEPT AS AMENDED** by the conditions of this approval:

### Bollards and guardrails

2. The bollards and guardrails are to be finished in a subdued colour scheme, such as stainless steel or black, to match existing fencing.

Reason: To minimise visual impacts. As per Heritage Impact Statement recommendations.

### Unexpected Historical Archaeological Relics

3. The applicant must ensure that if unexpected archaeological deposits or relics not identified and considered in the supporting documents for this approval are discovered, work must cease in the affected area(s) and the Heritage Council of NSW must be notified. Additional assessment and approval may be required prior to works continuing in the affected area(s) based on the nature of the discovery.

Reason: This is a standard condition to identify to the applicant how to proceed if historical archaeological deposits or relics are unexpectedly identified during works.

### Heritage consultant

4. A suitably qualified and experienced heritage consultant must be nominated for this project. The nominated heritage consultant must provide input into the detailed design, provide heritage information to be imparted to all tradespeople during site inductions, and oversee the works to minimise impacts to heritage values. The nominated heritage consultant must be involved in the selection of appropriate tradespersons and must be satisfied that all work has been carried out in accordance with the conditions of this consent.

Reason: So that appropriate heritage advice is provided to support best practice conservation and ensure works are undertaken in accordance with this approval.

### Site protection

5. Significant built and landscape elements are to be protected during site preparation and the works from potential damage. Protection systems must ensure significant fabric, including landscape elements, is not damaged or removed.

Reason: To ensure significant fabric including vegetation is protected during construction.

### Compliance

6. If requested, the applicant and any nominated heritage consultant may be required to participate in audits of Heritage Council of NSW approvals to confirm compliance with conditions of consent.

Reason: To ensure that the proposed works are completed as approved.

### Duration of approval

7. This approval will lapse five years from the date of the consent unless the building works associated with the approval have physically commenced.

Reason: To ensure the timely completion of works.



## Advice

Section 148 of the Heritage Act 1977 (**the Act**), allows people authorised by the Minister to enter and inspect, for the purposes of the Act, with respect to buildings, works, relics, moveable objects, places or items that is or contains an item of environmental heritage. Reasonable notice must be given for the inspection.

## Unexpected discoveries during works

If during works under this approval, you unexpectedly discover a relic or believe you may have **discovered an historical archaeological 'relic', notification is required under s146 of the Heritage Act 1977**. If you believe you have unexpectedly discovered an Aboriginal object, notification is required under s89A of the National Parks and Wildlife Act 1974.

In these scenarios work must cease in the affected area(s) and the following notifications are required (a **relic - the Heritage Council of NSW and an Aboriginal object - Heritage NSW**). **Additional assessment** and approval may be required under the relevant legislation prior to works continuing in the affected area(s) based on the nature of the discovery.

## Right of appeal

If you are dissatisfied with this determination appeal may be made to the Minister under section 70 of the Act.

It should be noted that an approval under the Act is additional to that which may be required from other Local Government and State Government Authorities in order to undertake works.

## Stamped documents

Any stamped documents (e.g. approved plans) for this application are available for the Applicant to download from the Heritage Management System at <https://hms.heritage.nsw.gov.au> under 'My Completed Applications.'

If you have any questions about this correspondence, please contact Veerle Norbury, Senior Assessments Officer at Heritage NSW on (02) 9873 8500 or [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)

Yours sincerely

**Rochelle Johnston**

Rochelle Johnston  
Senior Manager, Major Projects  
Heritage NSW  
Department of Planning and Environment  
**As Delegate of the Heritage Council of NSW**  
7 August 2023

cc: Lithgow Council, [council@lithgow.nsw.gov.au](mailto:council@lithgow.nsw.gov.au)