

Attachment 2 – Draft (yet to be endorsed) Council Submission to the New Richmond Bridge and traffic improvements – Stage 1 The Driftway

There are several matters that Council will bring to the attention of TfNSW which are listed below. Once endorsed, this will form the basis of Council's submission to TfNSW.

1. *Construction Management Regional Coordination*

- a. TfNSW must undertake a complete review of all infrastructure projects, both planned and underway, public, and private, across this region. It is critical that all projects (including the New Richmond Bridge and traffic improvements – Stage 1 The Driftway) establish a coordinated delivery strategy to ensure the impact on existing communities is minimised and managed. This must consider the impacts of long-term construction activities on road congestion, safety, and urban amenity. The cumulative impact that these projects will have must be carefully considered and managed, and where necessary timeframes for delivery adjusted to ensure the cumulative impact is minimised.
- b. Support for the project is predicated on the NSW Government commitment to delivering the Castlereagh Freeway as per the 1951 preserved corridor. This connection will improve access to the Motorway network for residents, particularly those in the North of Penrith, Hawkesbury, and Blacktown LGA's including the Northwest growth centre. The Castlereagh Freeway will provide efficient and safe flood evacuation, improve east west connectivity and regional transport movement, deliver significant economic benefits in the region and beyond, and support smart, planned growth in Greater Penrith and the Western Parkland City.
- c. The Richmond Bypass and new Richmond Bridge project does not remove the need for the Castlereagh Freeway.

2. *Road classification*

- a. Council has been consistent in its advise, that support for the project in contingent upon the reclassification of the Driftway as classified State Road.
- b. The section of The Driftway between Londonderry Road and Blacktown Road shall be reclassified as a State Road under the care, control, and responsibility of TfNSW.
- c. The bridge duplication and associate planning for the bypass of Richmond via The Driftway will shift a significant volume of traffic off the State Arterial road network (presently through Richmond) and onto an ill-equipped local rural road network (The Driftway). The likely volumes, speeds and % heavy vehicles, will have a significant adverse impact on the safety and efficiency of The Driftway, and adversely on the amenity of local residents.



3. *Traffic*

- a. It is requested that further analysis be undertaken along The Driftway, beyond 2036. Such analysis shall consider other major infrastructure projects such as the Castlereagh Freeway and Outer Sydney Orbital which may redistribute traffic in the study area at Stage 2.

4. *Road Cross Section*

- a. The proposed cross sections for The Driftway needs to consider the following before proceeding to the detailed design:
 - i. Council does not support 2:1 batters from the road. Such batters are difficult to maintain and should be reduced to maximum 4:1 batters.
 - ii. The cross sections do not clearly indicate all property boundaries. All property boundaries need to be shown in order to consider the horizontal alignment of the road.
 - iii. All lanes should be minimum 3.5m wide.
 - iv. Shoulders should be minimum 2.0m wide with a minimum shoulder seal of 1m.
 - v. Table drains and drainage should be provided along both sides of the road to catch flows from the upgraded road.
 - vi. Pedestrian linkages and paths have not been provided consistently in the plan (i.e., a 3.6m shared user path was shown on the bridge deck, however not on the street cross section). The provision of a shared path is recommended along The Driftway. (Noting Council's preference is the construction of a separated pedestrian path as well as a separated cycle path).
 - vii. The bridge crossing is not consistent with other recently constructed bridges. The lanes should be minimum 3.5m wide, include a 2.0m wide raised central median with shoulders widened to a minimum of 4m to cater for breakdowns and any future 4 lane bridge should the Driftway be widened in the future.
- b. Design plans show minimum details on road drainage and will be required to provide detailed comprehensive stormwater drainage plans.

5. *Active transport and vulnerable road user safety*

- a. TfNSW Active Transport Section are to confirm if this route is identified in the Principal Bike Plan.
- b. Londonderry Road is included as an active transport corridor in Council's Green Grid Strategy and should be delivered as part of this project.
- c. The concept design shows a shared path around the roundabout at the intersection of The Driftway with Blacktown/Racecourse Road, continuing only as far along the southern side of The Driftway to the new bridge over Rickabys Creek. Active transport connections (particularly cycling) should be incorporated along the length of the works.



- d. To enhance road safety for active transport users, the preference is to construct a dedicated separated cycleway from the pedestrian path and traffic lanes. This is primarily due to the higher speeds (80km/h) and traffic volumes at this location.
- e. In reviewing the bridge cross section, it is noted a 3.6m wide shared user path is proposed. The minimum Austroads standard for a one-direction bike lane is 1.7m (3.4m bi-directional) plus shared user path at 2.5m. The design will need to consider how to bring cyclists safely onto the shared user path.

6. *Bus Facilities*

- a. As part of Stage 2, the NSW Government must deliver bus facilities along The Driftway, Londonderry Road and Blacktown Road to improve connectivity and accessibility for residents. These facilities will support an uptake of public transport within and between these suburbs including access to the train station.
- b. DDA compliant bus stops and shelters are to be strategically located along the route, in consultation with Bus companies and local councils.

7. *Land Acquisition*

- a. If any Council owned land is to be acquired for road widening or for the purpose of a site compound - this must be done in accordance with the Land Acquisition (Just Terms Compensation) Act 1991. Early consultation with Council's Property Team is essential.

8. *Hydrology and Hydraulics Assessment*

Flood Assessment criteria - unacceptable

- a. The criteria adopted in the flood assessment report for assessing the increase in flood levels by the proposed road work is not acceptable. The criteria were adopted by TfNSW for the M12 Motorway design for which Council has raised objection, as some of the criteria are allowing more than Council's adopted impact limits. The flood assessment report references the M12 design and tries to justify the criteria. However, Council does not support these criteria as the adverse flood impacts proposed are not acceptable.

Flood level increases - unacceptable

- b. The proposed road and associated drainage works will have adverse flood impacts on private properties on both sides of the road by the local catchment flooding. The flood impact assessment report details the adverse flood impacts in Section 5.3.2. The following flood level increases are noted.
 - i. Between about DRC 350 and DRC 400 where ponding depths would be increased by a maximum of 35 mm and 18 mm in a 10% AEP and 5% AEP storm event, respectively.

- ii. Between about DRC 575 and DRC 825 where ponding depths would be increased by a maximum of 62 mm in a 1% AEP storm event.
- iii. Between about DRC 1025 and DRC 1090 where ponding depths would be increased by a maximum of 46 mm in a 1% AEP storm event.
- iv. Between about DRC 1250 and DRC 1325 where ponding depths would be increased by a maximum of 22 mm in a 1% AEP storm event.
- v. Between about DRC 1700 and DRC 1800 where ponding depths would be increased by a maximum of 58 mm in a 1% AEP storm event.

The above flood level increases are well above the allowable limits, and therefore unacceptable.

- c. The flood impact assessment report suggests that a floor level survey of adjacent properties should be undertaken to ensure no further flood level increases to those houses already flood affected. This is very unsatisfactory justification. Basically, there should not be any increase in flood levels by the proposed works. These matters should now be adequately addressed by the REF for further consideration.
- d. Council cannot support the proposed road works allowing unacceptable adverse flood impacts to private properties and buildings.
- e. It is proposed to raise the road levels throughout the sections of road and to raise the new roundabout at Blacktown Road works by about 3.4m. To achieve this, it is proposed to bring 37,000m³ of fill materials to fill below the 1% AEP level. By realigning the road, it is proposed to remove about 7,000m³ near Blacktown Road. Therefore, the net loss of flood storage would be in the order of 30,000m³. It is suggested that compensatory flood storages could be created under the Stage 2 works however no specific locations nor calculations are provided to justify the suggestion. It should be noted that the REF is only for Stage 1 works, and without a detailed account of filling / removal of filling under Stage 2 it is an unsatisfactory justification to fill the floodplain. The individual impact of filling of 30,000m³ could be minimal however cumulative impact on the floodplain would be significant and should be avoided.
- f. Loss of flood storages should also be addressed by the REF. It is not acceptable to leave this matter for the future works to address the loss of storages. If these are to be addressed under future works then these should be included in this REF.
- g. The stormwater treatment measures for the road improvements should be sufficient to demonstrate compliance with Council's Water Sensitive Urban Design (WSUD) Policy. Additional details are required in the supporting reports to demonstrate compliance with Council's WSUD Policy. Council's view that landscape plans should be provided to include details of the proposed swales.
- h. The proposed removal of vegetation should be minimised, and a focus should be to retain as much as possible and revegetate any disturbed areas with appropriate species.

9. *Heritage & Cultural Heritage Impacts*

- a. It is acknowledged that non-Aboriginal and Aboriginal heritage is addressed in the REF documentation. It is unclear whether a suitably qualified heritage consultant has provided an assessment on heritage considerations for this project. As such, for best practice and in ensuring that heritage considerations and controls, the Burra Charter, guidelines, policies and all legislative requirements from both Local Council and Heritage NSW are being suitably addressed. It is requested that the following be provided:
 - i. A separate and detailed Heritage Impact Statement, prepared by a suitably qualified heritage consultant, is required to address both non-Aboriginal and Aboriginal heritage, the potential impacts to items of heritage value and the options and mitigation measures to prevent and minimise impacts. Such documentation should include any detailed consultation with the community, including Aboriginal groups.

As such, the proposal is not supported from a heritage perspective until the above is addressed.

10. *Urban Design*

- a. The REF notes nine urban design principles, as adopted from Beyond the Pavement. It is unclear how the concept design achieves each of these principles. An urban design, landscape character and visual impact assessment forms an appendix to the REF, but it is unclear if the recommendations proposed in this report to minimise impacts (specifically Tract's concept design presented in Section 7) will be adopted as part of the proposal. The REF only notes that the urban design report "... will form the basis of future landscape and detailed design development". Specific urban design outcomes need to be committed to and delivered, to minimise impacts.

11. *Tree Management and Landscaping*

- a. Stage 1 proposes the removal of hundreds of mature and smaller endemic trees. The exact number of trees removed must be determined and replacements planted. Council's policy requires replacing 3 trees for each tree removed. These trees must be endemic to the locality. Replacements should reach a mature height of at least 15m.
- b. Trees to remain must be protected in accordance with Councils Street and Park Tree Management plan, AS 4970-2009 Protection of trees on development sites and industry standards (no changes to soil levels, storage of materials, vehicle/machinery movement within the dripline/canopy of trees).

12. Environmental Impacts

Sediment & Erosion Control

- a. A Sediment and Erosion Control Plan should be prepared and implemented in accordance with the NSW Government's Managing Urban Stormwater: Soils and construction.

Air Quality

- b. It is likely that dust will impact nearby residents during construction. A Dust Management Plan, therefore, is recommended to be prepared and implemented on the site.
- c. It is also likely that the use of trucks and other plant will increase air pollution, particularly for the residents along the construction zone. It is, therefore, recommended that a Pollution Management Plan be developed.

Noise and Vibration

- d. To address the significant construction noise impacts, it is recommended that a Construction Environmental Management Plan CEMP be developed for the site. The CEMP should be an overarching document with the Construction Noise & Vibration Management Plan, Sediment & Erosion Control Plan, Dust Management Plan and Pollution Management Plan be formed as sub plans. Noise impacts will result in an exceedance of acceptable noise levels at receivers along the full length of the Project and this requires the implementation of significant mitigation measures both during construction and ongoing operation of the Project.
- e. Little information has been provided regarding the proposed mitigation measures to alleviate the construction noise impacts for the nearby residents. Detail should be provided on what these mitigation measures are and how and when they will be implemented. Concerns are raised that there will be the possibility that Penrith City Council residents will be subjected to unreasonable noise impacts without any mitigation measures.
- f. The Acoustic Report in Appendix E outlines some additional mitigation measures; however, it does not outline when these will be implemented. It is recommended that a strategy be prepared for when these additional mitigation measures will be implemented and be included in the Construction Noise & Vibration Management Plan.
- g. Some works are proposed to occur during times of the night-time noise criteria. Whilst there is a table that outlines the time span of this proposed works, it is not clear of the frequency of the night works. Council requests further information on the frequency and duration of night time works for the project and any mitigation measures proposed to alleviate the impacts of noise to the nearby residents.
- h. It is recommended that a Construction Noise & Vibration Management Plan be developed in consultation with Council.

13. Flora and Fauna Connectivity and Habitat

- a. The Driftway and Rickabys Creek are both identified as green grid links in the NSW Government's West District Green Grid and Council's Green Grid Strategy. The Driftway is identified primarily for its ecological value and connectivity while Rickabys Creek is identified as a hydrological connection.
- b. Local indigenous species should be used as part of the revegetation works, grown from locally sourced seed (provenance stock). Planning for stock to be grown needs to be considered well in advance, prior to the 'construction/operation' phase, as stated in Table 6-48: Safeguards and management measures - Landscape and visual impact.
- c. A Threatened Flora Salvage and Translocation Plan is required for *Dillwynia tenuifolia* (listed as Vulnerable under the NSW Biodiversity Conservation Act) and any other threatened flora in consultation with Australia Botanic Gardens at Mount Annan, in accordance with the Guidelines for the Translocation of Threatened Plants.
- d. The REF states that fauna injury or death has the greatest potential to occur during construction when vegetation clearing will take place. To address this, the reports states, that pre-clearance surveys will be carried out prior to clearing. Consideration should also be given to the time of year when removing vegetation to avoid destruction of nesting sites.
- e. Consideration of circular economy principles when sourcing construction materials such as recycled glass, plastics and asphalt like PolyPave; and crushed recycled concrete; and reuse of excavated materials onsite. Using mulched vegetation removed onsite for landscaped works. Recycling of packing materials.
- f. Field surveys were carried out in April and winter which is not optimum timing for several threatened flora species. The recommended survey period for *Pultenaea parviflora* is September – November. According to Threatened Biodiversity Data Collection Tool (TBDC) flowers generally appear sometime in August. Known 'reference sites' i.e., known location of the species should be checked to ensure the species is flowering prior to commencing survey. Along the northern side of the road the vegetation is more dense with the understory much higher than the southern side of the road where it is frequently mown. Traverses through the vegetation on the northern side may not have detected the species if it was not in flower. It requires surveys are undertaken again at the suitable season.
- g. The report did not include maps showing threatened flora transects, please submit.
- h. In section 3.5.2, Tree hollows were identified as 'not present'. Please provide further survey information (report) to identify hollow-bearing trees and impacts on hollow-dependent fauna.
- i. The offset strategy should include identifying projects or sites that are located within the Penrith and/or Hawkesbury Local Government Area (LGA).



- j. It is understood that a number of plans will be developed in accordance with Transport NSW policies to mitigate the impacts on threatened entities as outlined in the Biodiversity Guidelines: Protecting and managing biodiversity of RTA projects (NSW Roads and Traffic Authority, 2011) and are outlined in Table 6-1. In addition to these measures, the following is required:
 - i. Transport for NSW or the appointed contractor should consult with Western Sydney University (WSU) – Hawkesbury, Penrith City Council, Hawkesbury City Council, NSW National Parks and Wildlife Service (Cumberland Region) and/or local nurseries such as Greening Australia as early as possible to take the opportunity to collect/ salvage vegetated material including that of *Dillwynia tenuifolia* (pending appropriate scientific licenses) and/or collect seed prior to works commencing to stockpile, germinate and grow seed to use in future regeneration / revegetation projects to increase genetic diversity, species diversity and leaf litter cover in bushland reserves and National Parks etc.
 - ii. The works area should be appropriately fenced to provide a clear demarcation of the works area which will reduce the risk of accidental clearing of native vegetation, rubbish dumping and trampling of adjacent vegetation.
 - iii. Qualified and experienced bush regenerators should be engaged to undertake weed control works within a 20m buffer of adjoining vegetation from the northern extent of the works prior to clearing to reduce the risk of weed biomass in adjoining areas spread when there is increased light penetration that the weed biomass (if present) is reduced as to not further encroach intact / better quality native vegetation.

14. Community Consultation

Council is aware of significant and highly detailed submissions made by local residents opposing the road upgrade; in particular the significant increase in traffic and adverse impact on safety and amenity.

Council requests TfNSW to undertake meaningful and direct consultation with all affected residents, and those who made submissions.

Council also requests TfNSW to clearly document how the design (including amendments) responds to the concerns raised by residents during the consultation process.