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Authorised by Director of Infrastructure & Services

Reference

Summary

In November 2021, Transport for NSW (hereafter TfNSW) commenced community consultation regarding the environmental impacts of the Great Western Highway project. The document produced is known as a 'Review of Environmental Factors' (hereafter REF), and addresses aspects of the project such as biodiversity, heritage, landscape character and contamination. Development consent from the Council is however not required.

Council's administration has been working with TfNSW to advocate for project deliverables that meet the needs of our future communities while also minimising impact to our current community.

The timing of the exhibition clashed with the caretaker period for the former Council, the period where the Council was not in place because of the elections and the late Dec/early Jan shutdown. Council's officers requested an extended timeframe for submissions by the public and council. This was agreed to, but even so, and with the additional impact on the workforce from covid isolation requirements, completion of a definitive submission has been hampered. For these reasons, this report provides details of the general proposed tenor of Council's response, for the consideration of the Council, prior to its finalisation and submission.

Commentary

Project Background

The Great Western Highway is the main road corridor between Central West NSW and Sydney. The NSW Government has committed to upgrading the entire length of the highway between Lithgow and Katoomba. The project has been broken into stages, in terms of planning assessment, construction and delivery. The project scope, addressed by this REF is between Little Hartley and Lithgow. Presently, the existing highway for this stretch comprises sections of two-way undivided carriageway with one lane in each direction. There are limited overtaking lanes or auxiliary lanes to help drivers overtake and negotiate steep grades.

The Great Western Highway services local, tourist, freight and general through traffic, with varying traffic volumes from about 12,000 vehicles near Little Hartley and about 11,000 vehicles per day near Lithgow. A growth rate of about 0.4 per cent for light vehicles and 1.3 percent for heavy vehicles per annum is expected on the Great Western Highway at the proposal location. There is a relatively high proportion of heavy vehicles (between 12 and 24 per cent), reflective of the 18,000 tonnes of freight transported daily between the Central West and Sydney.

With the considerable heavy traffic, and other aspects such as the climate, this results in hazardous driving conditions. The works will greatly enhance the safety of the road.

Both the Australian and the NSW Governments have recognised the project as a significant piece of infrastructure and have committed to its upgrade, with shared funding. Also, the corridor for the highway upgrade has long been identified to the public and the local community. Sections of the required corridor have also been acquired, and the NSW Government is entering a phase of acquisition of the remainder.

It is worth noting that the Central West is perhaps the only rural, inland region adjacent to an Australian capital city which is deprived of an efficient arterial road connection. While the Lithgow to Katoomba highway upgrade will greatly improve this circumstance (especially when faster traffic flow through Blackheath is achieved in latter stages of this project) there will remain substantial inefficiencies in the section from Katoomba to Emu Plains. This is because the highway serves also as a local road system for the many villages with resulting speed restrictions (mostly 80km/h) and multiple traffic lights.

Stated Project Need

The proposed upgrade aims to improve network performance, safety, and resilience on the Highway between Little Hartley and Lithgow, and as a result, drive economic development and productivity particularly for the Central West. The proposal is also intended to either maintain or improve the urban and rural amenity for townships along the route, which is constrained by the current performance of the Great Western Highway. The REF asserts that without the proposal, travel times and the level of service for intersections are expected to deteriorate to unacceptable levels.

The proposal aims to increase the capacity of the Great Western Highway between Little Hartley and Lithgow, reduce congestion and improve intersection performance. Increasing the number of lanes on the highway would allow traffic to flow smoothly and reduce travel time for motorists. A subordinate outcome would be the reduced travel time for motorists travelling along Great Western Highway. When considered with other upgrades to the Great Western Highway planned between Katoomba and Lithgow, it is expected that motorists would experience a reduction in travel time of up to 10 minutes.

There has been discussion among the community with respect to the cost-benefit of this project. Ultimately, such considerations are a matter for both the State and Federal Government to determine.

Council's officer's involvement so far

As the project design and documentation has been developed, Council's officers have been invited by Transport for NSW to participate in workshops and meetings. The positions taken into those discussions have been premised around support for a more effective road connection between the city and western Sydney, emphasis on the very special character and values of the Hartley Valley requiring a quite nuanced design response, and encouragement of local benefit out of the project - such as local employment and skilling, housing development for workers and later adaptive re-use, local procurement of materials.

The attitude of the community

The Hartley community:

Councillors will be aware, by way of a number of submissions they have received, that the Hartley District Progress Association has been very active and hard working to advocate against many aspects of the proposal. The Hartley District Progress Association's (HDPa) efforts are recognised and the Council thanks the organisation for their significant effort. Their position could be characterised as being strongly opposed to the construction of a 100km/h dual lane road because this results in a more imposing "footprint" (merge lanes, ramps, bridges, major intersections and parking bays) within the Hartley valley, compromising or putting at risk many of its inherent values and features – now and available into the future. In their submissions, they have offered design solutions to reduce these impacts.

The HDPa position is considered a mature and significant response to the project. The importance of their issues cannot be denied, however the lens through which they view or raise issues is very localised. This project is considerate of broader state-wide transport needs and reflects just a small part of the overall work required to improve national network efficiency and safety.

Council and the public are being asked to comment on the proposal that is before them. That is for a higher speed limit road. This does introduce certain local impacts and in recognition of that it is suggested that Council continue its dedication to exceptional visual and aesthetic design, environmental and heritage offsets and an active transport focus to offset these impacts. With this approach, Lithgow will secure the best of both approaches, to the fullest extent possible. But, it will be important to achieve such balance (optimum offset of impacts) or else the local impact could be more significant.

Council's submission will encourage that further project development occur within a prism which uses either design remedies, project adjustment (lower speeds and less urban footprint) or a combination of these to achieve acceptable outcomes for the Hartley Valley.

Please note however that there is another component of this report which encourages that, outside of this discrete project proposal, there is still merit in overlaying a more high-level strategic lens to the Central West's transport needs (see section 8).

The broader community:

Council has not recently engaged with the broader community on the proposal. Intuitively, it would seem most likely that the broader community would appreciate the investment to improve the safety of the highway and to moderately improve efficiency. But it is also anticipated that the community would be supportive of sensitive design and a high-quality aesthetic outcome because of the many qualities of the Hartley Valley.

Key issues

1. The assessment methodology and ensuring place worthy outcomes

The Lithgow to Little Hartley section of the upgrade has been severed from the broader project, which extends through to Katoomba. The full project may well require assessment under the framework of an EIS. The NSW Government has formed the view that this reduced scope of works for this section can be properly assessed under a REF process.

Certain activities can be carried out without development consent through the approval process by government departments or agencies as part of their core responsibilities. The environmental assessment of these activities is undertaken under Part 5 of the Environmental Planning and Assessment Act 1979 (EP&A Act).

The purpose of the Part 5 assessment system is to similarly ensure public authorities fully consider environmental issues before they undertake or approve activities that do not require development consent from a council or the Minister.

If an activity is deemed by the relevant public authority to 'significantly affect the environment', then an environmental impact statement (EIS) will need to be prepared and considered by the public authority. It is not unusual for objectors to such activities to argue that an Environmental Impact Statement is required. However, the view of Council officers is that the REF substantially/comprehensively covers the issues that would be the subject of an Environmental Impact Statement and the view that an EIS is not necessary is a reasonable one.

Council's officers have considered the many hundreds of pages of documents within the REF. They have generally found the various themes to have been adequately assessed (see later in this report though for some identified issues). Notwithstanding that a view may be formed that each theme appears to have been adequately assessed and having due regard for the special qualities of the valley, it is considered that the design (and in some cases the offsets to impacts) for this major project warrants aspirational outcomes.

Following on from the above, acknowledgement is made for the design outcomes that were achieved for the former upgrade of the upper mountains section of the GWH, below Katoomba. It is considered that this sets an appropriate minimum benchmark for the level of quality design outcomes that should be achieved for this project also - specific to and reflective of the unique place that the Hartley valley is. With the current design being a concept, it would seem that opportunity remains to work with Transport for NSW to achieve this.

2. Traffic and Transport

The traffic and transport section comprises a variety of figures collected on highway usage and the impact of the traffic on intersections. The questions posed by Council concern the projections of future traffic and traffic behaviour.

- a. The projected traffic increases of 0.4% and 1.3% per year into 2026 and 2036 - this seems conservative as not only would there be increased traffic due to the improved travel times (more attractive for businesses to move into the central west) but also more traffic using the Great Western Highway instead of the Bells Line of Road. Also, tourist traffic would potentially increase the weekend/holiday traffic through improved travel times and driving comfort. This latest upgrade is a part solution but a comprehensive, integrated and holistic transport and freight solution for the central west (inclusive of improvements to rail services at a minimum) is needed.
- b. Council could request further information regarding contingency planning for higher-than-expected increases to traffic flow and the capacity of this new asset to meet demand in these scenarios.
- c. Additionally, we could request details regarding the plans that are in place to improve the adjacent rail network to better balance demand and reduce road traffic emissions.
- d. It is now outdated and inappropriate for the Bells Line of Road to direct heavy vehicles through the heart of the Lithgow city centre and urban area. Consideration of, and commitment to, enhancements to both the Bells Line of Road and the Darling Causeway are considered warranted to increase the viability of this route. .
- e. There is the need to consider the impact on local roads (Browns Gap Road) while the works are undertaken as drivers will try to avoid highway construction. As Browns Gap Road will take drivers into Lithgow township it will add to the vehicles travelling along Chifley Road/Main Street. There are expected to be broad detours whilst construction occurs, however there is no assessment or comment on how TfNSW aims to reduce the impact to Council's local road network or restore any impact that occurs. Council requests consideration of this matter.
- f. Has the impact of vehicles (particularly heavy vehicles) using Bells Line of Road to avoid the construction works been considered and how it impacts traffic travelling through Lithgow? There will be heavy vehicles that will come across the Darling Causeway or straight down the Bells Line of Road to avoid delays. There may also be an increase traffic down Hartley Vale Road (light vehicles) for the reasons listed above, Hartley Vale Road struggles when there is an accident on Victoria Pass with light vehicles (and trucks at times) using it as a by-pass.
- g. As a result of this project, it is expected that approximately 10 kilometres of the existing Great Western Highway alignment will be designated as a local road and transferred to the management of Lithgow City Council. There is no current commitment by the State Government to provide the additional revenue required to maintain and manage this asset. As it stands, the transfer simply serves to increase Council's asset base without a commensurate increase in revenue to meet requirements. This is a cost shift and will result in reduced service levels for other public assets under Council's control. Council should reject these roads moving across to Council responsibility in the absence of assured recurrent funding, such as the existing BLOCK grant arrangement.
- h. The inclusion of truck stops in the Hartley Valley is completely incongruous with the amenity of the surrounding landscape. The Hartley Valley is one of Lithgow's most scenic and historic areas, offering unparalleled vistas and unmatched historic value. Council should strongly

- reject this aspect of the proposal and firmly request that these be moved to lands west of Wallerawang. If this is not achieved, the facilities will need to have a very high aesthetic outcome. Commercial activities within such truck stops should also be absolutely prohibited.
- i. There is some demand for the project to commence at the Blackheath pinch point as this is the area which contributes most significantly to delay and disruption. This fact is not disputed, and the matter has been referred to Transport for NSW. Transport have advised that the project timeline has been determined as a result of expected design, consultation and approvals pathways. In short, if the Blackheath pinch point were to be addressed first, the timeframe would remain the same for this section and such a decision would only extend the overall duration of the Katoomba to Lithgow project. Instead, it is proposed that Council's submission seek a firm confirmation to bring together completion of the full scope of the Katoomba to Lithgow works as one project.
 - j. A key linkage of Lithgow's local road network is the route from Baaners Lane, through Browns Gap Road, to the Lithgow city. At this stage, the proposed route is made less efficient by requiring motorists to negotiate 4-lanes of traffic, extending the route halfway to Coxs River Road and subsequently back along the existing Great Western Highway (service road) to Browns Gap Road. In this area, Council notes that the road infrastructure required to make this manoeuvre visually clashes with that of the Hartley Village. It is essential that if no changes can be made to the infrastructure, that effective offsets are delivered to lighten, soften and reflect that this precinct is the entrance to the Lithgow LGA.

3. Noise and Vibration

- a. There is reliance on estimated figures in the section that deals with construction noise levels and vibrations which are likely based on historical data. One concern is the sound travelling from the Forty Bends area bouncing off the existing retaining structures into the valley on the other side (McKanes Falls Road area). Have such effects been considered? Will this have a compounding effect in this area? If so, what measures can be put in place to minimise impact?
- b. Secondly, there is no comment on any noise impact as vehicles, particularly heavy vehicles, enter and exit the new tunnel. Will the tunnel act as a vessel to project noise? This may be more pronounced when traffic is heavy during holiday times.
- c. The proposal for truck stops in the Hartley valley will also likely result in unacceptable noise impacts – another reason to not locate these within the valley and instead, choose an unpopulated area west of Lithgow.

4. Indigenous Heritage

The REF includes a summary of the assessment of potential impacts to aboriginal heritage during both construction and operation and then identifies mitigation measures to address these impacts.

The assessment methodology included:

- A desktop assessment of the local and regional aboriginal land-use context and development of a predictive model for aboriginal site distribution.
- A desktop assessment of register aboriginal sites, databases and previous investigations.
- Consultation with registered Aboriginal parties
- An archaeological survey of the construction site undertaken between November 2019 and March 2020.

Consultation

The aboriginal groups consulted with during development of the REF are not listed in the REF report. Through subsequent contact by Council staff, Lithgow based Mingaan Aboriginal Corporation has advised that they were not consulted.

Bathurst Aboriginal Lands Council has statutory responsibility for, but little direct engagement in the Lithgow Community.

It will be imperative that local groups and individuals are given the opportunity to participate in the process. There is likely to be a significant amount of un-recorded local knowledge that needs to be captured in order to appropriately assess and mitigate construction impacts.

Impacts

The REF identifies numerous aboriginal sites within the construction footprint and additional sites within the study area but outside the construction footprint. A most ancient fire hearth has been identified. Some of these sites are assessed to have high significance and there is the real potential for the construction works to have major impacts.

The REF identifies potential impacts on aboriginal cultural values including a possum skin processing ground for the Wiradjuri people on River Lett; the junction of the Cox's River and River Lett near Glenroy and the Cox's River generally.

It would seem that the River Lett area in particular has many attributes that would likely contribute to it being a locale of tremendous significance to indigenous communities – perhaps over millennia.

Conclusion for this issue

It is imperative that due consideration is given to the views and knowledge of local Aboriginal groups to ensure that the significance of aboriginal sites and culture are fully captured in the assessment and to ensure that appropriate mitigation measures are developed. It would be reasonable that any submission highlight this issue with a view to further consultation with Aboriginal groups to ensure any impact on significant sites (whether formally identified or not) are mitigated. This is considered a "tier 1" issue and the impact of the project on aboriginal heritage should be managed most responsibly. As it stands, there remains a tension between the works' footprint and identified sites.

5. Landscape character and responsive design

Five (5) landscape character zones (LCZs) have been identified. All 5 have been assessed with a 'sensitivity' of 'moderate' and 4 with a 'magnitude' of 'high'. It is considered that LCZ 1 - Butlers Creek Valley and LCZ 3 - River Lett Valley both have a 'sensitivity' of 'high'. This would increase their assessed 'landscape character impact' to 'high' and is considered to be more accurate. In turn, this warrants a design for these sections that is cognisant of and responsive to this higher characterisation.

Of specific note, we identify the precinct of Cox's River Road, Harp of Erin and locale. Largely, this area is of significance as it represents the entrance to our LGA, the visual impact of which distinctly impacts that of the Little Hartley area. Whilst visual impact of the project area is of importance, Council feels that this precinct requires special attention during the design phase. It is encouraged that the project fund a master-planning exercise for this precinct to delicately guide how it is managed and brought together as an interesting opportunity for motorists to pause and avail themselves of the history and landscape. It is expected that this could create a desirable impression and project a vision of what is to come for those visiting the greater Lithgow area.

Third, Council seeks confirmation regarding a level of service for ongoing maintenance of any environmental offsets and landscape character designs delivered as a result of this project. As it stands, the environmental assets delivered through the median of the recently upgraded Forty Bends section of the Great Western Highway have been somewhat allowed to deteriorate and consequently poorly reflect upon the maintenance expectations of what is to be delivered in the future. The standard of environmental design is just one part of the discussion, and Council should advocate for an agreement of high standards of ongoing maintenance, reflective of the surrounds and the intent of the overarching project.

Lastly, Council acknowledges the remarkable pride of the Lithgow community. We feel that it is important to blur city boundaries to the extent we can and work towards consistency of themes in these areas. The highway median throughout Lithgow has not been refreshed in some time, and in particular the entrances to our town could be enhanced to reflect the same outcomes as that which we are trying to achieve with the GWH upgrade and show comparison with the standards offered by TfNSW for our neighbours. Hence, it is suggested that Council seek a commitment from TfNSW to open the scope of environmental and heritage design slightly to also include the median in the 70km/h section of Lithgow. This will improve consistency of exceptional design generally, with relatively low cost compared to the extent of the broader project.

6. Offsetting Impacts

The project has the potential for broad regional benefits. But there will also be localised impacts. These impacts should be avoided and/or mitigated through things such as detailed design refinement or project amendment for example. Despite best effort to embody remedies in the immediate project, impacts will remain. Local heritage and tourism, as well as some existing local economic activities will be impacted. There is the case therefore, for the project to deliver other outcomes to offset through long term recovery or stimulus type actions. Without limiting the forms that this might take, Council's officers have suggested in meetings so far initiatives such as:

- Heritage - interpretation infrastructure, wayfinding and marketing
- Local tourism offers – a strategy and infrastructure to facilitate active tourism on a network of pedestrian and cycle paths/routes. The community, such as the HDPA, offer great initiatives in this respect. It is suggested that TfNSW work closely with Council and the community to identify the suite of options available for tourism and active transport offers, giving social licence to the project.
- “Master planning” or sensitive place-making for the historic Little Hartley precinct to draw out its offer to passing motorists
- Other measures to cause motorists to pause in the valley and experience its offer?
- As mentioned elsewhere in the report – a very high standard of design outcome for all works, reflective and worthy of place, and the landscape, visual and heritage characters.

It is suggested that Council's submission clearly note that at this stage, only a limited understanding of these offsetting impacts has been offered, and that Council expects full consultation and involvement with respect to the decisions made to achieve the above objectives. Only if the Council is centrally involved can we hope to achieve comfort in the final outcomes of this project.

7. Capturing Benefits

The Australian and NSW Governments have committed to embedding benefits into the region and this city. Studies are occurring into local population skilling and training, local employee procurement and local sourcing of services and goods. There may also be the need for local accommodation – especially given the risk that the multi-year project will otherwise result in the long-term displacement of available tourism accommodation. Housing demand and supply is being studied. Council should request requirements for local employment, skilling, procurement of services and goods, and worker housing being embedded within any approval and the resulting works contracts.

8. Going beyond a road-based approach

As is often the case, council and the community are being asked to comment on the proposal that has been brought forward. It is something of an address to some current shortcomings in the road transport links between Western Sydney and the Central West. But it is not the overall solution, because it is not integrated entirely into a multi-modal transport solution.

Efficient rail (passenger and freight), alongside of road, would vastly enhance the flow of workers and visitors, supporting growth and facilitating economic development. There is the potential for a more ambitious future for the Central West (especially in a post-covid era) if the “string of pearls”

comprising Lithgow, Bathurst, Orange and beyond were linked by more effective rail as well as road. Alongside of the particular submission to this exhibited project, it is proposed that separate advocacy be undertaken for a comprehensive strategic transport plan for the Orana region.

Policy Implications

Financial Implications

- Budget approved - Nil
- Cost centre - N/A
- Expended to date - N/A
- Future potential impact – Future dedication of local roads will have a financial impact. An appropriate package is to be discussed so Council will not be financially disadvantaged and this should be reflected in any submission.

Legal and Risk Management Implications

Nil

Attachments

Nil