

APPENDIX

C

CONSULTATION RESPONSES

Our Ref: C21/668

22 November 2021

Your Ref: 8002 1086

Ms Stephanie Grogan
Cardno
Level 9 – The Forum
203 Pacific Highway
St Leonards NSW 2065
c/o: stephanie.grogan@cardno.com.au

Ms Grogan,

**Pre-Review of Environmental Factors (REF) consultation for Dunheved Road Upgrade
– City of Penrith Council – Werrington Creek**

Thank you for your referral of 02/11/2021 seeking comment on the proposal from DPI Fisheries, a division of NSW Department of Primary Industries on the proposed works stated above.

DPI Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*. DPI Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPI Fisheries has reviewed the proposal in light of these provisions and has no objections to the proposed works, and makes the following comments:

1. The works will require a Section 200 permit for dredging and reclamation. Permits outline control measures to minimise the impacts from construction and operation of the asset. Permit application forms are available from the DPI Fisheries website at: <http://www.dpi.nsw.gov.au/fisheries/habitat/help/permit>
2. As no marine vegetation is to be harmed in this proposal a section 205 permit under Part 7 of the FM Act is not required.
3. Under s.219(5)(a) any work that is permitted under the FM Act turns off the requirement for a section 219 permit to block fish passage. So, a section 219 permit is not required for this project.
4. When preparing design detail of any over-water structures, please refer to DPI Fisheries *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*.
5. Erosion and sediment mitigation devices are to be erected in a manner consistent with currently accepted Best Management Practice (i.e. Managing Urban Stormwater: Soils and Construction 4th Edition Landcom, 2004) to prevent the entry of sediment into the waterway prior to any earthworks being undertaken. These are to be maintained in good working order for the duration of the works and subsequently until the site has been stabilised and the risk of erosion and sediment movement from the site is minimal.
6. Environmental safeguards are to be used during the works to ensure that there is no escape of turbid plumes into the adjacent aquatic environment.
7. Any material removed from the waterway that is to be temporarily deposited or stockpiles on land is to be located well away from the waterway and to be contained by appropriate sediment control devices.

8. DPI Fisheries (1800 043 536) and the Environment Protection Authority (131 555) is to be notified immediately if any fish kills occur in the vicinity of the works. In such cases, all works other than emergency response procedures are to cease until the issue is rectified and approval is given by DPI Fisheries and/or the Environment Protection authority for the works to proceed.

If you require any further information, please contact me on (02) 4222 8311 or josi.hollywood@dpi.nsw.gov.au

Yours sincerely,

J. Hollywood

Josi Hollywood
Fisheries Manager, Coastal Systems Unit

Our Ref: ID 1429
Your Ref: 80021086

5th August 2021

Ms Zoe Wood
Cardno Pty Ltd
16 Burelli Street
Wollongong NSW 2500

Via email: zoe.wood@cardno.com.au

Dear Ms Wood,

Notification under clause 15AA of the State Environmental Planning Policy (Infrastructure) 2007 in relation to the proposed Dunheved Road – Review of environmental factors Upgrade

Thank you for the notification under clause 15AA of the *State Environmental Planning Policy (Infrastructure) 2007* in relation to the proposed upgrade at Dunheved Road Upgrade – Review of Environmental Factors, Werrington.

The NSW State Emergency Service (NSW SES) has reviewed the proposed upgrade using the information provided with the proposal and the flood risk information (e.g. local flood Plan, flood studies etc.) available to the NSW SES. Based on this review the proposed works appear to have minimal risk to NSW SES response operations.

However, if the construction phase of the upgrades causes disruption to the operation of the road, this may impact the ability for emergency vehicles to use this route. The NSW SES requests that notification be provided where there are likely to be significant delays in the operation of the roads affected by the upgrades.

Please feel free to contact me on 0458 737 188 or via email at maria.frazer1@one.ses.nsw.gov.au should you wish to discuss any of the matters raised in this correspondence.

Yours sincerely,



Maria Frazer
Coordinator Planning
NSW State Emergency Service
Cc: Scott Lynch Unit Commander, Penrith SES Unit

**TfNSW Concept
Design
Commentary
(29/Oct/2021)**

Dunheved Road Upgrade - Concept Design Comments Friday, 29 October 2021			
	TfNSW Comments	Council Response	TfNSW reponse
	<u>Dunheved Road & John Batman Ave</u>		
1	Transport does not support the proposed traffic signals at the intersection of Dunheved Road and John Batman Ave	Several alternate options have been investigated and modelled at this intersection. The preferred option is to update the phasing such that the traffic signals for Dunheved Road traffic will show a green light at both John Oxley Ave and John Batman Ave intersections, and similarly both will be red at the same time. This will eliminate the see-through effects. The less preferred alternative would be to remove the traffic signals at Dunheved Road / John Oxley Avenue, which would become a left-in left-out intersection, and provide a priority right turn from Dunheved Road into John Oxley Ave. This will impact the Level of Service at the Francis St intersection, due to the rerouted traffic. This arrangement will also require adjustment to the 783 bus route service which requires the right-turn out of John Oxley Ave, and will also likely be rerouted to Francis St. The traffic signal at John Batman Ave cannot be deleted since it is a major road access to Werrington County Public School and John Batman Avenue Reserve.	Removing traffic signals at Dunheved Rd & John Oxley Ave is the preferred option for TfNSW. Right turn restriction from John Oxley Ave is supported.
a	Distance between two intersection is 95 metres which has safety implications due to see-through effect of signals;		
b	Network Operations not supportive of arrangement due to complexity to operate well and inefficiencies;		
	Traffic can be use existing signals at Henry Lawson Ave to access local network		
	<u>Dunheved Road & Henry Lawson Ave</u>		
2	What is the justification of raising the existing zebra crossing over Lockyer Ave?	Raising the existing zebra crossing will provide better accessibility for pedestrians, prams, and wheelchairs. The zebra crossing will be removed as we will provide a continuous footpath treatment. However, the raising is not imperative.	Noted.
3	Possibility of having dual right turn movements out of Henry Lawson Ave to accommodate additional traffic volumes (see above)	An additional right turn will require acquisition of property which has not been accounted. However, we propose to convert left Turn lane into Left and Righth Turn lane. However, refer response to item # 1	Noted.
a	Exemption memo would still need to be provided for removal of pedestrian leg on western leg for dual right turn movements		
4	Possibility of extending right turn bay on Dunheved Road to accommodate additional traffic volumes (see above)	Geometrically it is possible to extend the right turn lane for west bound traffic on Dunheved Road to turn onto Henry Lawson. However, refer to concerns noted in response to item # 1	Noted.
	<u>Dunheved Road & Lavin Crescent</u>		
5	Transport does not support left turn access lane adjacent to proposed left turn lane	During community consultation for Concept design, council had an opportunity to meet and discuss this with the Owners of the shopping area (Red Rooster). It is agreed to remove exit from the Red rooster site and to retain the access from Dunheved Road. Exit arrangements are moved to Lavin Cres. after considering several options it is suggested that a single left lane with wider shoulder will facilitate left turn movement onto Lavin Cres and provide entry into the shopping area. Entry from Dunheved Road is part of DA for the site and will need to be retained. The same has been stressed by the owners of the site during the meeting	Noted - will review once revised design is provided.
a	Safety risks involving shared user path interface with access road as well as confusing arrangement for drivers		
b	There is already an alternate access provided via Lavin Crescent		
	<u>Richmond Road & Dunheved Road</u>		
6	Transport does not support the proposed arrangement/operation of these traffic signals	We have conducted a 'relative comparison analysis' between future base model vs proposed designl and the modelling results showed there are no severe implications on Richmond Road performance. The reason for 'worse' performance between future base and proposed design was mainly because: - Dedicated bus lane & bus phase in proposed but not in future base - All existing base model calibration parameters were applied in future base model but not in proposed design	Could council provide the proposed design modelling results (incl. site layout, movement summary, phase/cycle timings for each scenario? It appears TfNSW received the proposed design model but with adjusted cycle times.
a	The SIDRA model indicates that the Dunheved Road upgrade will adversely impact the operation of the signals, noting the decrease in performance of Richmond Road in both directions across all forecasted years and AM/PM period.		
b	Council is required to provide additional infrastructure upgrades or propose a different intersection arrangement to ensure that the performance of Richmond Road does not deteriorate due to proposed upgrade on Dunheved Road		
c	Otherwise, modelling is to be calibrated to demonstrate a phasing arrangement that does not deteriorate the performance of Richmond Road (including both through movements and turning movements)		
7	Modelling is to be updated and calibrated as per changes and comments above, and then submitted to Transport for review.		

**TfNSW Concept
Design
Comments
Discussion
(15/Feb/2022)**

From: [REDACTED]
Sent: Tuesday, 15 February 2022 2:27 PM
To: [REDACTED]
Subject: RE: Dunheved Road Upgrade - Concept Design Comments Discussion
Attachments: 20220211 Copy of Dunheved Rd. Concept Design Comments.xlsx

EXTERNAL EMAIL: This email was received from outside the organisation. Use caution when clicking any links or opening attachments.

Hi [REDACTED]

Please find attached comments for the latest response from Council. Please also see following comments regarding open items:

- Transport for NSW preference would be for signals at John Batman Ave only (no signals at John Oxley) as it was previously stated that there are potential see-through implications and difficulty in operating efficiently. Council to provide updated design to see whether Transport's concerns are addressed or otherwise justify why the proposed arrangement is required. Separate meeting to be organised between Network Operations and Designers to work through the details;
- Noting the proposed arrangement at Trinity Drive, it is understood that there is a community demand for a right turn into Trinity Drive, but that should be considered alongside any safety implications. It will be generally more difficult for vehicles to turn right across two lanes at relatively high speeds, and there is an potential increase in risk of right-through crashes as well as queue outs of the right turn bay if insufficient gaps are available. A review of the modelling will be undertaken and further comments provided.

Kind regards,

[REDACTED]

Network & Safety Officer
Planning and Programs
Greater Sydney
Transport for NSW

transport.nsw.gov.au

27 Argyle Street
Parramatta NSW 2150



OFFICIAL

From: [REDACTED]
Sent: Tuesday, 15 February 2022 2:10 PM
To: [REDACTED]

Cc: [REDACTED]
Subject: Dunheved Road Upgrade - Concept Design Comments Discussion

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Dear All,

Thank you for your time to attend today's discussion.

Item 1 - Dunheved Road & John Batman Avenue Intersection: A separate meeting will be required with designers and TfNSW operations team to address the comments.

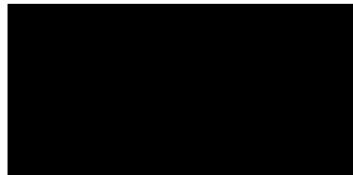
Item 2 – 7 - Comments are discussed and addressed satisfactorily. Raymond Tran to provide response in the comments spread sheet.

Intersection at Trinity Dr. Tasman St. discussed and no major concerns noted. These two intersection will require Warrants.

I am attaching latest SIDRA model and layout (discussed in the meeting) with this email for reference.

I will share the sensitivity test performed at intersection of Richmond Road and Dunheved Road which will present the comparative analysis of future base case. It was noted that the LoS at the intersection will not be impacted (will be better) with the upgrade of Dunheved Road

Regards,



PENRITH
CITY COUNCIL



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**TfNSW Concept
Design
Comments
(16/June/2022)**

From: [REDACTED]
Sent: Thursday, 16 June 2022 2:35 PM
To: [REDACTED]
Cc: [REDACTED]

Subject: Dunheved Road Upgrade - TfNSW design comments

EXTERNAL EMAIL: This email was received from outside the organisation. Use caution when clicking any links or opening attachments.

Hi all

Thank you for meeting with Transport to discuss a number of TCS design matters this morning. Please see below comments from Transport:

- John Oxley/John Batman Ave – Transport’s preference is for Option 1, that is to delete the signals at John Oxley Ave and provide a LILLO w/ right-in arrangement (uncontrolled intersection);
- Lavin Crescent/development access –
 - Transport does not support having a dedicated left turn lane into the development (adjacent to signalised left turn lane) due to road safety concerns. It is suggested that one option may be to provide a shoulder using edge line marking from which drivers can enter and turn into the development access (left-in only);
 - Previously provided volumes indicate that TCS at Lavin Crescent does not meet warrants. Please clarify or provide justification for provision of signals at this location.
- Tasman St – please provide information to demonstrate that this intersection meets TCS warrants (or justification);
- Transport advises that it’s preference is for LILLO arrangements at uncontrolled intersections along Dunheved Road as it is a safer option – the provision of a right turn into the local road will now require to cross 2-3 lanes of traffic as part of the upgrade;
- Transport acknowledges that Penrith City Council has previously explored options of providing direct access into Lockyer Ave/Dunheved Rd (local access road) within the mid-block sections, but that it was determined to be unfeasible.

To progress with reviewing and issuing Agreement-In-Principle (AIP) for the proposed TCS sites, could Council provide Transport with all revised TCS designs, updated TCS warrant assessments, SIDRA modelling reports/file, road layout plan, and swept paths.

As discussed, after AIP is issued for the TCS designs, Council will need to engage in a Works as Authorised Deed (WAD) with Transport, which will involve a design review process. I will provide information regarding the required documentation in a separate email to council.

Kind regards,

[REDACTED]

A/Network and Safety Services Manager
Planning and Programs
Greater Sydney
Transport for NSW



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TfNSW Design Commentary (10 Aug 2022)

From: [REDACTED]
Sent: Wednesday, 10 August 2022 11:51 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: RE: Dunheved Road - Agreement-In-Principle Documents

EXTERNAL EMAIL: This email was received from outside the organisation. Use caution when clicking any links or opening attachments.

Hi [REDACTED]

Thanks for preparing all the documentation.

Please see following comments:

TCS warrants

- Noted that warrants were not met at intersection of Dunheved Road and Lavin Crescent, but that there were benefits to providing this access as there is no other traffic signal site servicing this commercial area;
- Volumes on Tasman Street (based on model inputs) appear to meet the warrants by 2036;
- In future, it is requested that volume forecast are not rounded to the nearest 100 vehicles per hour as this may skew volumes which are under the warrant threshold;

Swept Paths

- Transport request that swept paths are separated by movements at each intersection for ease of legibility/review. Overlapping paths are difficult to assess – please resubmit swept paths
- Turn lines at relevant intersections should also be included to demonstrate that design vehicles can keep lane discipline

Kind regards,

[REDACTED]

A/Network and Safety Services Manager
Planning and Programs
Greater Sydney
Transport for NSW

transport.nsw.gov.au

27 Argyle Street
Parramatta NSW 2150



From: [REDACTED]
Sent: Thursday, 21 July 2022 4:12 PM
To: [REDACTED]

Cc: [REDACTED]

;

Subject: Dunheved Road - Agreement-In-Principle Documents

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Hi [REDACTED]

Following our series of discussions to address Dunheved Road design parameters, please find attached the following for your review;

1. Updated SIDRA Model
2. TCS Design for intersections
3. Updated TCS warrants
4. Dunheved Road Traffic and Transport Report
5. Swept Path drawings

The documents can be accessed using below link. Please let me know if you have any issues with the access.

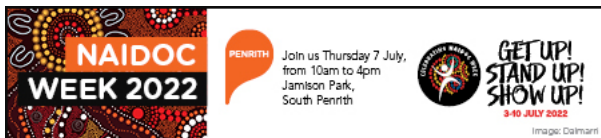


We trust the documents meet your expectation and AIP is issued. Please let us know if you need further information.

Regards,



PENRITH
CITY COUNCIL



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