

**Supplementary
Submission
No 7d**

**INQUIRY INTO WINDSOR BRIDGE REPLACEMENT
PROJECT**

Name: Mr Harry Terry

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Attached are copies of my response submissions to the RMS's Draft Urban Design and Landscape Plan, Draft Strategic Conservation Management Plan Chapter 1 and Chapter 2. They provide a window into the ethical culture of the RMS and the level of its due diligence. The response submissions speak for themselves.

**SUBMISSION TO THE RMS DRAFT URBAN DESIGN AND LANDSCAPE
PLAN**

BY HARRY TERRY

As Sir Walter Scott wrote in his epic poem, Marmion, “Oh! What a tangled web we weave, when first we practice to deceive”.

It would not surprise you that I lodge the strongest possible objection to the Windsor Bridge replacement project including the draft urban design and landscape plan.

To me, it is all about trust - who I can trust - who I can trust to provide the most honest, transparent, evidence based, independent and unemotional information about this project.

I do not trust the RMS to do just that.

I expect a Government organisation that is based upon engineering disciplines to be accurate, precise, detailed, rational and unemotional. Sadly I find the RMS to be experts in the use of misinformation, deceit, and spin, and being duplicitous, mendacious, perfidious and hypocritical.

To paraphrase a critique of a history document: It is almost without exception wrong, factually wrong and the conclusions drawn from it are logically fallacious. To say that it is devoid of evidence, logic, scholarship and sense is just about the nicest thing one could say about it. You have to be a charlatan or an innocent compliant to produce a document that is so lacking in any intelligence or accuracy whatsoever.

So who do I trust. I trust the three independent consultants employed by the Department of Planning to peer review three aspects of the RMS’s 2012 EIS of the Windsor

Bridge replacement project i.e. Cambray Consulting (traffic), Peter Stewart (bridge condition) and Mary Casey (heritage).

Why do I trust them?

The Cambray Consulting report included the following statements:

- * “We note that these counts were undertaken on 12 July 2011, which we understand was during the NSW school holidays (4 July 2011 – 16 July 2011).”
- * “We note that a design speed of 50km/h has been adopted for the horizontal and vertical alignments for the proposed bridge replacement and associated approach road-works...” “We note that the VISSIM modelling undertaken appears to assume the following vehicle speeds on the bridge: 60km/h northbound; and 80km/h southbound.”
- * “And whilst the proposed ultimate configuration of the bridge is one northbound lane and two southbound lanes, the highest volume forecast by RMS is in fact the northbound volume during the PM peak. This implies to us that the additional southbound capacity may be intended to accommodate the southbound queue back from the George Street intersection, rather than purely to provide additional capacity over the bridge itself.”
- * “In summary, based upon the information provided to us, it appears that the scope throughout much of the duration of the project has focussed on justifying the preferred option, as opposed to undertaking a thorough investigation into alternative options.”
- * “We suggest that it may be prudent to ‘step back’ and undertake a broader study to investigate long term solutions, and once a preferred long term solution is identified, consider a staged approach or interim treatments to progressively deliver that long term solution. This would avoid investing substantial funds into a traffic route which will have a limited ‘life’ due to constrained intersection capacity on the roads feeding the bridge.”
- * And so on.

The Peter Stewart Report included the following statements:

- * The conclusion that the whole bridge is in a poor condition is not supported by the level 2 Inspection Report Ratings [B8]. There is no linkage provided between the condition of the various elements and the overall condition. If it is assumed that the condition of the bridge is equivalent to the worst element then again the argument is thin as only 2.1% of the reinforced concrete beams is categorised as condition 4 or 'poor'.
- * Due to the very slow rate of deterioration it would not warrant demolition of the bridge for some considerable time. It is also evident that the process can be arrested or prevented either by installing an impressed current or jacketing the damaged sections.
- * The cracks have been there for decades and during that time the bridge has been subjected to severe flooding (overtopped approximately 64 times in 100 years) as well as increases in traffic volumes. The bridge has not exhibited any signs that it is about to fail.
- * It appears the optimum option is some combination between the RMS and the Pearson Wedgwood options which will be able to provide a viable option to refurbish and strengthen to carry T44 loading with a load factor of 2 which will be sustainable for the next 25 to 50 years, and not build a new bridge at this stage. Then at some time in the future a bypass alignment can be identified, approved and built which avoids all the damage to property, heritage values etc. So with a relatively modest expenditure (approx. \$14.5m) the bridge can be serviceable for the next 50 years within which time an alternative route will have been identified and agreed.
- * It is clear however that the documentation does not show a strong resolve to preserve the existing bridge for an alternative use, with a continuing theme throughout the documentation that it will be replaced by a new bridge. This was clear when a decision was made within the then RTA (now RMS) to replace the bridge sometime before 2003. Subsequent to this decision no expenditure on maintenance or repair of damaged fabric is evident except where public safety might be endangered. Despite

this neglect it is remarkable that no great deterioration has taken place in the last 10 years.

* And so on.

The Mary Casey Report included the following statements:

*RMS's heritage consultants in Working Paper 1 state the proposed impacts on Thompson Square Conservation Area are so major the WBRP should not go ahead. But RMS has chosen not to accept this advice because they had already chosen to explore only Option 1 in this EIS.

*The Urban Design mitigation measures must be examined closely as they do not relate to heritage significance, or heritage design principles and conservation policies. The mitigation measures do not alleviate the implication that appears to be acceptable to RMS that the WBRP can have such a major impact on a SHR conservation area and State significant archaeology. The urban design report's assessment has concluded that all visual impacts within Thompson Square are High, the highest level of impact. The heritage report's assessment has stated that the only real mitigation for the proposed impacts relates to archival recording, archaeological excavation of the site, reporting and interpretation. The main mitigation for the built heritage appears to be a design which consolidates the park and undertakes planning for a redesign of Thompson Square and the Terraces. **This proposed design is not based on a full understanding of the significance of the heritage values of the place, nor on any heritage design principles or conservation policies, on which to base a future design. Therefore it is not mitigating impacts on heritage but an additional impact.**

* And so on.

Why do I not trust the RMS?

* In the early years of the project the RMS:

* included

- the Fitzroy Bridge in the project area. It was part of stage 2. It has now been excluded from the project area.

* wrote

- ‘little improvement could be made upon the total vehicle travel time and speed for each option as compared to the existing conditions’
- “The replacement of a bridge alone is unlikely to improve capacity.”
- Option 1 “provides very little traffic improvement” Now the RMS is claiming improved traffic flow up to 2026, only 6 years after the proposed bridge is scheduled to be opened.

* The initial projected cost for this project was \$23m. In the 2012 EIS the projected cost had risen to \$65m. Since then no projected cost has been released to the public. Treasury documents indicate that \$17m has already been spent. Surely the cost benefit ratio cannot still show the community is getting value for money.

* How can I trust the RMS when in the 3D visualisation released in December, 2016 it stated there were 19 000 vehicles crossing Windsor Bridge each day. The figure of 19 000 was the figure measured in March 2012. In the EIS it was stated the projected traffic volumes would increase based on a set formula. To claim traffic volumes have not increased over the almost 5 years is rum to say the least.

* How can I trust the RMS when in the same visualisation it was claimed the a.m. peak queue length reaches back from the bridge along Wilberforce Road for 810m. All motorists who travel at that time know the peak queue length is almost always back 2 300m and often further.

* How can I trust the RMS when in the same visualisation it was claimed the p.m. queue length reaches back from Macquarie Street for 420m. All motorists who travel at that time know the queue length is almost always 1 000m and often further.

*How can I trust the RMS when it took out a LRA on a heritage property in Thompson Square at the same time it was claiming no heritage property would be damaged in the project and then wrote to a local MP stating the LRA was taken out in 1948.

*How can I trust the RMS when it claims the proposed bridge will provide flood immunity consistent with the approach roads when the lowest point on Wilberforce Road is 7.0m. Gorricks Lane is 6.0m and Hibberts Lane is 8.1m.

* And so on and so on and so on.

I have based my judgement on the information provided above and it is only a selection. I trust who I can believe and I cannot trust the RMS. Instead I trust the independent consultants who have nothing to gain, nothing to defend and nothing to hide.

In the draft UDLP it says:

*“The urban design approach to the project seeks to reunify Thompson Square into one open, green and cohesive space as it originally once was.”

- Firstly Thompson Square includes the buildings - hence the name Square.
- Secondly it was only in pre European history that it was one space. In European history it had at different times, different roads weaving to the river as the slope was too steep to travel straight up.
- Thirdly the proposed park cannot be actually unified as it has an upper and a lower section with the lower section having a slope of no more than 1:4.

*“The removal of the Bridge Street alignment that divides Thompson Square, re-establishment of the visual and physical connection between the town and the river, the partial restoration of the earlier landform.”

- The proposed bridge would clearly divide the Square and would be higher, wider and more bulkier than the current bridge and the trucks and cars would block the sight lines to the buildings.

*“a horizontal profile and more understated visual character to reduce the dominance of the bridge on the horizon.”

- Firstly, “Bridges with a horizontal form are generally preferable to bridges on a grade over flood plains and significant expanses of water. If this is unable to be achieved due to differing levels either side of the water body then fine-tuning the location of the bridge should be considered, or adjusting the levels of the bridge approaches. This may be because it introduces another plane adding unnecessary complexity.” Clearly the proposed bridge is not horizontal.
- Secondly the current bridge is horizontal. Its beauty can only be seen and appreciated from the river and river bank. The proposed bridge will be high, wide and deep and will be dominating and blocking views. Therefore the claim the proposed bridge can be called understated is the spin that made Shane Warne thrilled and Mike Gatting confused.

* "The Australian Consumer Law (ACL) prohibits a business from making false or misleading representations. I do not know whether the RMS is exempt from this law but the various visualisations certainly make false and misleading representations. The Disclaimer: “The illustrations contained herein are indicative only. No persons or organisations should rely on these illustrations for any purpose and the Roads and Maritime Services takes no responsibility for assumptions made based on these illustrations” clearly indicates this very point. BTW How can a measured and considered response be made from false/fake information.

I am not interested in making suggestions to tart up the proposed draft. No matter what is done it will not hide the fact that:

- * the draft UDLP is based on a number of documents/processes that have yet to be completed and have yet to be released. This is another reason why I do not trust the RMS.
- * by replacing a heritage listed bridge, the RMS is destroying another part of our asset heritage which we can ill afford to lose.

- *by replacing it with a modern, high, wide and deep bridge will not replace the asset heritage lost but rather exacerbate the damage.
- *by making a new grassed area through significant cutting and filling is not an example of conserving our heritage nor minimising the proposed damage to our asset heritage. The plan will create a new modern park, not a park that has conserved heritage.
- *this appears to be a deliberate plan by the RMS to destroy as much heritage as it can but what really rankles is the massive effort to dress up a flawed concept with as much spin as possible to claim that heritage is important to the RMS.
- *I could understand, but not agree with, the degree of asset heritage being destroyed if the project would produce significant traffic flow improvements to cater for the increasing traffic flow until a bypass is built - but it will not.
- *the RMS has made the following disclaimer: “The illustrations contained herein are indicative only. No person or organisation should rely on these illustrations for any purpose, and Roads and Maritime Services takes no responsibility for assumptions made based on these illustrations.” How can the RMS expect suggestions on documents it itself does not believe to be true and accurate.

The project is similar to replacing a Toyota Tarago with a Hummer, remarking it with heritage listed colours, driving it along Parramatta Road whilst claiming it will better meet our needs now and into the future and will be less visible.

The RMS may be good at building roads and bridges but it is lousy at building a community.

The question is always, Why!

Kind regards,

Harry Terry

FEEDBACK ON VOLUME 2 DRAFT SCMP WINDSOR BRIDGE REPLACEMENT

PROJECT

HARRY TERRY

Inconsistencies and hypocrisy are common elements in general life. Those elements have been honed and polished in the political environment so it would not be a surprise there are claims the SCMP exemplifies and even magnifies those elements. It has been said, the SCMP is totally consistent in its inconsistencies, its use of spin, misinformation and misinterpretation.

Never-the-less, I suspect it must be soul destroying to have to carry out the policy of your political masters when the project puts you in conflict with so many of your peers. It would not be a surprise if your peers judged you accordingly.

Again it would not be a surprise it appears your task is to make this project as palatable as possible. However, no matter how hard you try, how many condiments you add to the dish, this document will not be able to turn the project into a gourmet dinner. In the end it will still result in the users having the 'diarrhoea'.

General, Overarching Themes

The hard reality of life is the Government has approved the project and the task given to you is to save what you can. This is clearly stated:

- * in the court case: HIS HONOUR: What does the Conservation Management Plan actually achieve? KIRK: It requires, so far as possible, to save what you can, do what you can as you go through but you must go through. - Day 1, page 51 and
- * in SCMP Volume 2: Page 154 it states, The fundamental constraint which must be acknowledged is the establishment of the new bridge over the Hawkesbury River, the new abutment and approach spans along the eastern edge of Thompson Square and the new roadworks which will be required north of the river. These works will have physical, archaeological and visual impacts which are already approved and cannot be completely mitigated or removed.

Although it is implied in 1.3 Aims and Objectives of Volume 2 there are constraints i.e.

- Develop conservation policies which either enhance or maintain the heritage significance of the study area, within the scope of the approved works and the constraints and opportunities arising” that are not clearly stated.

- In the application for SSI status it was stated, The RTA recognises that the project would also result in adverse impacts on non-Aboriginal and Aboriginal heritage, noise and vibration, the socio-economic environment, the landscape character and visual amenity. The RTA has formed the opinion that the impact of the project on non-Aboriginal heritage would likely be significant based on direct and indirect impacts to the Thompson Square Heritage Conservation Area as well as at least 13 other items of Commonwealth, State and/or local heritage significant.
- * Mary Casey, the Heritage consultant chosen by the Department of Planning to peer review the EIS says: The RMS Heritage Assessment does not:
 - * provide adequate description of the heritage values of the Conservation Area.
 - * provide a detailed analysis of the Conservation Area, relationships between buildings/square, principles/policies of the impact assessment.
- * In the EIS the RTA's heritage adviser stated, the most appropriate treatment of Thompson Square and Windsor Bridge is to avoid any further negative impact and to take the opportunity identified by the Heritage Council to remove through traffic.
- * Neither Option 1 nor Option 3 for a new bridge could be supported on heritage grounds, a NSW Department of Planning spokesperson told the Hawkesbury Gazette in February, 2011.
- * The Heritage Council: Is unequivocally opposed to the project for the 'irrevocable damage' it will do to Windsor and Thompson Square. The Heritage Council of NSW reinforced its preference for a bypass option. It argues the project should be refused on heritage grounds
- * Royal Australian Historical Society: Thompson Square is a vital part of the attraction of Windsor for regional and interstate tourists, and the intervention of a high-level motorway will significantly reduce the appeal of the area to visitors and therefore have a severe negative impact on the local economy.
- * National Trust: ...opposes the demolition of the State significant Windsor Bridge and encourages its conservation for light vehicle/ pedestrian traffic only and that a new bridge and road infrastructure be constructed as a bypass to Windsor township to satisfy long term traffic movement and improve flood free access across the river.
- * In 2008 the Government Architects Office recommended the project not proceed due to its negative impact on heritage.

Recommendation: The document should become an actual statement of reality, honesty and transparency and state the constraints clearly up front and certainly not waiting until page 154.

This is a perfect segue to the term “enhance” used in the above listed Aim. A definition of enhance is intensify, increase, or further improve the quality, value, or extent of. I see noth-

ing in the document that leads me to believe the project can enhance the heritage of the project area. In fact, this document tries valiantly to minimise, denigrate and reduce the heritage of the project area.

- * The heritage listed bridge is to be destroyed
- * The structure and unity of The Square will be destroyed because the bridge and abutments will be well above ground level which is totally at odds with all the roads that occurred through The Square since its inception.
- * The remains of the Macquarie/.Greenway wharf will not be revealed and showcased but worse, could be destroyed
- * The barrel drains have not been located, revealed and showcased
- * The garrison wall is not even mentioned in the document. This wall may be the oldest remaining garrison wall in Australia.
- * The name of Thompson Square Road was once Callahan Street.

But what is equally galling is towards the end of the document there is a recommendation Hawkesbury City Council coordinates a steering committee to manage and enhance the remaining heritage by e.g.:

- * page 154: “some infill buildings on the Square do not enhance its character, nor do some of the public domain works. Major opportunities exist, subject to the willingness of the public and private stakeholders to engage in the process, to greatly enhance the built environment of Thompsons (sic) Square and its environs.”
- * Investigate undergrounding the power lines so trees can be planted on the current power line alignment along the eastern side of Thompson Square.
- * etc.

Recommendation: Totally rewrite that aim to reflect the reality.

The following examples of the endeavour of this document to minimise the heritage of the project area are as follows:

- * On page 24 Figure 6: Phase 1: 1795 - 1841 the drawing shows no roads through Thompson Square. Where are the thoroughfares to the wharf and the punt? What about access to the buildings on the east of TS?
- * In the same figure: Phase 2: 1841 - 1894 the drawing shows no road through Thompson Square although there are two side roads. Where is the road to the bridge which was built in 1874?
- * On page 23 it says, The first sinuous path to impinge on Thompson Square crossed from the south-west corner, diagonally across the open space to the punt in the north-eastern corner of the site. and on the same page it says,

- * The evolution of Thompson Square's internal configuration has been largely prescribed by various thoroughfares cutting through the site and leading to the river's edge.

If the endeavour is to confuse, bemuse and befuddle, the aim has been achieved. However if the aim was to imply the proposed project will reunify The Square the inconsistencies listed above refute such an aim. A casual look at the various paintings of the early days of The Square clearly show the various thoroughfares.

Recommendation: Figure 6 and related claims be removed from the SCMP.

On pages 23 it says, Rather, it is now distinctly read as two smaller parkland areas, which will be re-joined by the replacement of Windsor Bridge. and on pages 25/26 it says, The development of this arrangement over time has been illustrated in Figure 6 above, and these areas will be re-joined by the replacement of Windsor Bridge.

- * Refer to the previous segment.
- * The only time this area would have been joined was before non-Aboriginal occupation took place.
- * The two areas cannot not in fact re-joined as stated. To get from the upper parkland to the lower parkland steps will have to be used. I have yet to find any evidence of steps joining any parts of The Square ever. If you were not being mischievous but being honest, a more appropriate term to use could be connected.
- * In previous R&M documents there is the claim the project would result in a larger usable space. As a considerable amount of the parkland would have a slope of 1:4, much of the promised area would be in reality be deemed unusable.

Recommendation: Rewrite these statements along the lines of both upper and lower reserves will be to the west of the proposed bridge and abutments and replace re-joined with connected.

On page 23 it says, "It appears as if Thompson Square has been less a destination and more a route of direct travel for access, first to the punt in 1814, and in later years, to the bridge."

- * Putty Road was opened in 1823 and was initially a popular cattle-rustling route.
- * Where would people go? Green Hills was a frontier town. There were Government buildings including grain stores and a garrison. Surely there would be people and trade going to and from the wharf and later the punt. Bell Post Square/Thompson Square was the heart of the second largest settlement at that time. It was not the Karuah nor Heatherbrae of its day.

Of course over recent times most traffic pass through Thompson Square. That is why a bypass is needed as per Pitt Town.

Recommendation: This statement be removed from the SCMP.

On Page 137 Open Space and Planting it says, “It is the open space itself that was declared ‘Thompson Square’ by Governor Macquarie”.

* There is clear evidence there were buildings on what is now called Thompson Square area and Macquarie had them removed. On page 23 it states, In order to push its status, the removal of a substantial number of buildings was ordered to see Thompson Square conform more to the standard ideal of a town square.

* Macquarie’s diary says the Macquarie Arms was to be built in the Square.

* The notion only the open space was declared Thompson Square is fallacious.

Recommendation: This claim be removed from the SCMP.

There are concerns the apparent deliberate policy of implying various items within the project area can only at best be of State Heritage value would appear to go well beyond the scope and responsibility of this SCMP. Any determination of National Heritage significance would need to be made by the appropriately qualified appointed personnel and not by the person(s) employed for this project especially with the concerns expressed about this SCMP. It begs the question, Why?

Recommendation: Unbold all such statements.

Under the heading 3.4.2 Key Landscape Elements it states:

- Windsor Bridge – represents a history of technical achievement and social importance. Although in **dire** condition now, the bridge is a familiar component of the local and regional cultural landscape and represents a construction feat of local history.

In my readings of RMS documents I cannot recall ever seeing the condition of Windsor Bridge being described as being dire.

- * A local resident has a recent email from the WBrpt telling her the bridge is in good condition due to extensive and ongoing maintenance by the RMS
- * According to the previous Minister of Roads in a written statement there is no weight limit on the current bridge.
- * Peter Stewart who was selected by the Department of Planning to peer reviewed the EIS said:

- * So with a relatively modest expenditure (approx. \$14.5m) the bridge can be serviceable for the next 50 years within which time an alternative route will have been identified and agreed.
- * The conclusion that the whole bridge is in a poor condition is not supported by the level 2 Inspection Report Ratings [B8] and
- * If it is assumed that the condition of the bridge is equivalent to the worst element then again the argument is thin as only 2.1% of the reinforced concrete beams is categorised as condition 4 or 'poor'. and
- * The bridge has not exhibited any signs that it is about to fail.

Recommendation. If the bridge is in fact in a dire condition (terrible, dreadful, appalling, frightful, awful, horrible, atrocious, grim, unspeakable, distressing, harrowing, alarming, shocking, outrageous) it should be closed immediately. If not, and the bridge succumbs to its dire condition and collapses causing serious impacts on life and property, then the R&M and the personnel directly responsible for Windsor Bridge surely would be held accountable. However if the bridge is not in a dire condition the phrase about the bridge being in dire condition should be removed from the SCMP.

It is very concerning this document has yet to be finalised. In addition not all documents on which the SCMP is based have yet to be made available to the public. This is not a good example of rigour, nor ethical behaviour.

Recommendation: Once the draft SCMP includes all required components and all the documents on which it must be based have been publicly released, the required consultation process is recommenced.

There are concerns about the SCMP limiting itself to the facades of the buildings forming part of The Square. In 3.8 Curtilage it says:

- * As the study area boundaries for the SCMP were dictated by the Windsor Bridge Replacement Programme, they do not have any long term relevance to the management of the area and are therefore not reflected in the curtilage recommendations.

This ignores the reality The Square is more than the sum of its parts. There is a synergy about those parts that make the square The Square. To ignore this diminishes what constitutes The Square. Reference is made to the statement from Mary Casey:

The RMS Heritage Assessment does not:

- * provide adequate description of the heritage values of the Conservation Area.
- * provide a detailed analysis of the Conservation Area, relationships between buildings/square, principles/policies of the impact assessment.

Reference is also made to 3.8 Curtilage

The definition for curtilage of a heritage item is established by the Office of Environment and Heritage as the 'setting' or space around an item or place that is required to preserve the significance of that place. The curtilage recognises the importance of the immediate and broader setting of the item to the retention of its significance.

Factors to be considered in determining the curtilage of an item or place include:

- Views to and from the item;
- Potential need for a buffer zone between the curtilage and adjoining properties;
- Visual and historical relationship between the item and its setting.

At a recent briefing session an email was read that indicated AAJV has the authority to extend the SCMP to include the curtilages of the buildings. This is not meant to include the structure and fittings in those buildings but the unity of The Square.

Recommendation: The SCMP project be extended to include all elements of the Thompson Square Conservation Area.

Specific Aspects:

Minor Typos which can happen to anyone, especially me.

- * Page 72: 'closets'
- * Page 162: These sites are site of little or moderate significance
- * Document Controls and page 154: Thompsons Square
- * Adjust the first sentence of 1.4

Recommendation; Make the appropriate adjustments.

- * Miss Armstrong's house is listed as being built:
 - * in 1955 pages 29 & 137
 - * late 20th century or
 - * c 1950s page 162.

Recommendation: Determine the correct date and be consistent.

* In Figure 9 page 35 there is a reference to a War memorial.

Recommendation: List that item correctly

On page 148 it says, The bridge was modified on multiple occasions to address the issues of flooding and the increased impact of modern traffic, particularly with the reinforced precast concrete modifications in the 1930s (sic), which reflect technological innovation at the time.

* It is accepted multiple may mean one but it can also mean many. It is also accepted the bridge had two modifications to the actual structure of the bridge and changes to railings and the addition of the walkway. However the use of the word multiple could be construed as misleading.

* **Recommendation:** Remove the word multiple.

On page 148 it says, The new Windsor Bridge will continue the tradition of progressive alterations of the river crossing in response to changing needs and technology, and reflects the continued importance of Windsor as a transport route.

* If I bought a new suit I would have some difficulty in calling it an alteration. If I adjusted my current suit with changing the cuffs or adding trim to the suit I could truthfully call them alterations. However, Option 1 is not an alteration in that sense but a completely new bridge totally out of character to what had happened previously. The current use of Bridge Street through Thompson Square could truthfully be called a transport route. However, Windsor itself is not a transport route. In many other towns the transport route is moved out of the town as will occur at Pitt Town and has recently occurred at Berry.

Recommendation: Remove that paragraph in its entirety.

On page 48 references are made to Upper Square and Lower Square.

* Thompson Square is The Square. The use of upper & lower square diminishes the concept of The Square, which is the synergy between the heritage buildings surrounding the three sides and the river on the fourth. It is argued this is another example of the deliberate choice of words to do just that.

* In Vol 3 page 16 it says, "Whilst there will be impacts to the upper parkland area, the WBRP presents the opportunity to reshape and reconfigure the two reserves of Thompson Square, consolidating the upper and lower sections and reinstating the character of Thompson Square's formative years."

* **Recommendation:** Use the word reserve instead of square or park consistently throughout the document to describe the various areas.

On page 40 it says, The implementation of the existing Bridge Street in 1934

* In Volume 1, the section prepared by Professor Ian Jack and Jan Barkley-Jack indicated 1934 was the year the cutting to the wharf was made. They dated the bridge street cutting to be in 1935. There was inconsistency throughout Volume 1.

Recommendation: Determine the correct year and make all documents consistent,

In 1.5 Study Area it says, Thompson Square is one of the oldest public squares in Australia. However on page 138 it says, The oldest surviving public square in Australia.

* The section in Volume 1 prepared by the Jacks argued strongly Thompson Square was the oldest square.

* On page 148 it says, Windsor was part of Macquarie's vision for the evolution of the colony of NSW in general, as well as the formalisation of the civic space in Windsor through the declaration of Thompson Square as the earliest town square in Australia. While modified, the general configuration of Thompson Square reflects its early boundaries and provides an insight into the early colonial development of Windsor and colonial Australian towns.

* To claim Thompson Square is only one of the oldest appears to be another deliberate effort to diminish the heritage status of Thompson Square

Recommendation: State Thompson Square is the oldest public square in Australia.

On page 65 it says, Whilst there is a timber walkway under the bridge, it is in a state of disrepair following flood damage and is therefore not in use.

* It is currently in use and has been for some time. It has also been painted.

Recommendation: Delete that sentence and list the walkway as the easiest and safest access to the current walkway across the bridge.

On page 97 it says, pedestrian footway was added in the 1960s

* In 14020 Historic Heritage Assessment for Windsor Bridge Replacement Project it says, the installation of a cantilevered footway on the downstream side of the bridge in May 464 1968.

Recommendation: The correct date be inserted.

On page 96 it says, The bridge was substantially rebuilt again in 1920, using precast concrete structural elements,

* In 14020 Historic Heritage Assessment for Windsor Bridge Replacement Project it says, In 1922 the bridge superstructure was replaced, marking its final phase of modification.

Recommendation: The correct date be inserted in all situations.

On page 151 it says, The southern end of Bridge Street, south of the roundabout at Bridge and Macquarie Streets.

* It is appreciated the RTA/RMS has changed the road names over time without any reference to history or indeed heritage.

Recommendation: The RMS returns the names of the streets to their original names.

Question: What is to be done to minimise noise pollution in the adjacent residences and damage from the building works as promised?

Comment: The significance of Thompson Square being named after an emancipist has not been highlighted. The placing of Andrew Thompson & King George 111 on the same level is not to be ignored.

Full Agreement: On page 148 it says, Windsor was part of Macquarie's vision for the evolution of the colony of NSW in general, as well as the formalisation of the civic space in Windsor through the declaration of Thompson Square as the earliest town square in Australia. While modified, the general configuration of Thompson Square reflects its early boundaries and provides an insight into the early colonial development of Windsor and colonial Australian towns.

Comment: Throughout the document there is the implication the topographical changes diminish heritage significance. It is exactly what MAKES IT SIGNIFICANT. A place that has no 'fingerprints' on it has no history, not the other way around.

Conclusion:

It is just possible one could be excused if one contemplated that those who had prepared and endorsed the SCMP volumes had graduated from the Felicity Wilson School of Document Signing.

I trust the thirty pieces of silver you have received will bring you joy and happiness and smother all feelings of guilt you must feel for working on this project.

RECOMMENDATION: The total SCMP be written and based on the standards expected of such a document.

Kind regards,

Harry Terry

PS I suspect given my poor proof reading and typing skills and my age there may be typographical errors in this submission? If you are able to find three or more more please let me know and I will make the appropriate adjustments.

**SUBMISSION TO VOLUME 1 RMS DRAFT STRATEGIC CONSERVATION
MANAGEMENT PLAN**

HARRY TERRY

It would not be a surprise that I lodge the strongest possible objection to the Windsor Bridge replacement project including parts of the draft Strategic Conservation Management Plan. Fortunately or unfortunately, depending on one's point of view, my wife and I are about to embark on an overseas trip and hence I do not have enough available time to do this submission justice. In fact, I have not been able to find enough time to read the full SCMP. Hence this submission is truncated in nature.

Again it would not be a surprise the statement on page 7 of the SCMP i.e. "to ensure the values of the place are maintained and, where appropriate, enhanced" causes considerable offence.

- * Mary Casey who peer reviewed the RMS's EIS said the project would seriously damage the heritage of Thompson Square
- * The National Trust opposes the project because of the damage it would cause to the heritage.
- * In 2009 The Government Architect Office rated the negative impacts on aspects of the Square as being 'Very High'.
- * The Heritage Council is unequivocally opposed to the project for the 'irrevocable damage' it will do to Windsor and Thompson Square. It argues the project should be refused on heritage grounds
- * The Royal Australian Historical Society opposes the project due the damage it would cause to the heritage.
- * The RMS's own heritage advisers in the EIS stated: "...the most appropriate treatment of Thompson Square and Windsor Bridge is to avoid any further negative impact and to take the opportunity identified by the Heritage Council to remove through traffic."

* In the cited court case in the draft SCMP, the barrister for the Government said, "This is going to be bad for heritage, no doubt about it..." – Kirk, Day 2, p. 53

It is therefore argued, to use the statement, "to ensure the values of the place are maintained and, where appropriate, enhanced" is duplicitous, mendacious, perfidious and hypocritical.

Of course, the term, "values" may not refer to heritage or to Thompson Square. It may refer to the values of misinformation, spin and deceit. If that is the case, then agreement has been reached.

No matter how much you try you will not be able to turn this pig's ear project into a silk purse - it will always be a dog's breakfast.

Barrister Kirk at least had the ethics to tell it as it is.

Now I have got that off my chest as they say, let me see if I can draw your attention to some aspects of the draft that I consider may need to be reconsidered and if necessary, redrafted.

* On page 7 it says, "Thompson Square is one of the oldest public squares in Australia." At a Hawkesbury City Council Meeting some years ago, Jan Barkley-Jack and Ian Jack made a presentation to the Council. The presentation was titled, "Thompson Square, Windsor: the oldest civic square in Australia." In the conclusion, it says, "Now that the value of Thompson Square as Australia's only eighteenth-century civic square has been fully documented...". On page 73 of the SCMP it says, "Thompson Square had existed for fifteen years before new urban squares were created in Sydney. In Parramatta, the focus had been on the colony's second Government House, from which the streets were aligned, and which was joined by George Street to the wharf. Toongabbie did not have a dedicated community space and instead consisted of only

three streets with no public congregation area.¹⁵³ There remain today 4 surviving squares in Richmond, Wilberforce, Liverpool and Windsor (Thompson Square).

There is a significant difference between being one of the oldest and being the oldest. Please check. Note: If there is an older square in Australia, could you please let me know where.

* Again on page 7 it says, “surround a small turfed reserve.” There are three reserves forming part of Thompson Square. On page 101 of the SCMP it says, “The 1890s saw the formal creation of three reserves between George Street and the river”. In any case, is size a consideration in determining/describing a heritage site? Please reconsider.

* On page 9: Figure 2: It appears Windsor Road goes to at least George Street. Bridge Street then starts and goes over the Bridge. On page 16: Figure 4: Bridge Street is marked to be north from Macquarie Street. Is there an inconsistency? It appears on the surface the R&M is rewriting history or remaking history. Bridge Street existed for about 60 years before the Windsor Bridge was built. Bridge Street was named because of the bridge(s) over South Creek. In ‘Early Days of Windsor’ by James Steele it states:

* “Reserve, No. 36,874, for protection of approach to Fitzroy Bridge in Bridge Street, including the old toll house, which was in existence as early as 1827.”

* “Bridge Street: Runs into South Creek bridge.”

* “A petition influentially signed had been presented to Governor Denison in 1857 for a site for a Mechanics' School of Arts, indicating as a desirable site a small portion of land at the head of Bridge Street”

* “Bridge Street (corner of Court Street, next the South Creek.)” Note: The address of The Jolly Frog is 25 Bridge Street. Please check.

and on page 131 of the SCMP it says, “Bridge Street had been created in 1814, soon after the completion of the new bridge over South Creek” and “Bridge Street, however, was a very short thoroughfare, ending at present day George Street.” and look at figure 83 on page 132.

* I am bemused. On page 10 it says,

* “The CMP is to provide for the conservation of the Thompson Square Conservation Area.” and

* “The development of heritage design principles for the project to retain the significance of the Thompson Square Conservation Area and any individually listed item within the conservation area or in proximity to the site,” However on page 11 it says,

* “The SCMP only extends to the front facades of the buildings within the study area on the southern side of the Hawkesbury River. The SCMP considers the public domain contribution of these buildings to the study area,” The conservation area extends beyond the facades. On the surface it appears these statements are contradictory.

* On page 80 it says, “Thompson Square does not consist solely of the public space but also the built environment which grew up on three sides. The Thompson Square Conservation Area which is inscribed on the State Heritage Register includes the buildings around it and their own individual curtilages.”

* Note: I question the concept a SCMP is a subset of a CMP. Please consider.

* On page 12 it states,” This court challenge was unsuccessful and the court ruled in favour of the approved project on 27 October 2015”. I question whether this is an accurate summation of the case. Under State SSI legislation a court case cannot be heard on merit or heritage grounds. The only grounds to mount a court case is judicial process. Justice Brereton did not rule in favour of the project - that would be on merit - but rather ruled the Minister had the authority to approve the project under the terms of the legislation. Following are some quotations from the court case for your information.

* “So major impacts on cultural heritage, as identified by the (conservation management) plan, will just be an irrelevance.” - Brereton, J. Day 1, p. 49.

* “He (the Minister) has rejected the advice of every heritage advocate who has

looked at it (the new bridge).” - Kirk. Day 1, p. 51

* “Whatever conclusions you come up with as to the heritage value, all that is going to be open is minor variations to detailed design” – Brereton, J. Day 1, p. 49

* HIS HONOUR: ...what does the Conservation Management Plan actually achieve?

KIRK: It requires, so far as possible, a save what you can, do what you can as you go through but you must go through.” - Day 1, p. 51

Please clarify or better still, remove this statement.

* In Table 3 on page 28: “1795 Civic square established in location of present day Thompson Square.”

* It is argued the civic precinct in 1795 was bounded by Arndell Street, South Creek, Baker Street and the Hawkesbury River. It was within that area such buildings as the Government House, the Court House, the Toll House and other various Government buildings were built. The centre of that civic precinct was the Bell Tower. Please check.

* See page 54: “In the centre of the southern bank of what is today Windsor Reach, the ridge lands had been left as vacant Crown land amongst the allocated farmlands between the river and South Creek. Along this stretch of high land, a suitable inlet with a small stream was found and became the site for the location of government facilities.” Please check.

* In the same table on page 29: “1 October 1799 Andrew Thompson granted a formal lease on 1 acre of land, forming the boundaries of the later Thompson Square” I assume what is meant was the granting of the formal lease formed the eastern boundary of the later Thompson Square. I have some difficulty in conceptualising the lease would form the boundaries. Please check.

* In the same table on page 29 it states, “January 1810 Governor Macquarie announces that Andrew Thompson is to be the colony’s first magistrate.” However, on the courts.justice webpage it says:

* “The first court hearing is held in Sydney Cove on 11 February 1788. A week later a bench of magistrates is convened with hearings aboard the Sirius.”

* “1810: New South Wales gets its first paid magistrate, D'Arcy Wentworth.” and in the Australian Dictionary of Biography it says,

* “When Macquarie arrived in 1810 Thompson was in poor health as a result of effects of cold and immersion in the 1809 floods. However, Macquarie restored him to favour and appointed him magistrate at the Green Hills, the first emancipist to be appointed to such a position.”

and on page 59 of this document it says,

* “The Deputy Surveyor, Charles Grimes, was the first resident magistrate at Hawkesbury, followed by the First Fleet surgeon, Thomas Arndell, in April 1802.”

and on page 64 of this document it says,

* “The study area in 1798 is the crucible in which the passions flamed and hardened, influencing the course of Australian democratic process. Harris’ defence of his rights as a free person, once his sentence had ended, was on public display, supported by the Reverend Samuel Marsden, the Hawkesbury’s magistrate”

* On page 71 of the SCMP it says, “Thompson was to be the colony’s first ex-convict magistrate, stationed at Hawkesbury.¹⁴¹”

Please check.

* In the same table on page 30 it states,”1896-1897 Windsor Bridge raised by two metres. Punt brought briefly back into service before Windsor Bridge was ready for use again. “ * However, in the Windsor and Richmond Gazette Saturday 3 April 1897 it says, “The construction of a temporary bridge was completed on September 9, 1896, this bridge to carry traffic during alterations to permanent bridge. The

temporary bridge was 460 feet long, was completed and opened for traffic in six weeks.”

* On page 122 it says, “When the level of the bridge was raised in 1896, the punt had to be brought briefly back into service before the temporary bridge was ready for use.²⁴¹” Please check.

* In the same table I cannot find any reference to the use of reinforced concrete beams which replaced the timber deck in the early 1920s.

* In the Statement of significance, Heritage and conservation register, Roads & Maritime Services, 21 October 2004 it says, “The addition of a reinforced concrete beam deck to replace the timber deck in the 1920s is a relatively early use of this technology.”

* On page 30 it says, “Concrete slab bridges, in this era, were universally cast-in-place” and, “the concrete structural beams were individually cast in moulds on the riverbank adjacent to the bridge and, when ready, were lifted into place by crane.”

* There is further evidence to indicate the use of such beams did not become common practice until the 1950s. If this is so this is a significant technique and thus should be included in the table.

* In the same table I could not find any reference to the Macquarie commissioned and Greenway designed wharf, the remnants of which are still visible. On page 111 it says, “So, it is likely that the wharf finally completed to Greenway’s design in 1820 had an easier life than its predecessors. It may be the footprint of Greenway’s wharf drawn both by White in 1835 and Galloway in 1841.” Please check. This is a major heritage item.

* In the same table on page 30 it states, “2014 New wharf constructed. “ This is not actually factual. The new wharf was built in 2011-12 to the best of my memory. However in a river rise in 2012 the wharf broke its back. The wharf was repaired with the appropriate adjustments in 2014. This is an example of a non heritage designed wharf in

a heritage precinct that was wrongly designed for a river renowned for its flooding. And this was a joint HCC/RM project.....!!!!!!

* Note: I find the entries for 1934 and 1935 in the same table confusing. I suggest greater clarity is required as per page 116, “In 1934, the wharf was renovated and a new cutting was made from the bridge approach road across Terrace Road to give more convenient vehicle access to the wharf.”

* Just a point of clarification: The last recorded flood occurred in 1992. The statement on page 31, i.e. “The recorded flood history extends from 1799⁸ through to the present day (with a 6m rise in river level recorded as recently as June 2016).” although not incorrect it may be seen as misleading.

* Minor typo: On page 53, “Not all interactions between Aboriginal people and colonists were negative in this period. Many of the Sackville Aboriginal people worked **as at** the Tizzana Vineyard”.

* Minor typo: On page 64 is the word ‘fledging’. On page 69 is the word, ‘fledgling’. My understanding is the word can be spelt either with or without the ‘l’. Move to consistency.

* Barrel Drain: On pages 96/7 reference is made to the barrel drain. Therefore it is a puzzlement as the King of Siam said, that the drain was not located in the recent archaeological survey. It leads one to wonder if the plan was not to look for the drain. There are local citizens who claim to have played in the drain and some who looked into the drain.

Refer also to page 97 Figure 53. Please check.

Oops! I have just noticed the time. Competing needs necessitates a halt to my submission well short of being able to respond to the complete SCMP. I again apologise for

not having enough available time to carry out extensive quality control measures before submitting but I rest in the knowledge that although these are meagre efforts, the quality control appears to be more effective than the documents provided by the R&M and indeed the SCMP itself. At least I know the difference between the Hawkesbury River and Buttsworth Creek.

Never-the-less, I trust my scant input may be able to influence a readjustment of the SCMP to better reflect the available evidence.

This project has all the elements of the Emperor's new clothes. Who is game to let the Government know? Will you?

Kind Regards,

Harry Terry