

Submission
No 314

INQUIRY INTO WINDSOR BRIDGE REPLACEMENT PROJECT

Name: Name suppressed
Date received: 29 January 2018

Partially
Confidential

WINDSOR BRIDGE UPPER HOUSE INQUIRY

SUBMISSION

I wish to state I am opposed to the Windsor Bridge Replacement Project.

In my submission I will be addressing the following points of the Terms of Reference:-

PORTFOLIO COMMITTEE NO.5 – INDUSTRY AND TRANSPORT

Inquiry into the Windsor Bridge replacement project

1. That Portfolio Committee No. 5 - Industry and Transport inquire into and report on the expenditure, performance and effectiveness of the Roads & Maritime Services' Windsor Bridge replacement project, and in particular:

a). the current Windsor Bridge, including its maintenance regime, renovation methods and justification for demolition,

b). the replacement bridge project, including:

...

...

...

...

v. project assessment process

vi. planning and procurement strategies and associated project costs

...

c). any other related matters.

Much of my submission will be focusing on what appears to be the dishonest and inappropriate communication and planning relating to the Windsor Bridge Replacement Project (WBRP).

The information used to form my argument has been sourced from Windsor Bridge Replacement project documents, the RMS, Hansard, media and the Call for Papers into the project obtained by David Shoebridge MLC.

BACKGROUND

I first became aware of the WBRP in 2009 when the RMS advertised a community consultation workshop to look at Options for the new bridge.

At that stage rumours were abound the bridge had 'concrete cancer', and it felt there was a genuine fear in the community the bridge might fail.

In 2011 my husband and I attended a workshop, whereby the opportunity to partake in a focus group was offered, and which my husband became a participant.

It was through this process and his experiences in the focus group that it became evident there were some seriously questionable processes going on.

It was in this group that residents who had been willing participants in the replacement bridge process were now turning away from an increasingly rotten project.

Over the coming months it became clear the community was being given an alternative version of the truth, and had been for some time. I am now actively involved in halting this project.

As a resident of the Hawkesbury for 43 years, and a regular user of Windsor Bridge, I would not be fighting this option if I genuinely thought the current bridge was in danger of a catastrophic event.

I fight this fight because I know it is the right thing to do. I continue to be overwhelmed by the level of blatant dishonesty by our local representatives.

PUBLIC CONSULTATION

The Preferred Option

The Windsor Bridge Replacement Project was announced by Eric Roozendaal in June 2008, with the commitment of \$25 million to replace the Windsor Bridge over the Hawkesbury River.

In July 2009 the RMS (then RTA) commenced community consultation with the release of "Community Update. Windsor Bridge over the Hawkesbury River" ¹, detailing the 9 design options for the new bridge. These were presented to residents, stakeholders and community groups, and feedback was invited in order to determine a shortlist of preferred bridge options.

A shopping centre promotion was held on Saturday 25 July 2009 at the Riverview Shopping Centre in Windsor. A community worksop was held at the Deerubbin Centre in Windsor on 1 August, 2009. Community displays were on exhibition at Hawkesbury City Council and Richmond Motor Registry from Monday 13 July until Friday 14 August 2009.

The same document stated:

"All submissions from members of the community and other interested parties will be taken into account in preparing a preferred list of options. Once a short list of options has been determined the community will be consulted again to provide further feedback so a preferred option for Windsor Bridge can be chosen."

The RTA's "Report on community consultation" ² in Nov 2009 stated

"The next stage will be to refine the number of options to approximately three options. Then the community will be consulted again to provide further feedback so a preferred option for Windsor Bridge can be chosen."

When in this same report the question of whether a preferred option had been identified was asked, the response from the RTA was

¹ <http://www.rms.nsw.gov.au/documents/projects/sydney-west/windsor-bridge-replacement/windsor-bridge-cu-july2009.pdf>

² <http://www.rms.nsw.gov.au/documents/projects/sydney-west/windsor-bridge-replacement/windsor-bridge-cc-report-nov2009.pdf>

“Currently the RTA has no preferred option. The preferred option will be decided after the community consultation has been completed.” (My emphasis).

In August 2011, then Roads Minister Duncan Gay announced the preferred option as the current plan of Option 1.

However documents obtained from the RMS tell a different story.

In an internal RTA document titled “The status on the Windsor Bridge Replacement Project 25 August 2008” it states

“2. Preferred Location for the New Bridge:

The Option Report for the location of the new bridge has been finalised and preferred location selected. In this report 6 options were considered and feasibility of each option discussed.”

The same document states

“c. The RTA property section has obtained necessary information on all affected properties. The owners of the affected properties will be contacted shortly.”

This document was released 14 months prior to the “Report on community consultation” where the RTA stated no preferred option had been decided upon.

On 19 August, 2008 an internal RMS email contains the statement

“The current location has been selected as a preferred option for the new bridge following careful consideration of 8 other options.”

In his Media Release dated 17 June, 2008 for the replacement Windsor Bridge, then Roads Minister Eric Roozendaal announced

“The new bridge will be built next to and downstream from the current Windsor Bridge.”

This statement indicates the Option 1 location was already chosen, negating the need for the lengthy community consultation.

Further to this, a newsletter from Ray Williams MP dated April 2009 states

“The preferred option is a new bridge slightly closer to the current Windsor Wharf and 3 metres higher.”

This describes the current plan of Option 1. Mr Williams’s newsletter was published three months prior to the commencement of community consultation into a preferred option, and over two years before Option 1 was officially announced.

In the traffic review dated 15 August 2013 by Cambray Consulting which was prepared for the Department of Planning as part of the EIS process, they observed

“...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.”

What is the purpose of Community Consultation if the decision of the preferred location is made prior to input from the public? The RMS continues to (falsely) promote the cost benefits of Option 1, yet how much did this charade cost the community, and how much will the community continue to lose because of it?

Ray Williams MP And The RTA

In 2008 Labor held Government in NSW. Ray Williams MP was the then member for Hawkesbury within the Opposition Government.

At that time Windsor was in the electorate of Riverstone, which was held by Labor MP John Aquilina.

Ray Williams has always and continues to be an ardent supporter of the WBRP despite since moving to the electorate of Castle Hill, and the project not part of his portfolio.

It is on the public record that two RTA Officers visited Mr Williams’ office on 27 October 2008 *“to discuss options for the replacement of the Windsor Bridge”* (Hansard, 2010 ³).

On 18 October 2012 ⁴ a motion was put in the Legislative Assembly regarding the Windsor Bridge Replacement Project. In the debate, Mr Williams referred again to this meeting.

³ <https://www.parliament.nsw.gov.au/permalink?id=HANSARD-1323879322-42643>

⁴ <https://www.parliament.nsw.gov.au/permalink?id=HANSARD-1323879322-50414>

“In 2008 bureaucrats from the Roads and Traffic Authority, now Roads and Maritime Services, came to see me. In 2011, after the last State election, the same bureaucrats came to see me in my office to discuss the same things that they discussed with me in 2008.”

During the debate the Member for Canterbury Linda Burney stated

“...representatives from the Department of Roads, or whatever is its present iteration, visited the member for Hawkesbury, Ray Williams, who at that time was a member of the Opposition. I have never heard of two middle-level bureaucrats doing such an unusual thing.”

It is my understanding the Labor Government of the day had a general policy that all contacts and requests for information by politicians and their offices must be dealt with by the office of the relevant Minister.

It appears to be an irregular practice for Mr Williams to hold discussions with Government bureaucrats regarding an infrastructure project outside his electorate whilst in Opposition Government, especially considering the project at the time was within a Government electorate belonging to Mr Aquilina.

Such behaviour raises questions regarding the integrity of the WRRP planning process.

APPROVAL PROCESS AND POLITICAL INTERFERENCE

When the WBRP was in the infancy of its planning, a draft report “Assessment of proposed bridge over the Hawkesbury River at Windsor, May 2008” from the Government Architect’s Office concluded

6. CONCLUSION AND RECOMMENDATIONS

The proposal to develop a new two lane bridge (*Option 1*) or four lane bridge (*Option 2*) downstream of the existing Windsor Bridge is not supported for the reasons outlined above. There are two other proposals that should be considered:

Option 3: refurbish the existing bridge.

In the longer term in line with demand a new bridge could be built in a more suitable location on the periphery of the historic town centre and more closely related to future urban growth. At that time, the original bridge could be possibly be used to meet the needs of light local traffic only or pedestrian and cyclists or decommissioned.

Option 4: a new bridge in a new location

In consideration of the future traffic demands and urban growth develop a new bridge in a more appropriate location on the periphery of the historic town centre and more closely related to future urban growth.

In the WBRP Environmental Impact Statement (EIS) released in 2012, it states

"...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." Historic Heritage Working Paper Part I, pg. v.

In response to the WBRP EIS, the Engineering Heritage Committee of Sydney Division of Engineers Australia commented

1. The opportunity should be taken now to resolve the heritage and traffic issues by completely removing the bridge route from the Thompson Square area. Leaving the route through the Square area, at very best, can only postpone problems for future generations. There is no doubt that eventually another crossing will be required that better copes with through traffic

As part of the planning process, the Department of Planning commissioned three reports into heritage, traffic and structural integrity of the existing Windsor Bridge.

Their recommendations include:-

*Windsor Bridge Replacement Project, Traffic Review of Information Provided by the Applicant, Cambray Consulting, August 2013.*⁵

"In our opinion there may be alternatives to the preferred option warranting consideration, which involve retaining and refurbishing the existing bridge in the short term, and seeking to provide an additional river crossing (or bypass) in the longer term. The existing bridge could then be used by traffic heading towards Freemans Reach / Glossodia (which is essentially local traffic), whilst allowing through and heavy vehicle traffic to bypass Windsor (protecting the town from the intrusive effects of through traffic) and possibly allowing a lower load limit to be placed on the existing bridge, potentially extending its serviceability."

"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

⁵ https://majorprojects.affinitylive.com/public/73c09e5a9e90d23f750d8d5447be63be/001.%200001_Windsor%20Bridge_Traffic%20Review%20Report.pdf

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."

A Review and Consideration of the Structural Condition of the existing Windsor Bridge, Final Review, Peter Stewart Consulting Pty Ltd. ⁶

"The condition of the existing bridge is such that it is not in a dire condition and could relatively economically be refurbished and strengthened."

"It appears the optimum option is some combination between the RMS and the Pearson Wedgewood options which will be able to provide a viable option (3 above) for the next 25 to 50 years and hence not build a new bridge at this stage. Then at some time in the future a bypass can be built which avoids all the damage to property, heritage values etc. So with a relatively modest expenditure the bridge can be serviceable for the next 50 years within which time an alternative route will have been identified and agreed."

Windsor Bridge Replacement Project Independent Heritage Review, August 2013, Casey & Lowe, Archaeology & Heritage ⁷

"The proposed mitigation measures do not avoid impacts on heritage significance."

"Provision of new parkland facility does not necessarily address significance of the place and as a mitigation against physical and social impacts of the proposed development. It is not linked into the heritage significance of the square but is proposed as a key heritage mitigation strategy."

"Given that the bridge is considered an item of state significance within the EIS, give further consideration to options for the proposed route that retain the bridge to provide either a primary or secondary use."

The overwhelming advice from those with professional expertise has been to retain the existing bridge and build an additional crossing over the Hawkesbury River.

An internal RMS email from September, 2013 points out the only agency who supported the project was Hawkesbury City Council.

⁶https://majorprojects.affinitylive.com/public/22b66dff343265c6d9c82da7a2ba9b9f/Final%20Engineering%20Review%20Report%20on%20existing%20Windsor%20Bridge_160813.pdf

⁷ <https://majorprojects.affinitylive.com/public/2fd3e710e4cf43c8d1f9adf5ebd0c060/WBRP%20Independent%20Heritage%20ReviewFinal%20redacted1.pdf>

[REDACTED] - Re: Submissions

From: [Gemma Grinnion](#)
To: [Joanna Glass](#)
Date: 9/19/2013 10:35 AM
Subject: Re: Submissions

No worries 🍌

Yes, Council was the only of the six agencies to specify support to the project.

On 19/09/2013 at 10:26 am, [Gemma Grinnion](#) wrote:

That's great, thanks v much. Just to confirm, Council was the only agency to support the project? That's the info we wrote into Section 4.

Cheers,

[Gemma](#)

>>> [Gemma Grinnion](#) 9/19/2013 10:21 am >>>

Hi [Joanna](#),

I have put together some notes below (new words in red).

Council's submission is largely silent on why it supports the project; I recall from the time that a council website search did not proffer further detail.

Happy to discuss.

Regards,

[Gemma](#)

In a Community Cabinet Meeting held in Penrith in 2013, then Minister for Roads Duncan Gay said

"When I said that this (project) will be evaluated properly and fairly and independently within the Planning Area, I meant it.

It doesn't matter whether it's the larger group or the smaller group (who support the project) it's whether it's appropriate and whether we are doing the right thing and we're not alienating our important colonial history.

I would not deliberately do that.

We promised we'd build this bridge and we promised we'd build it subject to proper planning and that's what we're doing.

If we say to the community we're going to do something we certainly try and do something subject to proper planning approvals and that's what we're doing."

Despite these words from Minister Gay, this did not happen.

The overwhelming evidence since 2008 to not proceed with the bridge is perhaps the reason the Department of Planning drafted an Instrument of Disapproval as revealed by the Call for Papers in 2013.

Project Disapproval

Section 75J of the *Environmental Planning & Assessment Act 1979*

disapprove the carrying out of the project application referred to in schedule 1, for the reasons listed in Schedule 2.

Sydney	YEAR
SCHEDULE 1	
Application No.:	SSI - 4951
Proponent:	Proponent Name
Approval Authority:	Minister for Planning
Land:	(Lot and DP) or (general description) or (See Appendix X)
Project:	Windsor Bridge Replacement Project, including: <ul style="list-style-type: none">• project component;• project component;• project component: and;• project component.

Yet despite their initial decision, and despite the findings of the independent assessments, pressure from local politicians saw a change in direction.

An article in the Sydney Morning Herald, 'Windsor Bridge replacement gets green light despite 'questionable' legality', 4 December 2013 ⁸ discusses the pressure placed on the Department to approve the project.

"Internal emails between government MPs and ministers also reveal the department was under political pressure to recommend replacement of the bridge.

⁸ <http://www.smh.com.au/nsw/windsor-bridge-replacement-gets-green-light-despite-questionable-legality-20131203-2yooa.html>

Copies of emails released in a NSW Parliament upper house call for papers show Premier Barry O'Farrell's office put pressure on Roads Minister Duncan Gay and Planning Minister Brad Hazzard to deliver the new bridge project."

An email dated 22 July, 2013 to the Premier's Chief of Staff from then Member for Londonderry, Bart Bassett, discusses the importance of the project to be approved as *"The delays are killing us Brad has put no pressure on the Dept to get it finished... The delays have now allowed the mobilization (sic) of Unions and Fed Labor"*.

The response from the office of then Premier Barry O'Farrell is they had spoken to the Chiefs of Staff from the Ministers of Roads and Planning to address Mr Bassett's concerns.

This email chain was sent the day after the Federal Labor Government committed \$500,000 to an independent study into an alternative proposal, and the day after Community Action for Windsor Bridge commenced their occupation of Thompson Square.

Despite overwhelming expert advice to not proceed with the new bridge in the preferred location, the Department of Planning went against its initial decision and recommended the project for approval.

The Sydney Morning Herald, in the same article, reported

"The Department of Planning and Infrastructure on Thursday recommended the project go ahead despite its own assessment finding little justification for the project."

The independent assessments were ignored in favour of political pressure.

What sort of farcical process ignores every expert commissioned by the Government, who all categorically stated the new bridge should not proceed in the location which was clearly chosen prior to the commencement of community consultation? In fact, no report has ever even presented that actually agrees with the preferred option. All we have is justification for a clearly bad option.

It was political interference, not merit that saw this project approved, and due to the regulations of State Significant Infrastructure, the project could not be challenged on merit.

DISHONESTY AND MISINFORMATION

Whilst Hawkesbury City Council was one of the main agitators in the push for a new bridge, the 2016 Local Government Elections saw a majority of new Councillors elected after campaigning against Option 1.

On the council meeting of 27 June, 2017 a motion was put that

1. Council advise the RMS that it will take possession of the State Significant Windsor Bridge, refurbished for use by pedestrians and cyclists, in the event the planned Option One bridge is constructed.
2. The Mayor write to the National Trust of Australia, the Royal Australian Historical Society, Engineers Australia and the NSW Heritage Council to request their support for the request and the ongoing care of historic Windsor Bridge.

During the debate the Liberal Councillors Patrick Conolly, Nathan Zamprogno and Sarah Richards indicated they had contacted the office of local member and state treasurer Dominic Perrottet MP to seek advice on the feasibility of retaining the existing bridge for pedestrian traffic.

The advice they received back, which was read out at the meeting, indicated the bridge was in such dire condition that its retention would require a renovation of \$16 million which would only extend its life for 10 years, even as a pedestrian bridge.

Further to this, to reverse engineer a handrail to the downstream side of the bridge would cost in excess of \$1 million.

However an email chain between the RMS and Minister Perrottet's office shows the information presented to the local councillors differed to the initial advice given to the RMS.

An outline of the email chain is as follows:-

Monday 26 June, 5:16 PM - Email from Danica Zegarac from Dominic Perrottet's office to Leslie Wells in Roads Minister Melinda Pavey's office seeking advice to be presented at the meeting.

Monday 26 June, 5:16 PM - Email forwarded to Steven Head at the RMS

Monday, 26 June 2017 5:21 PM - Email is forwarded to the Asset Management department in the RMS

Tuesday, 27 June 2017 9:08:18 AM - Reply sent by Joe Krsul from the Asset Management Dept to Steven Head saying repairs to the bridge could cost in excess of \$5M which includes underwater repairs. A new railing would have to be fitted to the downstream side of the bridge, and the existing railing would have to be upgraded, which is estimated to cost \$0.5 - \$1 million. The RMS would undertake a 30 year maintenance plan and handover the amount to council to maintain.

Tuesday, 27 June 2017 11:34:35 AM - Steven Head replies to Leslie Wells that *"it has been assessed that at least \$16M would be required to repair areas of existing substantive damage. Even with this maintenance work, the repairs would only extend the service life of the bridge for up to 10 years"*. The new railing would cost at least \$1 million, and RMS has no allocation to handover to Council funding for Council to undertake the required maintenance.

It took 2 hours for the RMS to change the information suit their agenda, and to suit claims made to date regarding the condition of the bridge. False information was then supplied to Minister Perrottet's staff, and this was then passed on to local Councillors who based their decision to vote against the retention of the existing bridge on this dishonest advice.

The RMS cannot even be truthful with its own Government.

PROJECT OBJECTIVES

Throughout the planning process the project objectives have changed to justify a bridge that no longer fulfils the requirements set out in the early days of the project.

The RMS continually state they are replacing the Windsor Bridge to provide a safe and reliable crossing of the Hawkesbury River at Windsor. Yet every day around 22,000 vehicles travel safely and reliably over the bridge.

A recently released RMS survey reported between June 2011 and December 2016 there 52 crashes in the study area.

Of these crashes, none were fatal, 32 were non-casualty, and 41 were at intersections on the surrounding approach road network. From the diagram below it appears no accidents occurred on the bridge itself in that period. Therefore the argument the bridge is not safe based on crash data is unfounded. Any issue with the surrounding road network can be addressed independently of the bridge being replaced.



The other issue of safety is that of the bridge condition. As discussed on page 7 of this document, the report prepared into the structural condition of the existing bridge for the Department of Planning states *“The condition of the existing bridge is such that it is not in a dire condition and could relatively economically be refurbished and strengthened”*.

The RMS revealed in an email to a resident that between 1994 and 2013 the maintenance on the Windsor Bridge has cost just over \$57,000. Since then it has been observed the RMS resurfaced the footpath and have been conducting regular inspections, however no actual shoring up of the bridge nor any remedial work of any kind has been undertaken.

Even the road surface on the bridge has been worn away to the point where the old yellow centre lines are now visible. A bridge that is in dire condition, is at threat of catastrophic failure, or even one that requires extensive and expensive ongoing maintenance would have amassed a greater maintenance record and budget than the existing Windsor Bridge has.

Again, this does not support the statement that the bridge is unsafe.

Recommendation

1. Immediate cessation of the WBRP
2. Thorough investigation into the practices of the RMS.
3. Investigation into an additional crossing of the Hawkesbury River
4. Renovation of the existing Windsor Bridge

Conclusion

The issues and examples provided in this submission cover just a handful of the questionable

The Casey and Lowe report goes as far as to point out the monetary value of the project appears to be a deciding factor of the preferred option, and the “RMS does not consider that the failure to meet the criteria relating to conservation of heritage has any real weight in its decision making”.

Whatever agenda is behind the project is bigger than expert advice, effective planning,

Any government that could deliver infrastructure that catered for future growth and saved Thompson Square would be hailed as heroes. Why is it so important the new bridge we located in that particular location, and why does the old bridge have to be removed?