

OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 30 September 2019

Item Number. 97

SUBJECT: Cabramatta Loop Freight Rail Line - Submission to Environmental Impact Statement (EIS)

FILE NUMBER: 18/02368

PREVIOUS ITEMS: 93 - Information Report - Cabramatta Freight Rail Loop Project - Outcomes Committee - 10 Sep 2019 7.00pm

REPORT BY: Patrick Warren, Senior Strategic Land Use Planner

RECOMMENDATION:

That:

1. Council lodge a submission (Attachment A of the report) objecting to aspects of the Cabramatta Loop Freight Rail Line project.
 2. Council advise the Department of Planning Industry and Environment that any approval for the project should include a condition requiring the proponent to provide offset parking to address the loss of commuter parking on Broomfield Street.
 3. Council's objection to the proposal be forwarded to the Hon Michael McCormack MP, Deputy Prime Minister and Federal Minister for Infrastructure, Transport & Regional Development, as well as the Hon Andrew Constance MP, State Minister for Transport & Roads.
-

SUPPORTING DOCUMENTS:

| | | |
|-------------|---|----------|
| AT-A | Fairfield City Council Proposed Submission on The Public Exhibition of the Cabramatta Loop Freight Line EIS | 7 Pages |
| AT-B | Fairfield City Council Input Into SEAR's and Response to Request for SEAR's Compliance | 17 Pages |
| AT-C | Correspondence with Federal Ministers regarding the Cabramatta Loop Freight Line Project | 4 Pages |

CITY PLAN

This report is linked to *Theme 2 Places and Infrastructure* in the Fairfield City Plan.

OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 30 September 2019

Item Number. 97

SUMMARY

The Australian Track Corporation Limited (ARTC) has submitted an application for the Cabramatta Freight Rail Line Loop project with the Department of Planning Industry and Environment (DPIE). The application is classed as State Significant Infrastructure (SSI) under Schedule 3 clause (3) of State Environmental Planning Policy (State and Regional Development) 2011.

The project proposes the construction and operation of a passing loop on the Southern Sydney Freight Line (SSFL) to enable freight trains (up to 1,300 metres in length) travelling in either direction to pass each other. The project is proposed to be partly located within the existing rail corridor between the Hume Highway and Cabramatta Road East overbridges (in the suburbs of Warwick Farm and Cabramatta) and also includes works at Broomfield Street in Fairfield City and Jacquie Osmond Reserve in Liverpool City, adjacent to the rail corridor.

Civil works associated with the project include:

- New track – providing a 1.3-kilometre long section of new track, adjacent to the existing track, with connections to the existing track at the northern and southern ends to form a loop.
- Track realignment – moving approximately 550 metres of existing track sideways (slewing) to make room for the new track.
- Bridge works – constructing two new bridge structures adjacent to the existing rail bridges over Sussex Street and Cabramatta Creek.
- Road works – reconfiguring Broomfield Street for a distance of approximately 680 metres between Sussex and Bridge Streets.

A full copy of the EIS can be viewed on the DPIE major projects page.

Public Exhibition of the EIS

The EIS has been placed on public exhibition for a period of 28 days with the exhibition finishing on 26 September 2019. A copy of the draft EIS was placed at Council's administration centre and at Whitlam Library in Cabramatta.

The DPIE has advised that notice of public exhibition of the EIS was included in the Fairfield City Champion and Advocate Newspapers on 28 August 2019. DPIE did not send notification letters regarding the public exhibition of the EIS to property owners directly affected by the proposal as this is the proponents' responsibility (ARTC). ARTC sent letters out to affected property owners regarding the public exhibition of the EIS including exhibition dates and a summary of the EIS document.

ARTC held a community information session at Cabra Vale Leisure Centre on Wednesday 18 September 2019 between 4pm and 7pm. It is understood 12 residents attended, but it is unknown whether this resulted in any public submissions.

OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 30 September 2019

Item Number. 97

BACKGROUND

Council officers have met with ARTC on a number of occasions over the preceding 18 months to discuss concerns relating to the project, primarily relating to:

- Accessibility
- Provision of a traffic impact assessment
- Sound wall urban design elements
- Pedestrian and cycle way connectivity
- Disruption to the road network

On 22 May 2018 Council unanimously endorsed a Mayoral Minute (Attachment C) to forward Council's concerns to the Hon. Michael McCormack MP, Deputy Prime Minister and Minister for infrastructure & Transport and the Hon. Paul Fletcher MP Minister for Urban Infrastructure.

Council received a response (dated 2 August 2018) from the Deputy Prime Minister that included the following statement:

ARTC advises me it welcomes your Council's suggestion to offset the potential loss of parking spaces, which could include the decking of the Hill Street Carpark. Feasibility designs that ARTC has already shared with Council will undergo significant development as the EIS process progresses. This will ensure that the mitigations required by the EIS are incorporated into the fabric of the project's design.

Further meetings were held with ARTC and relevant internal Council stakeholders to discuss Council's concerns. The draft EIS was subsequently lodged with DPIE and Council officers were requested to comment further on the draft EIS prior to its public exhibition. Correspondence was provided that Council still had a number of unresolved concerns with the project. Formal correspondence was provided to the DPIE on 18 July 2019 (Attachment B) which raised several points of objection including the key point of loss of commuter parking, below:

The Cabramatta loop proposal will result in the loss of angle parking at Broomfield Street parallel to the existing rail line. Council does not support the proposal if it results in net loss of on street parking in the Cabramatta subdistrict. Council requests ARTC provide an offset of parking equal to or greater than the amount of spaces lost as a result of the track expansion.

In August 2019, a further meeting was held with ARTC to discuss the concerns raised. At this meeting ARTC advised that it would not agree to an offset parking solution for the permanent loss of 11 commuter car parking spaces in Broomfield Street.

ARTC's position is based on a parking survey carried out as part of the EIS (on one day between 7am and 7pm) that concluded:

OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 30 September 2019

Item Number. 97

The permanent loss in parking would be considered a minor impact as parking surveys indicated Broomfield Street has capacity to absorb the potential loss. Capacity of up to 76 spaces south of Cabramatta Station was observed particularly between Sussex Street and Junction Street. As Broomfield Street between Sussex Street and Junction Street is within walking distance (up to 800 metres) the spare capacity is considered to offset parking lost as a result of the project.

A reduction in commuter parking anywhere in Cabramatta is inconsistent with the directions in Council's Local Strategic Planning Statement (LSPS) and the Sydney Metropolitan Strategy that aim to increase public transport usage and reduce vehicle trips. It will also exacerbate existing traffic and parking issues in Cabramatta.

Therefore, it is not agreed that the permanent loss of 11 spaces is a minor impact. The conclusion in the survey is based on one survey which has not identified the readily apparent high level of demand and pressure on both commuter and on street parking in Cabramatta Town Centre, particularly within proximity to Cabramatta station. This was a key matter in Council's submission in Attachment B which includes 3 options for the offsetting of commuter parking loss, being:

- 1) Adding an additional deck to the Fischer Street Carpark.
- 2) Investigation of the potential for property acquisition along Broomfield Street to build an at grade commuter car park.
- 3) Creation of kerb side parking in Boundary Lane.

OFFICER COMMENTS

A summary of other issues included in Council's previous submissions (Attachment B) from internal divisions is provided below.

Catchment Planning

Concern is raised in regard to the post development scenario for the loop rail project that will result in approximately 12 properties along Broomfield Street experiencing an increase of up to 50 mm during the 1 in 100-year flood event. At the time of report writing, Council had not received a response from the proponent in relation to this issue, including any potential mitigation measures.

Recommendation:

The proposed increase in flooding for residential properties caused by the loop rail project is unacceptable. ARTC need to provide mitigation measures that do not result in a net increase in flooding to properties in Broomfield Street and that comply with all requirements within Schedule 5 of the Fairfield City Wide DCP 2013 – Chapter 11 Flood Risk Management.

OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 30 September 2019

Item Number. 97

Traffic

- Council's traffic engineers do not support the project based on the loss of commuter parking.
- In the event of any approval a construction management plan will need to be prepared detailing construction routes, number of trucks and hours of operation including access arrangements and traffic control.
- This is to be submitted to Council's traffic engineers for approval. In addition, construction workers will need to park in designated construction parking areas and not utilise existing commuter or on street parking areas.

Recommendation

The project is not supported if it results in a net loss of commuter parking within the Cabramatta Town Centre.

Property Branch

- No objections raised to permanent land acquisition of a small amount of Council owned verge as long as undertaken in accordance with the relevant provision of the (Just Terms Compensation) Act 1991.
- There are no objections to temporary land acquisition by way of lease with Council for required work sites.
- There are no objections to temporary occupation of Broomfield Street, Sussex Street and Railway Parade for relocation of utilities, regarding, reconfiguration and realignment of roads.
- ARTC should provide detailed road survey drawings to identify the land for permanent or temporary land acquisition including timing, terms and duration of temporary use of public land for Council's consideration.
- Relocation of parking to Broomfield Street – The project is to result in no net loss of parking spaces. Any removal of public parking space will need to be reinstated within 400 metres of the railway station to the satisfaction of Council.
- RailCorp should immediately commence negotiations/compensation with Council in relation to the acquisition and lease of land associated with this project to avoid delays.

Recommendation – No objection is raised in relation to permanent land acquisition regarding a small amount of Council owned verge provided it complies with the Just Terms Compensation Act 1991. It is noted that Broomfield Street at the rail bridge is on Rail Corp land.

Environmental Health

All recommendations relating to mitigation of acoustic and air quality impacts from the project are to be adopted and implemented as part of any approval of the project.

OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 30 September 2019

Item Number. 97

Open Space

- Concerns have been raised concerning the existing trees along Broomfield Street as the changing levels and works carried out around the trees would potentially make it difficult for them to be retained.
- Ongoing maintenance of the new sound wall and planting along it should be maintained by RMS or Sydney Trains. Graffiti management measures on the sound wall will need to be considered.

Recommendation

It is recommended that the SSI approval be conditioned that if health of tree/s is to decline or deteriorate during or after the project that the tree/s are removed and re-planted with an appropriate mature size tree/s and that this process be supervised and approved by Council.

City Assets

- A verge must be provided between the shared pathway and parallel parking lane. A verge is very important for the safety of cyclists and pedestrians as it creates a buffer between cyclists and open car doors which are a major cause of collisions between cars and bicycles.
- A risk assessment needs to be undertaken to ensure that the proposed 2.5 metre shared pathway won't compromise safety of pedestrians and motorists.
- Pavement Design shall comply with Austroads Guidelines "A guide to the Structural Design of Road Pavements", design for other proposed infrastructure shall comply with Council's design guidelines. Construction is required to comply with Council's Road Works Specifications and shall be submitted to Council for review and approval.
- Quality Control and Assurance Documentation for construction works on Council land is to be provided for review. ARTC's nominated construction contractor should provide Council access on site when construction is underway.
- A dilapidation survey is required to be carried out prior to construction. The dilapidation survey is to include information in regard to each defect on the road surface, kerb and gutter and other associated assets and is to be prepared by a suitably qualified person.

Recommendation

The plans must be amended to show a sub soil drainage system along the identified barrier kerb. The realignment must ensure that vehicle turning path requirements into Bridge Street, Boundary Lane and Sussex street conform to the relevant Australian Standard. The vertical alignment of each driveway is to be checked to ensure that the gradient is suitable for ingress and egress.

OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 30 September 2019

Item Number. 97

Cabramatta and Fairfield Place Team

- Fairfield is a diverse multicultural community and consultation in community languages, including face to face with each affected owner/tenant, is required.
- Evidence that local residents have been informed and engaged for comment on the project is required.
- Multilingual notification of project for wider community is required.
- Ensure the easy access and continuation of the existing cycleway. The cycleway is part of a rail trail that must be maintained for community connectivity and future health improvement needed in the Fairfield.
- All parking spaces that are changed or lost are to be reinstated within comfortable walking distance on the same side of the line, closer to the desired location of Cabramatta station (as per the officer discussion).
- Moving parking further away will require compensation for the Cabramatta retail precinct. During construction it is to be ensured that parking close to the train station entry is available and that any temporary parking is safe, well lit, advertised and signposted.
- Real time noise monitoring of wheel squeal and maximum noise limits is to be imposed to assist neighbourhood amenity due to the slewing, stopping and starting operation of freight trains.
- Tree canopy and landscaping amounts (offsets from the original freight line project) are to be replaced and not on the roadway. A maintenance schedule is to be in place for 12 months for new plantings so that they survive.
- The protected Cabramatta creek flying fox colony was not mentioned in the EIS. Their numbers have increased since the relocation of the colony from the Sydney Botanical gardens.
- Flooding impacts at the Sussex Street bridge, and weed infestation has increased in the area since the previous Southern Sydney Freight Line Works. The residents at Sussex St bridge will be very close to the new line and bridge, the design must demonstrate how it sufficiently protects the residents from light pollution, noise impacts and particulate emissions from freight trains.
- Graffiti management on the sound wall and Sussex St Bridge needs to meet the appropriate standards. It is currently being managed poorly.
- Cabramatta has a large events program, no rail works, line possessions or on street changes to be made during the lead up to and on event day. Dates of key festivals have been submitted to ARTC.

Recommendation

Cabramatta Place team asks that key stakeholders concerns including the Cabramatta Chamber of Commerce, who will shortly make a submission to DPIE, be taken into consideration during ARTC's response to submissions.

OUTCOMES SUPPLEMENTARY REPORTS

Meeting Date 30 September 2019

Item Number. 97

CONCLUSION

The report recommends that Council make a submission (Attachment A) to the exhibition of the draft EIS noting that the proposed ARTC Cabramatta Loop Rail Project has unacceptable impacts in relation to:

- No offset parking solution resulting in the permanent loss of 11 parking spaces on Broomfield Street.
- Relocation of parking to the eastern side of Broomfield Street being further diminished due to anticipated future medium density development on adjacent residential lots.
- Increased flood levels to properties in Broomfield Street.

A range of additional matters as discussed in the report have been identified and have been included in Council's proposed submission.

It is also recommended that Council forwards its objection to the relevant Federal and State Ministers who have oversight of the project.

Patrick Warren
Senior Strategic Land Use Planner

Authorisation:

Executive Strategic Planner
Manager Strategic Land Use & Catchment Planning
Group Manager City Strategic Planning

Outcomes Supplementary Reports - 30 September 2019

File Name: **OSR30092019_3.DOCX**

***** END OF ITEM 97 *****