

Our Ref: ECM Ref:6755877
Resolution Number: 234

31 October 2019

Mr David Gainsford
Department of Planning
GPO Box 39
SYDNEY NSW 2001

Dear Mr Gainsford,

Re: Item 203 Proposed Modification to Replacement Windsor Bridge

I am writing to advise you that Hawkesbury City Council considered an item in relation to the subject matter at its meeting held on Tuesday 29 October 2019, a copy of which is attached for your information.

In doing so Council formally resolved to request:

1.
 - a) A suspension of the assessment of the application until such time as the following additional information has been provided:
 - (i) Traffic data (movements, numbers and time of day) that relates to a more realistic project catchment, including:
 - Court Street and related access roads to the Governor Philip Boat Ramp
 - Bridge Street to Fitzroy Bridge, South Creek
 - Bridge Street to the Wilberforce Road/Freemans Reach Road intersection
 - Macquarie Street to Kable Street
 - (ii) Details of the 2017 and 2019 Traffic Surveys, together with:
 - A summary of the differences between them
 - Details of the actual counts (date and time) that informed those differences
 - (iii) Details of:
 - The status of the previously proposed Stage 2 works on Fitzroy Bridge that involved the conversion of the existing Fitzroy Bridge pedestrian walkway to an additional traffic lane.
 - Options and cost estimates considered as part of the process of adopting the currently preferred option, including details of options considered to eliminate and/or reduce the area of Thompson Square proposed to be alienated by the proposed road/bridge widening.
 - Options for responding to the provisions of the Thompson Square Conservation Management Plan.
2. An extension of the submission period to ensure the public have had adequate time to view the information.



In the context of the above Council resolution, I am now writing to request your assistance in ensuring that:

- the relevant additional information is obtained
- the local community is provided with sufficient time to make a submission, once the additional information has been provided.

Should you have any queries regarding the above matter, please do not hesitate to contact me on phone 4560 4410.

Yours faithfully

Peter Conroy | General Manager | Hawkesbury City Council
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ORDINARY MEETING - Late Supplementary

SECTION 2 – Mayoral Minute

Meeting Date: 29 October 2019

SECTION 2 – Mayoral Minutes

Item: 203

MM - Windsor Bridge Replacement Project - Request for Modification - (80093, 79351)

REPORT:

Proposed Modification to Existing Approval

During the course of the week ending Friday, 18 October 2019, Council Officers became aware of a potential variation to the width of the Windsor Replacement Bridge – currently under construction.

In response, Council Officers contacted the relevant State Government representatives to query the status of the potential variation. The proposal was confirmed and as a consequence State Government representatives were invited to attend a Councillor Briefing on Tuesday 22 October 2019, to provide Councillors with details of the potential widening of the Windsor Replacement Bridge.

During the course of the Councillor Briefing it became apparent that:

- a) An application had been lodged with the Department of Planning, Industry and Environment to modify the existing approval so as to provide for:
 - An adjustment to the intersection of Bridge and George St
 - The widening of the Windsor Replacement Bridge to allow for a merging of north bound traffic from two lanes into one lane between George Street and the actual bridge structure.
- b) The objective of the widening was to address traffic concerns that had become apparent to the State Government in recent months.
- c) The details of the application are quite limited in their scope – relating almost totally to the current project boundary. They do not involve any consideration / assessment of the wider and relevant traffic and amenity considerations.
- d) The modification had been under consideration for some time, with no prior consultation with Council or the local community having been carried out. Details in the document circulated at the time of the Councillor Briefing indicated that the modification had been under development for some months, since the middle of 2019.
- e) The proposed widening would require the alienation of a strip of Thompson Square to the west of the bridge approach – up to 3 meters in width, for the purpose of widening the bridge approach from one lane to two lanes, so as to allow traffic to merge before crossing the bridge
- f) The proposed modification would be on exhibition for a period of three weeks, commencing the following day - Wednesday 23 October 2019. Submissions close on 7 November 2019. This is the last scheduled Council meeting before that date.

ORDINARY MEETING - Late Supplementary

SECTION 2 – Mayoral Minute

Meeting Date: 29 October 2019

Background

The Windsor Bridge Replacement Project dates back many years and over that time the community have consistently highlighted points in relation to:

- Traffic issues and traffic studies
- Thompson Square, its cultural and heritage significance
- The need for open, transparent and evidence based decision making
- The wider area of Windsor that has linkages to the Windsor Bridge Replacement Project. For example the existing boat ramp in Governor Phillip Park, established in the mid 1900's, is a popular destination from which people launch their boats. In 2015 the NSW State Government allocated \$300,000 towards the upgrade of the facilities under its Better Boating Program. The application does not appear to adequately address the issue of access to the boat ramp.

Council therefore regards this modification request - at this late stage of the current construction process, as providing affirmation that the Replacement Windsor Bridge may not provide any relief for the current traffic congestion in the vicinity of Bridge, Macquarie, George and Court Streets. Council therefore needs to work with the relevant stakeholders to develop long term traffic solutions for Windsor.

This point is further complicated by both the existing and proposed traffic arrangements, as contained in the modification application. There is a lack of clarity and consideration of matters such as Right Turns from Bridge Street into George Street. The application does not appear to adequately address:

- Existing Condition 46 – which flags limitations on vehicles travelling south and turning right into George Street – what does the application propose in relation to this issue?
- Travelling north, no right turn is proposed from Bridge street into George Street
- The existing transitional arrangements in lane marking between South Creek and Macquarie Street – which includes the intersection with Court Street. It appears that the Court Street intersection is where boat owners will have to turn right to access the Governor Phillip Boat Ramp. It is outside the study area for the modification application and no information has been provided to outline how this arrangement will operate and what if any impacts will be experienced by the residents of Court Street.

Similar observations can be made about other areas located outside the current artificially imposed Project Area.

In the short time since the modification was placed on exhibition, members of the local community have identified alternative options for addressing the issue, for example:

- Extending the Macquarie Street / Bridge Street signalised intersection to include traffic lights at the intersection with Court St. Using this expanded intersection to control the flow of traffic across George Street and the Replacement Windsor Bridge.
- In the context of the above:
 - Removing the proposed traffic lights on the intersection of George and Bridge Streets.
 - Limiting all traffic in and out of George St to thru traffic or left turn only.

Some of these community generated options may warrant further exploration as a viable alternative to the currently proposed modification.

ORDINARY MEETING - Late Supplementary

SECTION 2 – Mayoral Minute

Meeting Date: 29 October 2019

The document does not appear to make:

- Any meaningful reference to the Thompson Square Conservation Management Plan.
- Any reference to the status of the previously proposed Stage 2 works on Fitzroy Bridge. Stage 2 proposed the conversion of the existing Fitzroy Bridge pedestrian walkway to an additional traffic lane. However, Fitzroy Bridge is outside the project Area and no information has been provided.

Council requires additional information to ensure that it can complete a proper and informed assessment of the proposed modification.

Council therefore requests that the following additional information to be made available to Council and the community:

1. Traffic data (movements, numbers and time of day) that relates to a more realistic project catchment, including:
 - 1.1. Court Street and related access roads to the Governor Philip Boat Ramp
 - 1.2. Bridge Street to Fitzroy Bridge, South Creek
 - 1.3. Bridge Street to the Wilberforce Road/Freemans Reach Road intersection
 - 1.4. Macquarie Street to Kable Street.
2. Details of the 2017 and 2019 Traffic Surveys, together with:
 - 2.1. A summary of the differences between them
 - 2.2. Details of the actual counts (date and time) that informed those differences.
3. Details of:
 - 3.1. The status of the previously proposed Stage 2 works on Fitzroy Bridge that involved the conversion of the existing Fitzroy Bridge pedestrian walkway to an additional traffic lane.
 - 3.2. Options and cost estimates considered as part of the process of adopting the currently preferred option, including details of options considered to eliminate and/or reduce the area of Thompson Square proposed to be alienated by the proposed road/bridge widening.
 - 3.3. Options for responding to the provisions of the Thompson Square Conservation Management Plan.

Once Council and the community have access to this information they will be in a position to make a more meaningful contribution to both:

- The assessment of the current modification application and its implications for Thompson Square, The surrounding road network and residents impacted by changes in traffic patterns
- The development of long term plans to address traffic congestion in Windsor.

RECOMMENDATION:

That Council:

1. Work with the Local State Member, relevant State Government Agencies and the local community to develop long term traffic solutions for Windsor, such work to be guided by up to date traffic data in relation to an area incorporating South Creek, Macquarie Street, George Street, Windsor Replacement Bridge, Governor Phillip Park and Court Street.

ORDINARY MEETING - Late Supplementary

SECTION 2 – Mayoral Minute

Meeting Date: 29 October 2019

2. Write to the relevant State Government Agencies and:

- a) Advise them that Council and the community have insufficient information to thoroughly assess the current modification application.
- b) Call on them to engage more meaningfully with Council and the Local Community in relation to this matter, consistent with the terms of the recently executed Intergovernmental Agreement between the NSW Government and Local Government Sector
- c) Request a suspension of the assessment process in relation to the current modification application until such time as the following additional information has been provided:
 - (i) Traffic data (movements, numbers and time of day) that relates to a more realistic project catchment, including:
 - Court Street and related access roads to the Governor Philip Boat Ramp
 - Bridge Street to Fitzroy Bridge, South Creek
 - Bridge Street to the Wilberforce Road/Freemans Reach Road intersection
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 - (ii) Details of the 2017 and 2019 Traffic Surveys, together with:
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 - Options and cost estimates considered as part of the process of adopting the currently preferred option, including details of options considered to eliminate and/or reduce the area of Thompson Square proposed to be alienated by the proposed road/bridge widening.
 - Options for responding to the provisions of the Thompson Square Conservation Management Plan.
- d. Advise them that once Council and the community have access to this information they will be in a position to make a more meaningful contribution to both:
 - The assessment of the current modification application and its implications for Thompson Square, the surrounding road network and residents impacted by changes in traffic patterns
 - The development of long term plans to address traffic congestion in Windsor.

3. Seek the support of the Local Member for Hawkesbury in relation to points 1 and 2 above.

ATTACHMENTS:

AT - 1 Intergovernmental Agreement

Intergovernmental Agreement to Guide NSW State-Local Government Relations on Strategic Partnerships

NSW Government and Local Government NSW



ORDINARY MEETING - Late Supplementary

SECTION 2 – Mayoral Minute

Meeting Date: 29 October 2019

CONTENTS

1	Parties	3
2	Preliminaries	3
3	Strategic Partnerships	3
4	Principles	4
5	Roles and Responsibilities	4
6	How the parties will work together	5
	Meetings and Cooperation	5
	Cost Shifting	5
7	Terms of this Agreement	5

ORDINARY MEETING - Late Supplementary

SECTION 2 – Mayoral Minute

Meeting Date: 29 October 2019

1 PARTIES

This Agreement is made between:

The New South Wales Government, represented by the Premier, the Deputy Premier and the Minister for Local Government;

and

Local Government NSW (LGNSW), represented by the President.

2 PRELIMINARIES

- 2.1 This Agreement is between the NSW Government and the peak local government representative body, Local Government NSW (LGNSW), on behalf of NSW councils and county councils and associated entities (collectively referred to as Local Government).
- 2.2 The Parties to this Agreement recognise the importance of Local Government and State Government to the NSW community.
- 2.3 This Agreement formally acknowledges that Local Government and the NSW Government are equal partners.
- 2.4 This Agreement reflects a commitment by these two spheres of government to achieve strong communities through partnerships.
- 2.5 The Parties to this Agreement share a commitment to continuous improvement and will work together to achieve positive social, economic, environmental and civic leadership outcomes.
- 2.6 The NSW Government and Local Government acknowledge that the effective implementation of their policy agendas relies on an effective and strong partnership to best achieve policy outcomes.
- 2.7 It is intended that this Agreement will serve as a framework under which more specific areas of cooperation and further mechanisms for such cooperation can be agreed.
- 2.8 This Agreement sets out the agreed understanding of the roles of the Parties and the basis upon which the Agreement is entered into.

3 STRATEGIC PARTNERSHIPS

- 3.1 The Parties acknowledge that throughout the term of this Agreement, Local Government in NSW is underpinned by the following strategic policy priorities and plans:
 - a) The Premier's priorities;
 - b) The NSW State Infrastructure Strategy 2018-2038, which sets out the NSW Government's long-term infrastructure vision and is underpinned by the Future Transport Strategy 2056, the Greater Sydney Region Plan, and the Regional Development Framework;
 - c) Regional Plans and District Plans, which are being developed to plan for our future population's needs for housing, jobs, infrastructure and a healthy environment; and
 - d) Community Strategic Plans, developed by Local Government in consultation with their communities, identifying the community's main priorities and aspirations for the future, and the planned strategies for achieving these goals, over a minimum ten-year period.

ORDINARY MEETING - Late Supplementary

SECTION 2 – Mayoral Minute

Meeting Date: 29 October 2019

4 PRINCIPLES

4.1 The Parties to this Agreement commit to the following Principles:

- a) State and Local Government will work together as drivers of change and improvement to achieve strong communities through partnership;
- b) Consultation and communication will be open on the basis of mutual trust and respect;
- c) State and Local Government will engage with each other collaboratively and with a shared commitment to joint problem solving;
- e) Issues in Local Government will be addressed with a focus on continuous improvement, innovation and the interests of the community;
- w) The impact of the actions of the parties on each other will be recognised, considered and managed appropriately; and
- f) In working together on the strategic partnerships other stakeholders will be meaningfully engaged.

5 ROLES AND RESPONSIBILITIES

5.1 The NSW Government is responsible for:

- a) Setting a clear policy and legislative framework for Local Government;
- b) Working with Local Government in accordance with the agreed principles;
- c) Ensuring that the interests of Local Government are considered in government policy, services and projects;
- d) Promoting Local Government and the importance of meaningful engagement with Local Government to State Government agencies;
- e) Building capacity in Local Government; and
- f) Continuing to provide funding opportunities and mechanisms to enable Local Government to deliver infrastructure and services to the community.

5.2 LGNSW is responsible for:

- a) Providing leadership to Local Government across a wide variety of functions including advocacy to the NSW Government on behalf of Local Government, industrial relations and human resource management as well as working with State Government in accordance with the agreed Principles;
- b) Keeping the NSW Government informed of views, significant issues and initiatives of Local Government; and
- c) Driving the shared vision for Local Government in partnership with the NSW State Government.

6 HOW THE PARTIES WILL WORK TOGETHER

- 6.1 In working together on the strategic direction for Local Government to achieve strong communities through partnerships, the Parties agree the following:

MEETINGS AND COOPERATION

- 6.2 The NSW Government commits to an annual meeting each year during the term of this Agreement between the Premier of NSW, the Deputy Premier, the Minister for Local Government and LGNSW to discuss strategic initiatives that impact on all parties, with a particular emphasis on the following 12 months.
- 6.3 A minimum of triannual meetings with the Minister for Local Government and LGNSW and elected representatives of LGNSW members will be held to discuss the strategic issues facing Local Government, with a particular emphasis on the following 12 months.
- 6.4 As required, more specific areas of cooperation and further mechanisms for cooperation may be agreed between LGNSW and the Agency Heads of key NSW State agencies, with a strong direct relationship to Local Government. Such arrangements should be formalised where possible, through mechanisms such as a Memorandum of Understanding. The Office of Local Government can assist in enabling and facilitating this process.
- 6.5 The Parties may agree to meet additionally, as required.
- 6.6 As required, the NSW Government and LGNSW will jointly advocate to the Federal Government on common policy issues to benefit the NSW community.
- 6.7 As required, the NSW Government will invite input from LGNSW on behalf of Local Government in advance of Council of Australian Governments (COAG) meetings.
- 6.8 Subject to any requirements of applicable law or Convention, the NSW State Government will use its best endeavours to consult with and seek the views of LGNSW in advance of introducing any laws or significant policy initiatives that will impact on the local government sector.
- 6.9 Without breaching confidence, LGNSW will keep the NSW Government informed of any significant issues and initiatives of Local Government that will impact on the NSW Government.

COST SHIFTING

- 6.10 Where the NSW Government requires Local Government to provide a new or expanded function or service, the NSW Government will consider the budget cycles and financial capability of Local Government, and where possible alleviate budgetary impacts.

COMMITMENT TO DEMOCRATIC LOCAL GOVERNMENT

- 6.11 The NSW Government will not progress any local council mergers, which have not been requested by the relevant councils, throughout the term of this Agreement.
- 6.12 The NSW Government commits to ensuring that the term of any Administrator appointed under the *Local Government Act 1993* is as brief as possible, with a view to quickly returning the council to democratically elected representatives.

7 TERMS OF THIS AGREEMENT


- 7.1 This Agreement will commence on the date it is signed by the Parties and will expire on 25 March 2023.
- 7.2 The Parties do not intend any of the provisions of this Agreement to be legally enforceable. However, that does not lessen the Parties' commitment to this Agreement.
- 7.3 The Agreement may be terminated earlier or extended as agreed in writing by the Parties.
- 7.4 The Parties agree to review the operation of this Agreement in a timely manner, prior to its expiration.
- 7.5 Any variation to this agreement must be agreed to in writing by all of the parties. Any such variation will take effect from a date that the parties have mutually agreed in writing.


ORDINARY MEETING - Late Supplementary


SECTION 2 – Mayoral Minute

Meeting Date: 29 October 2019

SIGNATORIES


THE HON. GLADYS BEREJIKLIAN MP
PREMIER
on behalf of the State Government of New South Wales


THE HON. JOHN BARILARO MP
DEPUTY PREMIER
on behalf of the State Government of New South Wales


THE HON. SHELLEY HANCOCK MP
MINISTER FOR LOCAL GOVERNMENT
on behalf of the State Government of New South Wales


CLR LINDA SCOTT
PRESIDENT
LOCAL GOVERNMENT NSW
on behalf of New South Wales Local Government

on this day of

14 October 2019.

6

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