



Hawkesbury City Council

ordinary
meeting
business
paper

date of meeting: 09 October 2007
location: council chambers
time: 5:00 p.m.

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CITY PLANNING

Item: 206 CP - Public Utility Undertaking - Pedestrian/Cycle Bridge over Rickaby's Creek - Lot 44 DP 244472, Howe Park, 51 James Ruse Close, Windsor - (DA0305/07, 107, 95498)

Development Information

Applicant: Hawkesbury City Council
Owner: Hawkesbury City Council
Zone: 6 (a) Open Space (Existing Recreation)
Advertising: 9 July 2007 until 23 July 2007
Date Received: 5 June 2007

Key Issues: ♦ Nil

Recommendation: Approval

REPORT:

Description of Proposal

The proposed pedestrian/cycle bridge is to be located across Rickaby's Creek approximately 50 metres south of the confluence of the creek with the Hawkesbury River. The bridge is proposed to be situated on land described as Lot 44 DP 244472 providing a link between Deerubbin Park on the western side of Rickaby's Creek and Howe Park on the eastern side of Rickaby's Creek.

The bridge is to be approximately 40 metres long and 3 metres wide being elevated above the creek bed by 9-10 metres. An approach footpath having a minimum length of 20 metres is also proposed to be provided in conjunction with the proposal. The eastern approach path is to provide a connection to an existing pedestrian path within Howe Park linking with the Windsor Town Centre along the southern foreshore of the Hawkesbury River. The western approach is to provide a link to a gravel pathway leading towards the existing playing fields and associated facilities situated within Deerubbin Park.

The bridge is to consist of a "super T bridge" girder, incorporating a two span structure. The level of the base of the bridge would be approximately RL8.0m and the bridge deck would be at RL9.0m. Support for the structure is proposed to be provided on two pairs of cylindrical piers approximately 30 metres apart with access provided on each end at the top of the existing embankment level. The bridge is to be of concrete and steel construction.

Matters for consideration under Section 79(C) of the Environmental Planning and Assessment Act 1979

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The relevant matters for consideration under Section 79(C) of the Environmental Planning and Assessment Act, 1979, are addressed as follows:

Section 79C “Matters for Consideration” Comments	Section 79C “Matters for Consideration” Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “HLEP 1989” and SREP No. 20 in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	THERE ARE NO DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS APPLYING DIRECTLY TO THE SUBJECT LAND.
Section 79C (1) (a)(iii) – Provisions of any development control plan	REFER TO DISCUSSION ON HAWKESBURY DCP 2002 IN THIS REPORT
Section 79C (1) (a)(iii) – Provisions of the regulations	None applicable.
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	(i) The environmental impacts of the proposed development on the natural and built environment are addressed in the main body of this report. (ii) The proposed development will not have a detrimental social impact in the locality. (iii) The proposed development will not have a detrimental economic impact on the locality.
Section 79C (1) (c) – the suitability of the site for the development	Location - The site is considered able to support the proposed development. Physical - The site is relatively free from environmental constraint and is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	There are no submissions made in accordance with the Act or Regs.

Sydney Regional Environmental Plan 20 - Hawkesbury Nepean River (No 2 - 1997)

Sydney Regional Environmental Planning Policy (SREP) No. 20 aims to protect the environment of the Hawkesbury-Nepean River system by ensuring that the impacts of future land uses are considered in a regional context. Part 2 of SREP No. 20 contains general planning considerations and recommended strategies that are required to be considered under this plan.

The relevant planning considerations and strategies identified in Clause 6 are detailed as follows:

Total Catchment Management

Policy: *Total catchment management is to be integrated with environmental planning for the catchment.*

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Strategies:

- (a) *Refer the application or other proposal for comment to the councils of each adjacent or downstream local government area which is likely to suffer a significant adverse environmental effect from the proposal.*
- (b) *Consider the impact of the development concerned on the catchment.*
- (c) *Consider the cumulative environmental impact of development proposals on the catchment.*

Comment: The hydraulic assessment that was prepared in conjunction with the application demonstrates that the proposal would not have a significant impact upon the catchment or contribute to cumulative impacts given the relatively small footprint associated with the structure and its location on the existing riverbank of Rickaby's Creek.

Environmentally Sensitive Areas

Policy: *The environmental quality of environmentally sensitive areas must be protected and enhanced through careful control of future land use changes and through management and (where necessary) remediation of existing uses.*

Strategies:

- (a) *Rehabilitate parts of the riverine corridor from which sand, gravel or soil are extracted so that attached aquatic plant beds are replaced and water quality and faunal habitats improved.*
- (b) *Minimise adverse impacts on water quality, aquatic habitats, riverine vegetation and bank stability.*
- (c) *Minimise direct and indirect adverse impacts on land reserved or dedicated under the [National Parks and Wildlife Act 1974](#) or the [Forestry Act 1916](#) and conservation area sub-catchments in order to protect water quality and biodiversity.*
- (d) *Protect wetlands (including upland wetlands) from future development and from the impacts of land use within their catchments.*
- (e) *Consider the need to include buffer zones (such as adequate fire radiation zones) for proposals on land adjacent to land reserved or dedicated under the [National Parks and Wildlife Act 1974](#) or the [Forestry Act 1916](#).*
- (f) *Consider the views of the Director-General of National Parks and Wildlife about proposals for land adjacent to land reserved or dedicated under the [National Parks and Wildlife Act 1974](#).*
- (g) *Consideration should be given to the impact of the development concerned on the water table and the formation of acid sulphate soils.*
- (h) *New development in conservation area sub-catchments should be located in areas that are already cleared.*

Comment: The riverine corridor situated adjacent to the proposed works is currently weed infested and the proposal will provide opportunity for rehabilitation of this area. The details submitted with the application provide that the proposal would not have a significant impact upon the riparian corridor, riverine vegetation and bank stability.

It is noted that an Acid Sulphate Soils Management Plan has been prepared detailing potential environmental risks associated with the construction of the proposed bridge. This plan also incorporates measures to be implemented so as to minimise environmental impact.

Water Quality

Policy: *Future development must not prejudice the achievement of the goals of use of the river for primary contact recreation (being recreational activities involving direct water contact, such as swimming) and aquatic ecosystem protection in the river system. If the quality of the receiving waters does not currently allow these uses, the current water quality must be maintained, or improved, so as not to jeopardise the achievement of the goals in the future. When water quality goals are set by the Government these are to be the goals to be achieved under this policy.*

Strategies:

- (a) *Quantify, and assess the likely impact of, any predicted increase in pollutant loads on receiving waters.*
- (b) *Consider the need to ensure that water quality goals for primary contact recreation and aquatic ecosystem protection are achieved and monitored.*
- (c) *Approve development involving primary contact recreation or the withdrawal of water from the river for human contact (not involving water treatment), such as showers, only in locations where water quality is suitable (regardless of water temperature).*
- (d) *Do not carry out development involving on-site disposal of sewage effluent if it will adversely affect the water quality of the river or groundwater. Have due regard to the nature and size of the site.*
- (e) *Develop in accordance with the land capability of the site and do not cause land degradation.*
- (f) *Consider the need for an Erosion and Sediment Control Plan (to be in place at the commencement of development) where the development concerned involves the disturbance of soil.*
- (g) *Minimise or eliminate point source and diffuse source pollution by the use of best management practices.*
- (h) *Site and orientate development appropriately to ensure bank stability. Plant appropriate native vegetation along banks of the river and tributaries of the river, but not so as to prevent or inhibit the growth of aquatic plants in the river, and consider the need for a buffer of native vegetation.*
- (i) *Consider the impact of the removal of water from the river or from groundwater sources associated with the development concerned.*
- (j) *Protect the habitat of native aquatic plants.*

Comment: A Construction Environmental Management Plan has been prepared addressing potential environmental risks associated with the proposal also detailing methods of controlling these risks. The siting and design of the proposed bridge will enable continued growth of aquatic plants within the riverine corridor.

Water quantity

Policy: *Aquatic ecosystems must not be adversely affected by development which changes the flow characteristics of surface or groundwater in the catchment.*

Strategies:

- (a) *Future development must be consistent with the interim or final river flow objectives that are set for the time being by the Government.*

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- (b) *Ensure the amount of stormwater run-off from a site and the rate at which it leaves the site does not significantly increase as a result of development. Encourage on-site stormwater retention, infiltration and (if appropriate) reuse.*
- (c) *Consider the need for restricting or controlling development requiring the withdrawal or impoundment of water because of the effect on the total water budget of the river.*
- (d) *Consider the impact of development on the level and quality of the water table*

Comment: The location and design of the piers supporting the bridge across Rickaby's Creek would not have any significant impact on the level and quality of the water table.

Cultural Heritage

Policy: *The importance of the river in contributing to the significance of items and places of cultural heritage significance should be recognised, and these items and places should be protected and sensitively managed and, if appropriate, enhanced.*

Strategies:

- (a) *Encourage development which facilitates the conservation of heritage items if it does not detract from the significance of the items.*
- (b) *Protect Aboriginal sites and places of significance.*
- (c) *Consider an Aboriginal site survey where predictive models or current knowledge indicate the potential for Aboriginal sites and the development concerned would involve significant site disturbance.*
- (d) *Consider the extent to which heritage items (either identified in other environmental planning instruments affecting the subject land or listed in Schedule 2) derive their heritage significance from the river.*

Comment: An archaeological survey and cultural heritage assessment has been undertaken in conjunction with the proposal. This assessment provides that there are no identified cultural heritage constraints that would hinder the proposal.

Flora and Fauna

Policy: *Manage flora and fauna communities so that the diversity of species and genetics within the catchment is conserved and enhanced.*

Strategies, generally:

- (a) *Conserve and, where appropriate, enhance flora and fauna communities, particularly threatened species, populations and ecological communities, aquatic habitats, wetland flora, rare flora and fauna, riverine flora, flora with heritage value, habitats for indigenous and migratory species of fauna, and existing or potential fauna corridors.*
- (b) *Locate structures where possible in areas which are already cleared or disturbed instead of clearing or disturbing further land.*
- (c) *Minimise adverse environmental impacts, protect existing habitat and, where appropriate, restore habitat values by the use of management practices.*
- (d) *Consider the impact on ecological processes, such as waste assimilation and nutrient cycling.*
- (e) *Consider the range of flora and fauna inhabiting the site of the development concerned and the surrounding land, including threatened species and migratory species, and the impact of the proposal on the survival of threatened species, populations and ecological communities, both in the short and longer terms.*

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- (f) Consider the need to provide and manage buffers, adequate fire radiation zones and building setbacks from significant flora and fauna habitat areas.
- (g) Consider the need to control access to flora and fauna habitat areas.
- (h) Consider the need to maintain corridors for fish passage, and protect spawning grounds and gravel beds.

Comment: A flora and fauna impact assessment was prepared detailing that the proposal would not have a significant impact. The bridge is proposed to be situated on land that currently is dominated by exotic weed species. Suitable measures are to be implemented so as to minimise impacts during construction. Vegetation impact is limited to one (1) mature Swamp Oak, one (1) mature and a number of immature Green Wattles. Given the associated impact of the proposed works upon existing vegetation it is considered that the proposal satisfies the provisions of identified strategies relating to flora and fauna management.

Riverine Scenic Quality

Policy: *The scenic quality of the riverine corridor must be protected.*

Strategies:

- (a) Maintain areas of extensive, prominent or significant vegetation to protect the character of the river.
- (b) Ensure proposed development is consistent with the landscape character as described in the Scenic Quality Study.
- (c) Consider the siting, setback, orientation, size, bulk and scale of and the use of unobtrusive, non-reflective material on any proposed building or work, the need to retain existing vegetation, especially along river banks, slopes visible from the river and its banks and along the skyline, and the need to carry out new planting of trees, and shrubs, particularly locally indigenous plants.
- (d) Consider the need for a buffer between new development and scenic areas of the riverine corridor shown on the map as being of significance beyond the region (which are also scenic areas of significance for the region) or so shown as being of regional significance only.
- (e) Consider the need for controls or conditions to protect those scenic areas.
- (f) Consider opportunities to improve riverine scenic quality.

Comment: The location of the bridge is situated approximately 50 metres away from the Hawkesbury River foreshore. In addition, the construction of the bridge structure has utilised a "slimline" form to further reduce potential visual impact upon the Hawkesbury River. The bridge has been located so as to be perpendicular to the existing embankments associated with Rickaby's Creek to provide symmetry in design and the materials proposed to be used will exhibit a low reflective quality so as to complement the natural landscape setting of the locality.

Recreation and Tourism

Policy: *The value of the riverine corridor as a significant recreational and tourist asset must be protected.*

Strategies:

- (a) Provide a wide range of recreational opportunities along the river which are consistent with conserving the river's natural values and character.

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- (b) *Plan and manage recreational and tourist developments, and associated access points, cycleways and footpaths, so as to minimise any adverse environmental impacts on the river. Locate them where river banks are stable, away from river shallows, major beds of attached aquatic plants or fish breeding areas, where the proposed activities do not conflict with surrounding recreational activities and where significant flora and fauna habitats will not be adversely affected. The upgrading of existing public access to the river is to be preferred over the creation of new access points.*
- (c) *Minimise conflicts between recreational uses.*
- (d) *Consider the availability of, or need to provide, land for vehicle parking and for suitable access (including access for cars and buses), for boat service areas and for water, electricity and sewage disposal.*
- (e) *Consider the environmental impact of ancillary services for recreation and tourist developments, such as amenities blocks and vehicle parking.*
- (f) *Consider the visual impact of development on the surrounding area.*

Comment: It is considered that the proposal would contribute to the enhancement of recreational opportunities within the area through the provision of a link between two existing public open space areas. In addition, the design of the structure is considered satisfactory having regard to the existing natural character of the site.

Metropolitan Strategy

Policy: *Development should complement the vision, goal, key principles and action plan of the Metropolitan Strategy.*

Strategies:

- (a) *Consider the impacts of transport infrastructure proposals on water quality and air quality.*
- (b) *Consider the impacts of metropolitan waste disposal on water quality.*
- (c) *Consider the impacts of development on air quality.*
- (d) *Consider the need for waste avoidance, waste reduction, reuse and recycling measures.*
- (e) *Consider the implications of predicted climate change on the location of development and its effect on conservation of natural resources.*

Comment: The proposal would have minimal impact having regard to water and air quality. It is also noted that measures are proposed to be provided so as to reduce waste generation during construction. Following construction the site is to be rehabilitated so as to maintain the existing visual character of the area.

The application does not propose the removal of any significant stands of vegetation, will not alter the existing landscape character or have a significant impact upon the scenic quality associated with the riverine corridor. Given the minimal environmental impact associated with the proposal it is considered that the development is consistent with the aims and objectives of the Plan.

State Environmental Planning Policy No. 44 - Koala Habitat Protection

SEPP No. 44 applies to land within the Hawkesbury Local Government Area for which development consent is sought having a total land area in excess of 1 hectare. Having regard to the impact of the proposed works on existing flora and fauna an assessment titled *Rickaby's Creek Pedestrian/Cycle Bridge Ecological Impact Assessment*, prepared by Connell Wagner, dated 17 August 2006 detailed that the existing vegetation was highly disturbed due to previous clearing and weed invasion. Given the level of disturbance it was noted that the fauna habitat present is very limited and of poor quality. In addition,

species diversity would be low due to the proximity of residential areas and cleared playing fields and parklands.

It is considered that the conclusions contained in this report in relation to impact upon threatened species is reasonable and that the proposal would not have an adverse impact having regard to potential koala habitat.

Hawkesbury Local Environmental Plan 1989

Clause 2 - Aims, objectives etc.

The proposed development is considered to be consistent with the general aims and objectives as outlined in Clause 2 of the LEP.

Clause 5 - Definitions

The subject proposal is defined as a public utility undertaking by Hawkesbury Local Environmental Plan 1989. Clause 5 of Hawkesbury Local Environmental Plan 1989 provides the following definition of public utility undertakings:

public utility undertakings means any of the following undertakings carried on or permitted or suffered to be carried on by or by authority of any government department or under the authority of or in pursuance of any Commonwealth or State Act:

- (a) *railway, road transport, water transport, air transport, wharf or river undertakings,*
- (b) *undertakings for the supply of water, hydraulic power, electricity or gas or the provision of sewerage or drainage services,*
- (c) *telecommunication facilities undertakings,*

and a reference to a person carrying on a public utility undertaking shall be construed as including a reference to a council, county council, government department, corporation, firm or authority carrying on the undertaking.

Clause 9 – Carrying out development

The proposal, being classified as a public utility undertaking is permissible with development consent within the 6 (a) Open Space (Existing Recreation) zone.

Clause 9A – Zone objectives

The stated objectives of the 6 (a) Open Space (Existing Recreation) zone are detailed as follows:

- (a) *identify existing publicly owned land that is used or is capable of being used for active or passive recreational purposes,*
- (b) *encourage the development of public open space in a manner which maximises the satisfaction of the community's diverse recreational needs,*
- (c) *enable development associated with, ancillary to or supportive of public recreational use, and*
- (d) *encourage the development of open spaces as major urban landscape elements.*

The subject proposal provides additional infrastructure so as to assist in the provision of improved recreational facilities for the community. Accordingly, it is considered that the proposal is consistent with the objectives contained in the 6 (a) Open Space (Existing Recreation) zone.

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Clause 20 – Development below high-water mark etc

The provisions of Clause 20 of Hawkesbury Local Environmental Plan 1989 provide the following:

- (1) *A person shall not carry out development, without the consent of the Council, on any land:*
 - (a) *below high-water mark,*
 - (b) *between mean high-water mark and the bank of any tidal river,*
 - (c) *forming part of the bed of a river, creek, bay, lagoon or other natural watercourse shown unzoned on the map,*
 - (d) *in the bed of any non-tidal river,*
 - (e) *within 40 metres of the bank of a tidal or non-tidal river, or*
 - (f) *which has been reclaimed.*
- (2) *A person shall not construct a dam on any land that requires the removal of material from the site except with the consent of the Council.*

The proponent is seeking Development Consent for the proposed works as required by Subsection (1) and it is noted that the application does not propose the construction of a dam.

Clause 25 - Development of flood liable land

The proposal's degree of compliance with the provisions of Clause 25 is detailed as follows:

- (2) *A building shall not be erected on any land lying at a level lower than 3 metres below the 1-in-100 year flood level for the area in which the land is situated, except as provided by subclauses (4), (6) and (8).*

Comment: The proposal does not involve the construction of a building therefore the provisions of this clause do not apply.

- (3) *Each habitable room in a building situated on any land to which this plan applies shall have a floor level no lower than the 1-in-100 year flood level for the area in which the land is located.*

Comment: The proposal does not involve the construction of a building containing habitable area therefore the provisions of this clause are not relevant for the consideration of the application.

- (4) *Notwithstanding subclauses (2), (3), (10) and (11), a building that was lawfully situated on any land at 30 June 1997 may, with the consent of the Council, be extended, altered, added to or replaced if the floor level of the building, after the building work has been carried out, is not more than 3 metres below the floor height standard for the land immediately before the commencement day.*

Comment: The proposal does not involve the extension, alteration, addition or replacement of any existing building.

- (5) *The Council shall, in the assessment of a development application, consider the flood liability of access to the land and, if the land is within a floodway, the effect of isolation of the land by flooding, notwithstanding whether other aspects of this clause have been satisfied.*

Comment: The location of the proposed bridge is situated on land situated below the predicted 1 in 100 year flood level for the area of 17.3m AHD. During significant flood events access to and across the proposed bridge would be unavailable.

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- (6) *Minor structures such as outbuildings, sheds and garages may be erected on land below the 1-in-100 year flood level, with the consent of the Council. The Council shall, in the assessment of a development application for such a structure, consider the likely frequency of flooding, the potential flood damage and measures to be taken for the evacuation of the property.*

Comment: A hydraulic assessment has been undertaken *Hydrological and Hydraulic Assessment of Flows at Rickaby's Creek for Proposed Footbridge*, by Connell Wagner, dated 17 August 2006. Appropriate conditions have been included in the recommended consent having regard to matters required to be considered prior to issue of a construction certificate.

- (7) *Any part of a building below the 1-in-100 year flood level is to be constructed of flood compatible materials.*

Comment: The application does not seek consent for a building. The materials proposed to be used for the bridge will be able to withstand immersion in flood waters.

- (8) *Notwithstanding subclauses (2) and (3), a dwelling or other building may, with the consent of the Council, be erected on an area of land which has a level not less than 3 metres below the floor height standard for the land immediately before the commencement day. However, the Council shall not grant consent for development pursuant to this subclause after 30 June 2002.*

Comment: The application does not seek consent for a dwelling or other building.

- (9) *In subclause (8) **area of land** means an area of land at natural surface level or an area of land that has been filled with the consent of the Council.*

Comment: The application does not seek consent for a dwelling or other building.

- (10) *Despite subclauses (2) and (3) but subject to subclause (4), a dwelling must not be erected on land lying below the 1-in-100 year flood level if the allotment of land on which it is to be erected was created by a subdivision approved under clause 11 on or after the commencement day.*

Comment: The application does not seek consent for a dwelling.

- (11) *Despite subclauses (2) and (3) but subject to subclause (4), a dwelling must not be erected on land lying below the floor height standard for the land immediately before the commencement day if the allotment of land on which it is to be erected was created by a subdivision approved under clause 11 before the commencement day.*

Comment: The application does not seek consent for a dwelling.

Clause 35 - Bush rock removal

Construction activity associated with the proposal will require excavation works to be undertaken in conjunction with the bridge supporting pylons. This work will not have a significant impact upon any exposed rock situated within the riparian zone associated with Rickaby's Creek or along the approach pathways.

Clause 37A - Development on land identified on Acid Sulfate Soils Planning Map

The subject land is situated on Class 4 Land on the Acid Sulfate Soils Planning Map. It is noted that the proposal involves works beyond 2 metres below natural ground level. In this regard an Acid Sulfate Soils Management Plan was prepared by Connell Wagner (Report No. 12972-002-ASSMP, dated January 2007).

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This report has identified that the proposed works will encounter acid sulphate soils and accordingly a proposed mitigation strategy has been proposed to control acid leachate due to the disturbance and oxidation processes associated with construction activity. In this regard measures proposed to be implemented having regard to affected soil include containment and lime neutralisation whilst extracted groundwater is proposed to be contained, tested and treated if required.

Clause 37 (4) of Hawkesbury Local Environmental Plan 1989 provides that:

The Council must not grant a consent required by this clause unless it has considered:

- (a) *the adequacy of an acid sulfate soils management plan prepared for the proposed development in accordance with the Acid Sulfate Soils Assessment Guidelines, and*
- (b) *the likelihood of the proposed development resulting in the discharge of acid water, and*
- (c) *any comments received from the Department within 21 days of the Council having sent the Department a copy of the development application and of the related acid sulfate soils management plan.*

It is considered that the acid sulphate soils management plan submitted in conjunction with the application satisfactorily addresses the control and management of this hazard. In addition, it is noted that a copy of the acid sulphate soils management plan was forwarded to the Department in accordance with the above requirements.

Hawkesbury Development Control Plan 2002

Landscaping/Soil Erosion and Sediment Control

Part C of Hawkesbury Development Control Plan 2002 provides general provisions having regard to landscape treatment, soil erosion and sediment control.

The subject proposal will result in the removal of one (1) Swamp Oak and a number of Green Wattles. It is considered that the removal of this vegetation would not have a significant impact upon the visual quality of the area. A Vegetation Management Plan will be required to be prepared for the site, inclusive of the riparian zone situated within Rickaby's Creek. An appropriate condition requiring the preparation of a Vegetation Management Plan prior to issue of Construction Certificate has been included in the recommended consent.

Soil erosion and sediment impacts have been considered and suitable environmental measures are to be installed and maintained during construction as detailed in the Construction Environmental Management Plan prepared by Connell Wagner (Report No. 12972-004-02, dated 14 March 2007).

RECOMMENDATION:

That Development Application DA0305/07 for a public utility undertaking - pedestrian/cycle bridge over Rickaby's Creek at Lot 44 DP 244472 Howe Park No. 51 James Ruse Close, Windsor be approved subject to the following conditions:

General Conditions

1. The development is to be carried out in compliance with the following plans and documentation listed below and endorsed with Council's stamp, except where amended by other conditions of consent:

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Drawing Number/Title	Dated
Pedestrian Footbridge over Rickaby's Creek	Undated
Rickaby's Creek Pedestrian/Cycle Bridge - Figure 2 Plan of Proposed Bridge	Undated
Document Name	Dated
Statement of Environmental Effects Rickaby's Creek Pedestrian/Cycle Bridge Windsor	March 2007

2. No excavation, site works or building works shall be commenced prior to the issue of an appropriate Construction Certificate.
3. The development shall comply with the provisions of the Building Code of Australia.

Prior To Issue Of Construction Certificate

4. An Environmental Management and Rehabilitation Plan for the development site shall be prepared by an appropriately qualified person. The Environmental Management Plan shall include (without being limited to) the following:
 - (a) A Site Rehabilitation Plan of all disturbed areas is to be undertaken in accordance with the Guideline Watercourse & Riparian Zone Rehabilitation Requirements (Version 3) issued by the Department of Natural Resources.
 - (b) A Vegetation Management Plan (VMP) for the rehabilitation of all disturbed areas. The VMP is to be prepared in accordance with the Guidelines *How to Prepare a Vegetation Management Plan (Version 4)* issued by the Department of Natural Resources.
 - (c) A Works Plan for works within Rickaby's Creek. The Works Plan is to be prepared in accordance with the following Guidelines *How to prepare a Works Plan, for works in watercourses and regularly inundated areas (Version 1)* issued by the Department of Natural Resources.

Details are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate. All site works shall be carried out in accordance with the Plan and implementation of the Plan shall be supervised by an appropriately qualified person.

5. Physical stabilisation works on the bed or banks of the watercourse (if required) are to be undertaken utilising a *soft engineering* methods. The use of concrete, spray concrete, concrete filled mattresses, wire mesh structures or concrete grouting in rock voids (or similar) for erosion control are not to be undertaken.
6. Construction of the bridge and associated works are not to commence until three (3) copies of the plans and specifications of the proposed works are submitted to and approved by the Director City Planning or an Accredited Certifier.
7. Payment of a Construction Certificate checking fee and a Compliance Certificate inspection fee when submitting plans for approval. Required fees will be provided on request.
8. The bridge is to be designed and certified by a suitably qualified and experienced Structural Engineer.
9. External components/materials/finishes of the bridge are to be chosen so as to exhibit low reflective quality and to blend in with the natural bushland setting. Such materials are to be selected so as to provide a suitable level of durability to withstand graffiti and damage through vandalism.

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Final details of all external materials and colours are to be submitted to the satisfaction of the Director City Planning prior to the release of the Construction Certificate.

10. Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the Construction Certificate.

Prior To Commencement Of Works

11. A copy of receipt of payment of Long Service Levy shall be provided to the Principal Certifying Authority prior to any works commencing on site. Payments can be made at Long Service Corporation offices or most Councils.
12. Erosion and sediment control devices are to be installed and maintained at all times during site works and construction. The enclosed warning sign shall be affixed to the sediment fence/erosion control device.
13. The applicant shall advise Council of the name, address and contact number of the Principal Certifier, in accordance with Section 81A 2(b) of the Environmental Planning and Assessment Act, 1979.
14. At least two days prior to commencement of works, notice is to be given to Hawkesbury City Council, in accordance with the Environmental Planning and Assessment Regulation.
15. Toilet facilities (to the satisfaction of Council) shall be provided for workmen throughout the course of building operations. Such facility shall be located wholly within the property boundary.
16. A sign displaying the following information is to be erected adjacent to each access point and to be easily seen from the public road. The sign is to be maintained for the duration of works:
 - (a) Unauthorised access to the site is prohibited.
 - (b) The owner of the site.
 - (c) The person/company carrying out the site works and telephone number (including 24 hour 7 days emergency numbers).
 - (d) The name and contact number of the Principal Certifying Authority.

During Construction

17. Works are to be undertaken in accordance with the *Acid Sulphate Soils Management Plan Pedestrian Bridge over Rickaby's Creek - Report No. 12972-002-ASSMP* dated January 2007 prepared by Connell Wagner.
18. Site and building works (including the delivery of materials to and from the property) shall be carried out only on Monday to Friday between 7am – 6pm and on Saturdays between 8am – 4pm.
19. All civil construction works required by this consent shall be in accordance with Hawkesbury Development Control Plan appendix E Civil Works Specification.
20. Inspections shall be carried out and compliance certificates issued by Council or an accredited certifier for the components of construction detailed in Hawkesbury Development Control Plan Appendix B Civil Works Specification, Part II, Table 1.1.
21. Should any Aboriginal site or relic or European relic be disturbed or uncovered during the construction of this development, all work should cease and the National Parks and Wildlife Service or the Heritage Office (European relic) consulted. Any person who knowingly disturbs an Aboriginal site or relic is liable to prosecution under the National Parks and Wildlife Act 1974 and Heritage Act.

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22. Excavation material shall be deposited at an approved waste management facility.
23. Measures shall be implemented to prevent vehicles tracking sediment, debris, soil and other pollutants onto any road.
24. All trucks entering or leaving the site shall have their trays suitably covered to prevent spillage from the truck onto the road.
25. Dust control measures, eg vegetative cover, mulches, irrigation, barriers and stone shall be applied to reduce surface and airborne movement of sediment blown from exposed areas.

Prior To Use

26. The bridge is to be certified on completion by a suitably qualified and experienced Structural Engineer.
27. A flood warning sign of durable material shall be permanently fixed in a prominent location within the site. The sign shall advise occupants that the site may subject to inundation during times of flood.
28. Compliance with all conditions of this Development Consent.

Advisory Notes

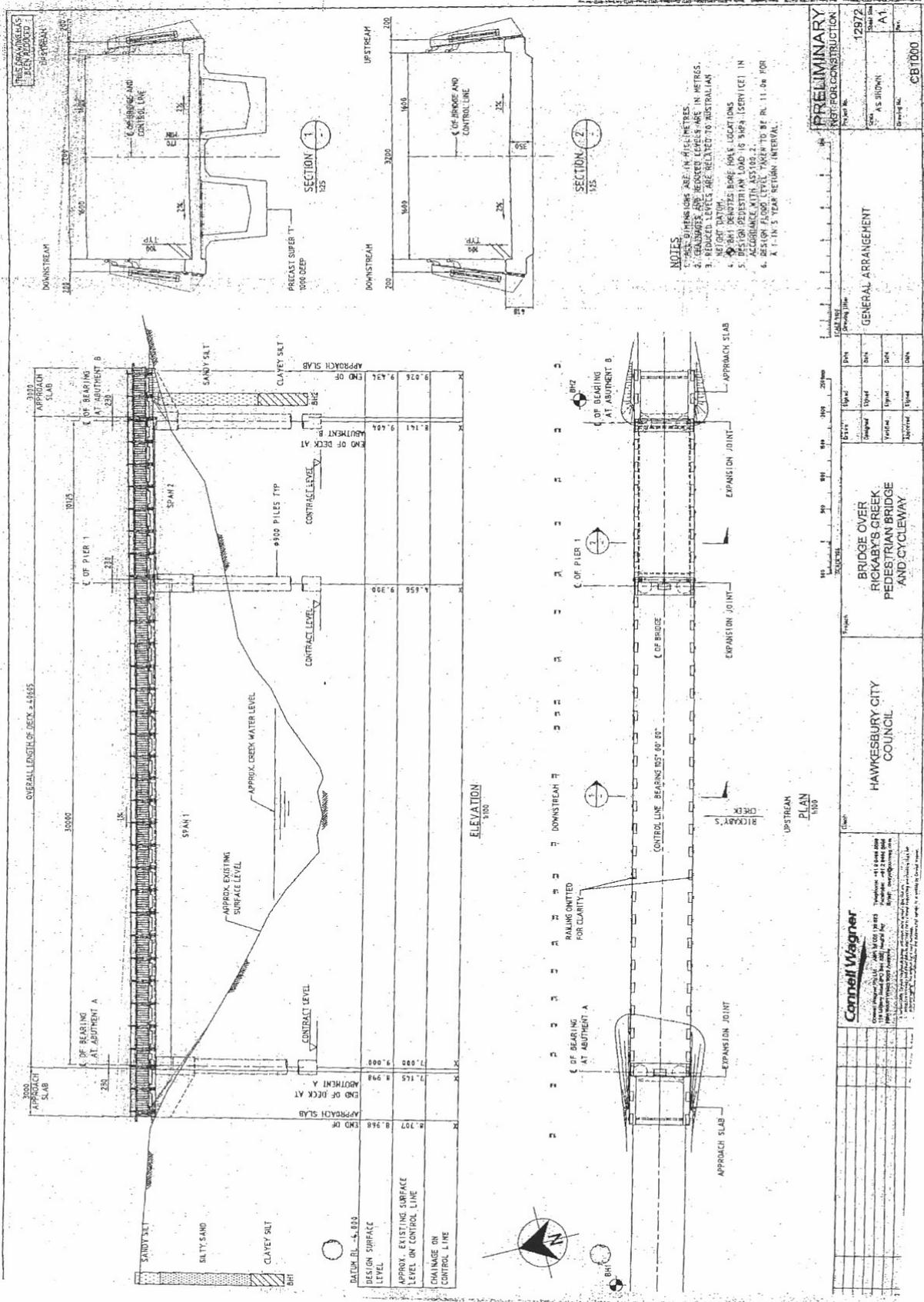
- *** Inspections for Compliance Certificate shall be requested from Hawkesbury City Council for internal and external sewer drainage prior to covering any pipe. An inspection fee applies.
- *** The applicant shall make themselves aware of the Discrimination Against People with Disabilities Act (DDA) and assess their responsibilities and liabilities with regards to the provision of access for all people.

ATTACHMENTS:

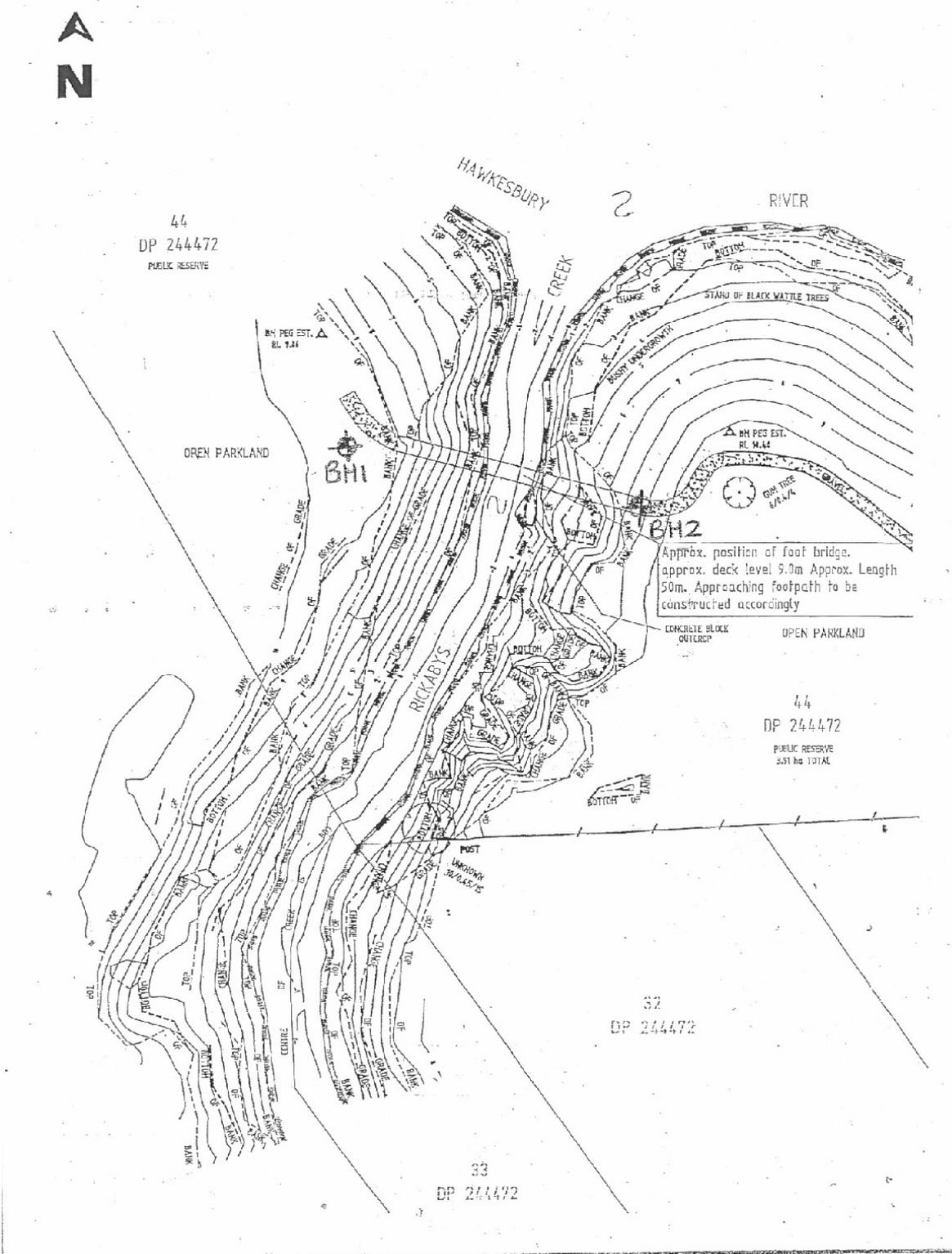
AT - 1 Design Details

AT - 1 Location Plan

AT - 1 Design Details



AT - 2 Location Plan



Pedestrian Footbridge over Rickaby's Creek, 12972

Borehole Location Plan

oooO END OF REPORT Oooo

ordinary

section 5

reports
of committees

ORDINARY MEETING
Reports of Committees

SECTION 5 - Reports of Committees

ROC - Local Traffic Committee - 19 September 2007 - (80245, 95495)

Minutes of the Meeting of the Local Traffic Committee held in the Large Committee Room, Windsor, on Wednesday, 19 September 2007 commencing at 3.00pm.

ATTENDANCE

Present: Councillor B Bassett (Chairman)
Mr J Christie, Offices of Messrs A Shearan, (Londonderry) and J Aquilina (Riverstone), Members of Parliament.
Mr J Suprain, Roads and Traffic Authority
Senior Constable B McClifty, NSW Police Service
Senior Constable B Morris, NSW Police Service

Apologies: Mr R Williams, MP (Hawkesbury)
Mr R Elson, Department of Transport

In Attendance: Mr C Amit, Manager Design & Mapping Services
Mr T Shepherd, Administrative Officer, Hawkesbury City Council

SECTION 1 - Minutes

Item 1.1 Minutes of Previous Meeting

The Minutes of the meeting held on 15 August 2007 were confirmed.

Item 1.2 Business Arising

Nil Business Arising.

SECTION 2 - Reports for Determination

Item 2.1 LTC - 19 September 2007 - Item 2.1 - Loading Zone in the Mullinger Lane Carpark, South Windsor (Riverstone) - (80245, 74282)

REPORT:

Introduction:

Representations have been received from the South Windsor Business community requesting the provision of a Loading Zone along the eastern kerb line within the Mullinger Lane Carpark.

Discussion:

Mullinger Lane carpark consists of 78 parking spaces and is situated between Argyle Street and Campbell Street, between George Street and Church Street. The laneway allows one-way, north bound traffic flow between Argyle Street and Campbell Street.

The laneway varies in width, with all parking spaces being Rear to Kerb. As a result there are 38 parking spaces at 90 degrees and 2 lots of 20 parking spaces at 135 degrees – (effectively 45 degrees). The parking spaces are located along the western side of the laneway.

The function of Mullinger Lane is primarily an on-street carpark with very low speeds and volumes of traffic.

A 'No Parking' zone currently exists along the full length of the eastern kerb side adjacent to the rear of the business premises. This 'No Parking' zone allows for vehicles to stand for 2 minutes and the driver to be within 3 metres of their vehicle. The request for the Loading Zone has been initiated due to the ever increasing demand for delivery vehicles to use the laneway, and the need for these vehicles to stand in this area for longer periods of time. A Loading Zone can be utilised for a period of up to 15 minutes or 30 minutes depending on the nature of the delivery vehicle.

The provision of a Loading Zone will require the equivalent of a 3.0 metre wide parking lane along the eastern kerb line. The existing 'No Parking' zone does not require this dedicated kerb parking as the vehicles are there for a very short period of time whereby the driver being within close proximity to their vehicle can react in the event of a parked vehicle needing to exit the angle parking area.

The existing laneway for its full length does not provide sufficient roadway width to enable the 3.0 metre wide parking lane along the eastern side, whilst retaining all the parking spaces on the western side. The only section of the laneway that can be utilised with some reduction in parking spaces is opposite to the 90 degree parking.

The 90 degree parking bays will need to be converted to 120 degree angle parking (effectively 60 degree parking) in order to provide the Loading Zone and facilitate manoeuvring of vehicles in and out of the parking spaces. The sections of kerb opposite to the 135 degree parking will remain as 'No Parking' due to its roadway width.

In relation to the change from 90 degree to 120 degree, this will result in the reduction of available parking from 78 to 71 spaces (loss of 7 spaces).

Alternatively an option available is to convert the 'No Parking' zone opposite the 90 degree parking to a Loading Zone and trial the manoeuvring of the vehicles using the 90 degree parking spaces. In accordance with the Australian Standards for parking, the roadway width required for manoeuvring in and out of the 90 degree parking is 5.40 metres. With the dedicated Loading Zone parking lane of 3.0 metres, the overall roadway width required is 8.40 metres. The existing available roadway width adjacent to the 90 degree parking spaces is 7.87 metres. (This excludes the length of the parking spaces). Refer to Appendix 1; Plan A: Proposed Changes to Mullinger Lane Carpark August 2007.

It is proposed that a trial be undertaken for a period of 3 months. If this option is successful and is not imposing a problem for vehicles utilising the 90 degree parking area, the proposed Trial Loading Zone can be made permanent. Should there be difficulties with vehicles manoeuvring, then the 90 degree parking bays will need to be converted to 120 degree angle parking, resulting in the loss of 7 parking spaces.

There are no proposals to change the 135 degree parking spaces or convert the existing 'No Parking' zone along the eastern kerb line opposite the 135 degree parking.

In summary, the options available in providing a Loading Zone in Mullinger Lane, South Windsor:

- Option 1: Alter the 'No Parking' zone opposite the 90 degree parking to a Loading Zone and trial the manoeuvring of the vehicles using the 90 degree parking spaces for a period of 3 months.
- Option 2: Alter the 'No Parking' zone opposite the 90 degree parking to a Loading Zone and convert the 90 degree parking to 120 degree parking which will result in the reduction of available parking from 78 to 71 spaces (loss of 7 spaces).

Public Consultation:

As part of the consultation process, a letter, plan and questionnaire, inviting comment to this proposal was sent out to the respective property owners/residents/operators within the bounds of Argyle Street/George Street/Campbell Street/Mullinger Lane. Comment was invited relating to;

- Option 1: Alter the 'No Parking' zone opposite the 90 degree parking to a Loading Zone and trial the manoeuvring of the vehicles using the 90 degree parking spaces for a period of 3 months.

Approximately 70 packages were distributed resulting in 8 response being returned. All returns were in favour of implementing the Loading Zone whilst retaining the 90 degree parking.

At the end of the 3 month trial period a follow up Questionnaire will be forwarded with the findings from the trial period allowing an opportunity for further comment in relation to retaining or amending the Loading Zone.

RECOMMENDATION:

That:

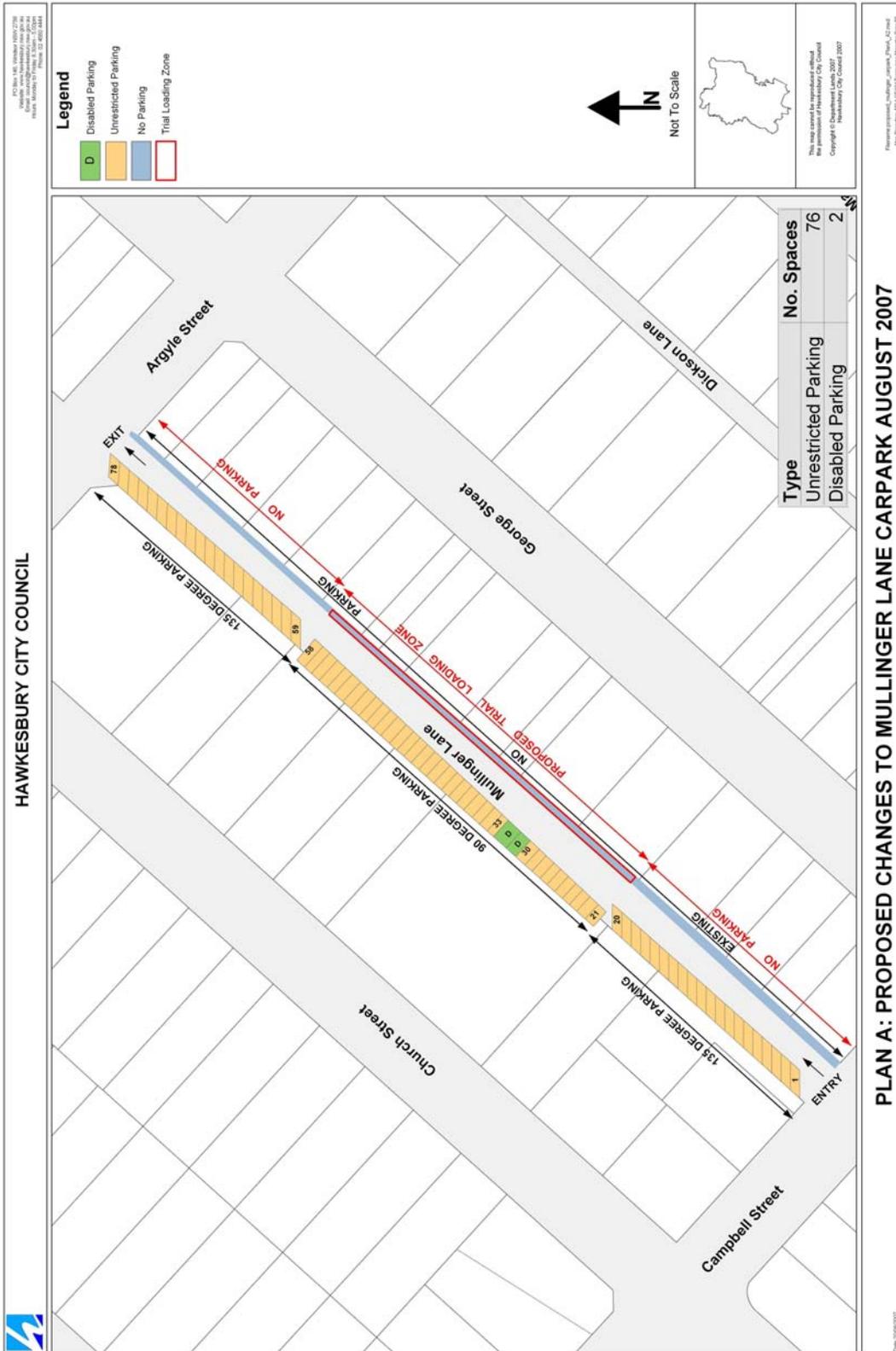
1. The 'No Parking' zone opposite the 90 degree parking in Mullinger Lane Carpark in South Windsor be converted to a Trial 'Loading Zone'.
2. A three (3) month trial period be undertaken to determine any issues relating to manoeuvring in and out of the parking spaces.
3. The Trial 'Loading Zone' be made a permanent 'Loading Zone', after the 3 month trial period, upon further public consultation and no objections being recorded.
4. In the event of manoeuvring issues being present as a result of the trial period and subsequent public consultation as part of point 3 above, the 90 degree parking be converted to 120 degree parking which will result in the reduction of available parking from 78 to 71 spaces (loss of 7 spaces).

APPENDICES:

AT - 1 Plan A: Proposed Changes to Mullinger Lane Carpark August 2007

ORDINARY MEETING
Reports of Committees

AT - 1 Plan A: Proposed Changes to Mullinger Lane Carpark August 2007



PLAN A: PROPOSED CHANGES TO MULLINGER LANE CARPARK AUGUST 2007

ORDINARY MEETING

Reports of Committees

Item 2.2 LTC - 19 September 2007 - Item 2.2 - Changes to Bus Zone in McMahons Road, Kurrajong - Comleroy Road Public School (Hawkesbury) - (80245, 74469)

REPORT:

Introduction:

Representation has been received from the Principal of Comleroy Road Public School in relation to the existing School Bus Zone times and possible amendments to this zone which is located on McMahons Road, Kurrajong in the vicinity of the School. The school principal has requested that consideration be given to amending the operation times of the School Bus Zone from "8.30am - 9.30am and 2.30pm - 4.00pm" to "8.30am - 9.05am and 2.45pm - 3.10pm" school days. It has also been requested that consideration be given to converting the existing School Bus Zone to a children pick up and drop off zone as the school buses utilise the School Bus Zone for a short time only.

Discussion:

The current regulatory speed limit on McMahons Road in the vicinity of the school is 60 kph with the School Zone of 40kph operating during the times of 8.00am to 9.30am and 2.30pm to 4.00pm. This road is a local road. Parallel parking is permitted on both sides of the road except on some sections where there are parking restriction signs.

Parents of the school children park their vehicles along sections of McMahons Road bordering the school to pick up and drop off their children. There are also a number of parents who utilise the School Bus Zone to pick up and drop off their children. Some of these parents have received Infringement Notices for using the Bus Zone.

The School Bus Zone on the eastern side of McMahons Road in the vicinity of the school is approximately 60.0 metres long. This total length of 60.0 metres includes the indented bus bay which also acts as a turn around area. It would be appropriate to change the School Bus Zone operation times to "8.30am - 9.05am and 2.45pm - 3.10pm" school days as the Bus services use this School Bus Zone during these hours only. Furthermore, it would be appropriate to establish a "No Parking" zone along this 60.0 metre long School Bus Zone from "9.05am - 9.30am and 3.10pm - 3.30pm" school days as this "No Parking" zone can be used for pick up and drop off children by their parents.

These changes have been supported in writing by the School Principal who has also received support from Parents and the Bus company.

RECOMMENDATION:

That:

1. the operation times of the School Bus Zone (approximately 60.0 metres long) in McMahons Road in the vicinity of Comleroy Road Public School be changed from "8.30am - 9.30am and 2.30pm - 4.00pm" to "8.30am - 9.05am and 2.45pm - 3.10pm" school days.
2. a "No Parking" zone be established along the existing 60.0 metre long School Bus Zone during the hours of "9.05am - 9.30am and 3.10pm - 3.30pm" school days. This can be implemented by attaching "No Parking" (R5-40) signs onto the existing Bus Zone signs.

APPENDICES:

There are no supporting documents for this report.

SECTION 3 - Reports for Information

Nil Reports for Information.

SECTION 4 - General Business

Item 4.1 LTC - 19 September 2007 - Item 4.1 - Flood Evacuation Route - (80245)

Mr J Christie

REPORT:

Advised that the Flood Evacuation Route alignment appears to be conducive to maintaining posted speed restrictions but that "Mulgrave Station" directional signage was required at access ramps.

RECOMMENDATION:

That:

1. comments regarding the alignment be noted; and
2. the Roads and Traffic Authority be requested to investigate installation of Mulgrave Station directional signage at access ramps to the Flood Evacuation Route.

APPENDICES:

There are no supporting documents for this report.

Item 4.2 LTC - 19 September 2007 - Item 4.2 QWN - Bells Line of Road, Speed Review - (80245)

Senior Constable B McClifty

REPORT:

Enquired as to the progress regarding review of the speed restriction on Bells Line of Road, Kurrajong, between Hermitage Road and Comleroy Road.

Mr J Suprain advised that review was in progress with result to be advised at the next meeting.

RECOMMENDATION:

That the information be received.

APPENDICES:

There are no supporting documents for this report.

Item 4.3 LTC - 19 September 2007 - Item 4.3 QWN - William Cox Drive, Hobartville - Traffic Count - (80245, 74000)

Senior Constable B McClifty

REPORT:

Advised of representations received from Mr A Shearan, MP on behalf of Mrs P Lewis regarding speeding vehicles on William Cox Drive, Hobartville, and enquired as to the availability of a traffic count at that location.

RECOMMENDATION:

That a traffic survey be undertaken in the vicinity of 17-25 William Cox Drive, Hobartville, with parameters of speed and time of day, and results be forwarded to the NSW Police Service.

APPENDICES:

There are no supporting documents for this report.

Item 4.4 LTC - 19 September 2007 - Item 4.4 QWN - Proposed Naming - Ashley's Bridge (80245, 74000)

Senior Constable B McClifty

REPORT:

Expressed concern at Council's recent resolution that the cycleway bridge at Windsor Road, McGraths Hill, north-west of Pitt Town Road, be named "Ashley's Bridge" in light of prior representations by the NSW Police Service to the Roads and Traffic Authority.

Discussion ensued regarding road/structure/locality naming procedures within Council and that Council's decision was to be forwarded to the Roads and Traffic Authority as the cycleway is part of the Main Road network.

RECOMMENDATION:

That:

1. as a matter of course, comment continue to be sought from the NSW Police Service in relation to naming proposals for structures/roads for which Council is the roads authority under the Roads Act, 1993;
2. the NSW Police Service make representations direct to the Roads and Traffic Authority regarding Ashley's Bridge; and
3. the Roads and Traffic Authority be encouraged to seek comment from the NSW Police Service in relation to naming proposals for structures/roads for which the Authority is the roads authority under the Roads Act, 1993.

APPENDICES:

There are no supporting documents for this report.

Item 4.5 LTC - 19 September 2007 - Item 4.5 QWN - Flood Evacuation Route - Traffic Conditions - (80245)

Councillor B Bassett

REPORT:

Advised that the Flood Evacuation Route does not have median barrier infrastructure to confine vehicles to travelling lanes.

RECOMMENDATION:

That the Roads and Traffic Authority be requested to investigate installation of median barrier devices along the Flood Evacuation Route to confine vehicles to travelling lanes.

APPENDICES:

There are no supporting documents for this report.

Item 4.6 LTC - 19 September 2007 - Item 4.6 QWN - Special Events - Information Services by Roads and Traffic Authority - (80245)

Councillor B Bassett

REPORT:

Following a recent presentation by the Roads and Traffic Authority to stakeholders regarding special events; advice was to be sought from the Roads and Traffic Authority as to the establishment of a specific contact phone number/email address to be promoted by Council for individuals/organisations to contact in the course of running a special event.

Mr J Suprain tabled advice regarding appropriate email address, methodology as to verification of approved providers balanced against privacy issues, and advising that Class 1 Special Event applications to be forwarded direct to the Transport Management Centre.

RECOMMENDATION:

That representations be made to the Roads and Traffic Authority to secure establishment of a designated telephone contact number.

APPENDICES:

There are no supporting documents for this report.

Item 4.7 LTC - 19 September 2007 - Item 4.7 QWN - Peel Parade, Kurrajong - Speeding Vehicles - (80245)

Councillor B Bassett

REPORT:

Advised of increased incidence of speeding traffic on Peel Parade, Kurrajong, particularly from the golf club.

RECOMMENDATION:

That the NSW Police Service be requested to include this location as part of its routine patrols.

APPENDICES:

There are no supporting documents for this report.

ORDINARY MEETING
Reports of Committees

SECTION 5 - Next Meeting

The next Local Traffic Committee meeting will be held on Wednesday, 17 October 2007 at 3.00pm in the Large Committee Room, Council Chambers.

The meeting terminated at 3.50pm.

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business
paper

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