

Resolution of Council

15 May 2023

Item 8.3

Review of Environmental Factors - Pop-Up Cycleways - Moore Park Road and Fitzroy Street - Time Extension

It is resolved that Council:

- (A) note that on 17 May 2021, Council endorsed a Review of Environmental Factors and approved the operation and use of the Moore Park Road and Fitzroy Street pop-up cycleways until May 2023;
- (B) note the Review of Environmental Factors for the continued operation and use of the Moore Park Road and Fitzroy Street pop-up cycleways, as shown in Attachment B to the subject report;
- (C) approve the continued operation and use of the Moore Park Road and Fitzroy Street pop-up cycleway for a period of three years until 31 May 2026 or until the permanent Oxford Street Cycleway between Taylor Square and Centennial Park (constructed by the NSW Government) is operational, whichever comes first; and
- (D) approve the Chief Executive Officer signing the determination associated with the exhibited Review of Environmental Factors for continued operation and use of the Moore Park Road and Fitzroy Street pop-up cycleways for the following reasons:
 - (i) the City is the self-assessment authority for the projects and holds the authority to assess and grant approval to activities under Part 5 of the Environmental Planning and Assessment Act 1979;
 - (ii) the proposed projects identified in the Review of Environmental Factors is an "activity" under Division 17 (Road infrastructure facilities) within State Environmental Planning Policy (Transport and Infrastructure) 2021. The activity constitutes in part "exempt development" and in part activities that are "development that is permissible without consent" and therefore Part 5 of the Environmental Planning and Assessment Act 1979 applies;

- (iii) the Review of Environmental Factors has been carried out for the proposed activity to address the environmental impacts of the temporary retention of the pop-up cycleway in accordance with Clause 171 of the Environmental Planning and Assessment Regulation 2021; and
- (iv) subject to compliance with the mitigation measures outlined in the Review of Environmental Factors, the proposed activity will not result in a significant impact on the environment and may be approved under Part 5 of the Environmental Planning and Assessment Act 1979.

The substantive motion was carried on the following show of hands:

Ayes (7) The Chair (the Lord Mayor), Councillors Chan, Davis, Ellsmore, Kok, Scott and Worling

Noes (3) Councillors Gannon, Jarrett and Weldon.

Substantive motion carried.

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