

15 February 2021

At the conclusion of the Cultural and Community Committee

**Transport, Heritage and Planning
Committee**

Agenda

- 1. Disclosures of Interest**
- 2. Public Exhibition – Planning Proposal – Waterloo Estate (South) – Sydney Local Environmental Plan 2012 Amendment**
- 3. Traffic Calming - Park Street, Erskineville**
- 4. Update to Sydney Local Environmental Plan 2012 and Development Control Plan 2012 - Working Group of Councillors and Central Sydney Planning Committee Members**
- 5. City of Sydney Local Planning Panel - Reappointment of Members**

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To enable the Committee to hear a wide range of views and concerns within the limited time available, we encourage people interested in speaking at Committee to:

1. Register to speak by calling Secretariat on 9265 9310 or emailing secretariat@cityofsydney.nsw.gov.au before 10.00am on the day of the meeting.
2. Check the recommendation in the Committee report before speaking, as it may address your concerns so that you just need to indicate your support for the recommendation.
3. Note that there is a three minute time limit for each speaker (with a warning bell at two minutes) and prepare your presentation to cover your major points within that time.
4. Avoid repeating what previous speakers have said and focus on issues and information that the Committee may not already know.
5. If there is a large number of people interested in the same item as you, try to nominate three representatives to speak on your behalf and to indicate how many people they are representing.

Committee meetings can continue until very late, particularly when there is a long agenda and a large number of speakers. This impacts on speakers who have to wait until very late, as well as City staff and Councillors who are required to remain focused and alert until very late. At the start of each Committee meeting, the Committee Chair may reorder agenda items so that those items with speakers can be dealt with first.

Committee reports are available at www.cityofsydney.nsw.gov.au

Item 1.

Disclosures of Interest

Pursuant to the provisions of the City of Sydney Code of Meeting Practice and the City of Sydney Code of Conduct, Councillors are required to disclose pecuniary interests in any matter on the agenda for this meeting.

Councillors are also required to disclose any non-pecuniary interests in any matter on the agenda for this meeting.

This will include receipt of reportable political donations over the previous four years.

In both cases, the nature of the interest must be disclosed.

Local Government and Planning Legislation Amendment (Political Donations) Act 2008

The Local Government and Planning Legislation Amendment (Political Donations) Act 2008 ("the Act") requires the disclosure of relevant political donations or gifts when planning applications are made to minimise any perception of undue influence. The amendments to the Act require disclosure to the Electoral Funding Authority of:

- a **reportable political donation** as defined in the Election Funding and Disclosures Act 1981 (a donation of \$1000 or more made to or for the benefit of the party, elected member, group or candidate or made by a major political donor to or for the benefit of a party, elected member, group or candidate, or made to the major political donor), or
- a **gift** (as defined in the Election Funding and Disclosures Act 1981) to any local councillor or council employee (and includes a disposition of property or a gift of money or the provision of other valuable or service for no consideration or for inadequate consideration) when a relevant planning application is made to a council.

A donation of less than \$1000 can be a reportable political donation if the aggregated total of such donations was made by an entity or person to the same party, elected member, group or candidate or person.

Item 2.

**Public Exhibition – Planning Proposal – Waterloo Estate (South) – Sydney
Local Environmental Plan 2012 Amendment**

Document to Follow

Item 3.

Traffic Calming - Park Street, Erskineville

File No: X022475.003

Summary

At the 14 December 2020 meeting of Council, it was resolved that:

(A) Council note:

- (i) Park Street is predominantly a residential street containing low density housing and which has a maximum weight limit of 3 tonnes for vehicles entering the street to pass through;
- (ii) due to the installation of the Henderson Road pop-up cycleway, left hand turn access has been removed from Railway Parade, causing traffic to be diverted down Park Street from Swanson Street;
- (iii) prior to the cycleway installation, Park Street was a quiet residential road and immediately after the installation, residents expressed concern for the frequency and speed of vehicles running through Park Street and the increase in heavy vehicle usage, including large industrial appliances accessing the rail yards nearby; and
- (iv) in September 2020, in response to residents' concerns about the volume and speed of traffic, the City installed speed cushions in Park Street. Residents have since reported that these speed cushions have had little to no impact in traffic calming, have increased noise in the street and are dangerous, encouraging motorists to swerve to avoid the cushions; and

(B) the Chief Executive Officer be requested to:

- (i) investigate concerns and take immediate steps to reduce some of the impacts that residents are experiencing, including removing speed cushions which are having unintended impacts, making speed and weight limit signage more visible and more frequent patrolling for heavy vehicle usage;
- (ii) ask staff to consult with state authorities including Transport for NSW, to train their drivers and contractors who are working in the area to refrain from using Park Street and remind them that this is a local residential road with a maximum weight limit of three tonnes;
- (iii) reinstate Park Street back to its condition as a quiet residential street prior to the traffic changes by implementing traffic calming measures. Residents have a number of suggestions, including limiting turns into and out of Park Street, creating raised pedestrian crossings and extended garden beds, and as a last resort, creating a cul-de-sac. City staff are requested to respond to community suggestions and to provide options to the community for input and feedback; and

- (iv) report back to Council via a council report within two months on the process for community consultation and feedback into those longer-term traffic calming measures for Park Street.

Public exhibition of an initial concept design to traffic calm Park Street was conducted over a four week period between 16 November and 18 December 2020, together with consultation on cycleway connections in Erskineville and Alexandria.

This report outlines current and possible future actions to improve traffic calming in Park Street, Erskineville noting that a more comprehensive report with an updated concept plan will be submitted to Council for consideration, together with concept plans for Henderson Road, Railway Parade and Bridge Street, Erskineville as part of the Alexandria and Erskineville Cycleway Connections project.

Recommendation

It is resolved that:

- (A) the subject report be received and noted; and
- (B) Council note that a more detailed report and updated concept plan for Park Street, Erskineville will be submitted to Council as part of the Alexandria and Erskineville Cycleway Connections project.

Attachments

Attachment A. Context Map - Safe Routes to School

Attachment B. Community Feedback December 2020 - Shared Path Improvements and Changes to Parking and Traffic on Park Street, Erskineville

Background

1. In June 2018, the City received a community petition on behalf of over 200 residents of the area with suggestions to reduce traffic and speeds on Henderson Road, Railway Parade and Bridge Street including:
 - speed humps;
 - closure of Henderson Road near Park Street; and
 - closures on Alexander Street and Brown Street.
2. Over the past couple of years, the City has also received several requests from residents of Park Street to improve the safety of crossing the street, especially at Swanson Street. Hence the inclusion of a raised crossing at this location in the proposals consulted on in November-December 2020.
3. After the installation of the 'pop-up' cycleway in Henderson Road and Railway Parade in July 2020, speed cushions were installed on 26 September 2020 to reduce traffic speeds. These speed cushions have generated a mix of responses from residents, including comments that drivers are swerving around them and that they create noise. Speed counts before and after the installation show the cushions have reduced traffic speeds. If the speed cushions are removed without replacing them with other speed-reducing devices, then speeds are likely to increase again.
4. In November and December 2020, during the community consultation for the proposed Alexandria and Erskineville cycleways, the community put forward the following ideas:
 - (a) increase visibility of load limit signs and increase enforcement;
 - (b) stop Sydney Trains trucks using Park Street;
 - (c) increase visibility of 40km/h speed limit signs and/or use speed detecting signs;
 - (d) remove speed cushions / replace with full width speed humps;
 - (e) add raised pedestrian crossings;
 - (f) use angle parking to narrow the street and/or on alternating sides creating a 'chicane' to reduce speeds;
 - (g) use extended garden beds or in-street tree planting; and
 - (h) ban the right turn from Park Street into Henderson Road, limit other turns in/out full or partial closure of Park Street at either end or in the middle.
5. In response to these suggestions, the actions below have been taken or are proposed to be taken in the near future:
 - (a) additional signage for the heavy vehicle (3 Tonne) load limits were installed on Monday 30 November 2020. City Rangers have since been doing patrols of heavy vehicles travelling on Park Street;
 - (b) City staff contacted Sydney Trains in November 2020 to request that their trucks use Henderson Road from Mitchell Road to access their depot sites;

- (c) Transport for NSW has agreed to install an additional 40km/h speed limit sign on Park Street. City staff will investigate a speed detecting sign;
 - (d) removal of the speed cushions once other speed mitigation measures (listed in e, f, g below) are implemented;
 - (e) a raised pedestrian and cycle crossing is proposed to be installed across Park Street at Swanson Street. This proposal was included in the consultation in November and December 2020. This will improve connectivity and safety for pedestrians and bike riders and reduce the speed of vehicles as they enter Park Street. It is expected it will discourage non-local traffic from turning into Park Street.
 - (f) concept plans for landscaped angled parking in Park Street are being developed and will be exhibited for community consultation shortly; and
 - (g) extended garden beds and in-street planting will be incorporated in the proposed street layout in conjunction with the angled parking.
6. Following the implementation of the above mitigation measures, traffic speeds and volumes will be reviewed. If further traffic calming is required, a right turn ban from Park into Henderson Road will be investigated. This would require a consultation and approval process.
7. A full or partial road closure of Park Street would be investigated as an alternative to a right turn ban and would again require a further consultation and approval process. It is proposed that a more detailed report and updated concept plan for Park Street will be submitted to Council for consideration, together with plans for the proposed Erskineville and Alexandria cycleways which were publicly exhibited in November and December 2020.

Key Implications

Strategic Alignment - Sustainable Sydney 2030

8. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
- (a) Direction 2 provides a road map for the City to become A Leading Environmental Performer and the intention to calm and deter traffic, improving local conditions for walking, as well as the potential for landscape islands to add to the greening from the park will improve the local environment.
 - (b) Direction 4 - A City for Walking and Cycling is aided by improving conditions for walking in Park Street.

Social / Cultural / Community

9. Using traffic calming measures to return Park Street to a quiet residential character will have social and community benefits, including likely increased incidental social interactions which build social capital, and likely more attraction to access the green open space with attendant physical and mental health benefits.

Relevant Legislation

10. Roads Act 1993 for road related approvals.
11. Local Government Act 1993 for construction procurement.
12. Environmental Planning and Assessment Act 1979 (Part 4 and 5).
13. Transport Administration Act 1988

Critical Dates / Time Frames

14. A further report will be submitted to Council, with a full consultation report and updated proposals and concept plan for Park Street, Erskineville.

Public Consultation

15. Public consultation was undertaken between 16 November to 18 December 2020, together with consultation on cycleway connections in Erskineville and Alexandria. The material exhibited included:
 - (a) Consultation Page: <https://www.cityofsydney.nsw.gov.au/proposed-works-maintenance/have-your-say-new-cycling-connections-alexandria-erskineville>
 - (b) Project Page: <https://www.cityofsydney.nsw.gov.au/improving-streets-public-spaces/new-cycling-connections-Alexandria-Erskineville>
 - (c) Context Map - Safe Routes to School (Attachment A).
16. Community Feedback on shared path improvement and changes to parking and traffic on Park Street is summarised in Attachment B.
17. The City is currently updating the Park Street Concept Plan following community responses and will reconsult on those plans shortly.

KIM WOODBURY

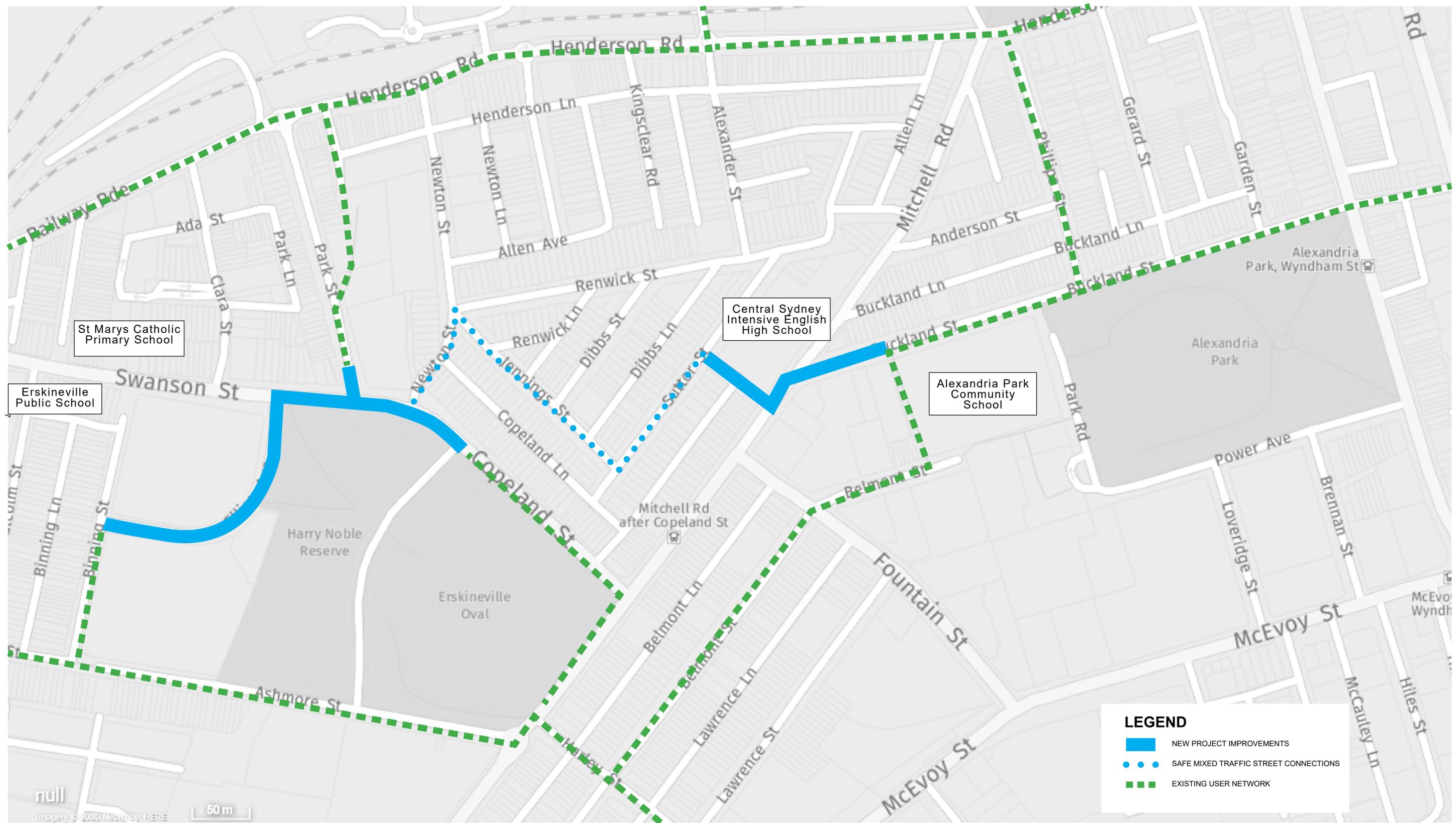
Chief Operating Officer

Fiona Campbell, Manager Cycling Strategy

Attachment A

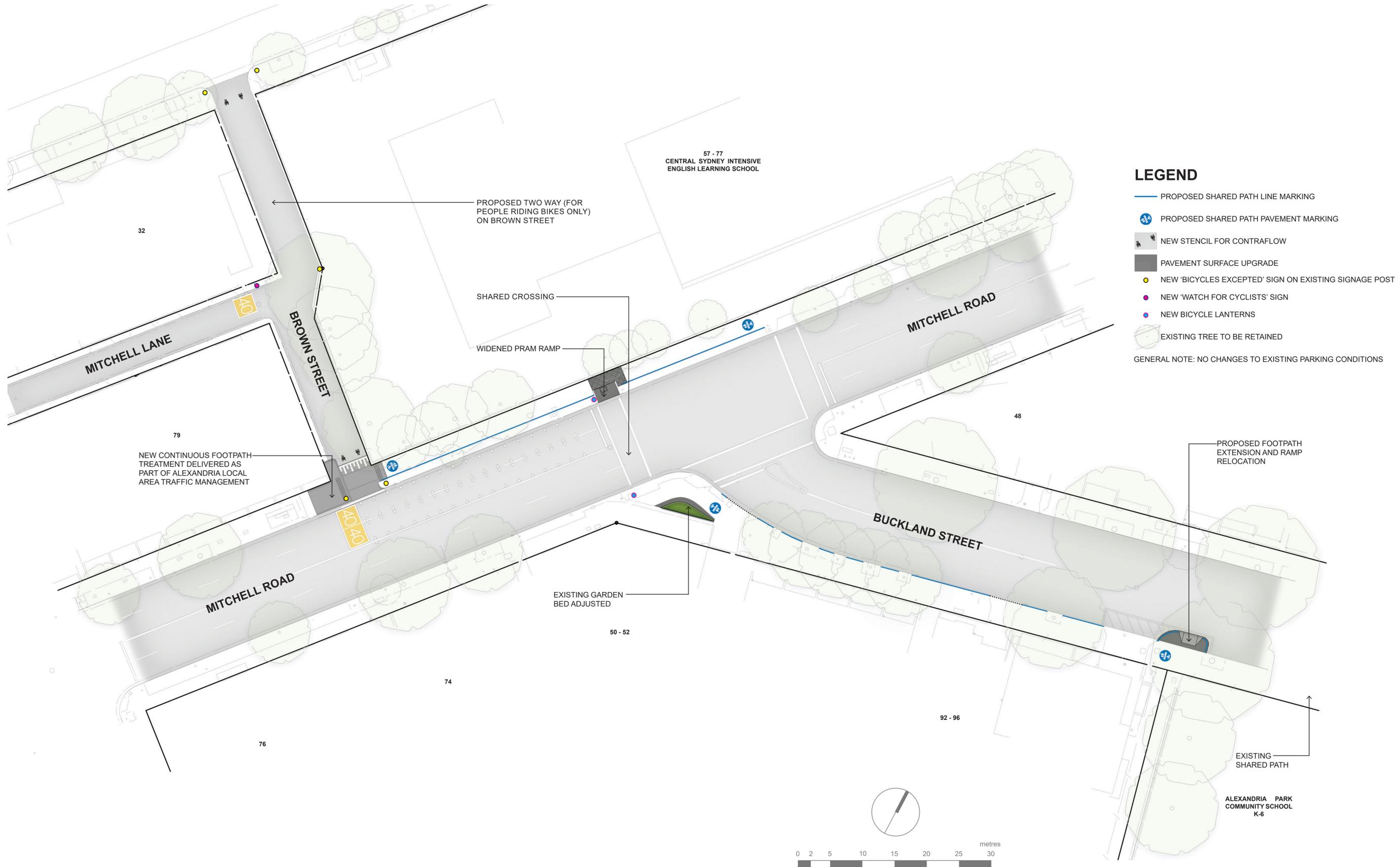
Context Map – Safe Routes to School

Safe Routes to School - Context Map



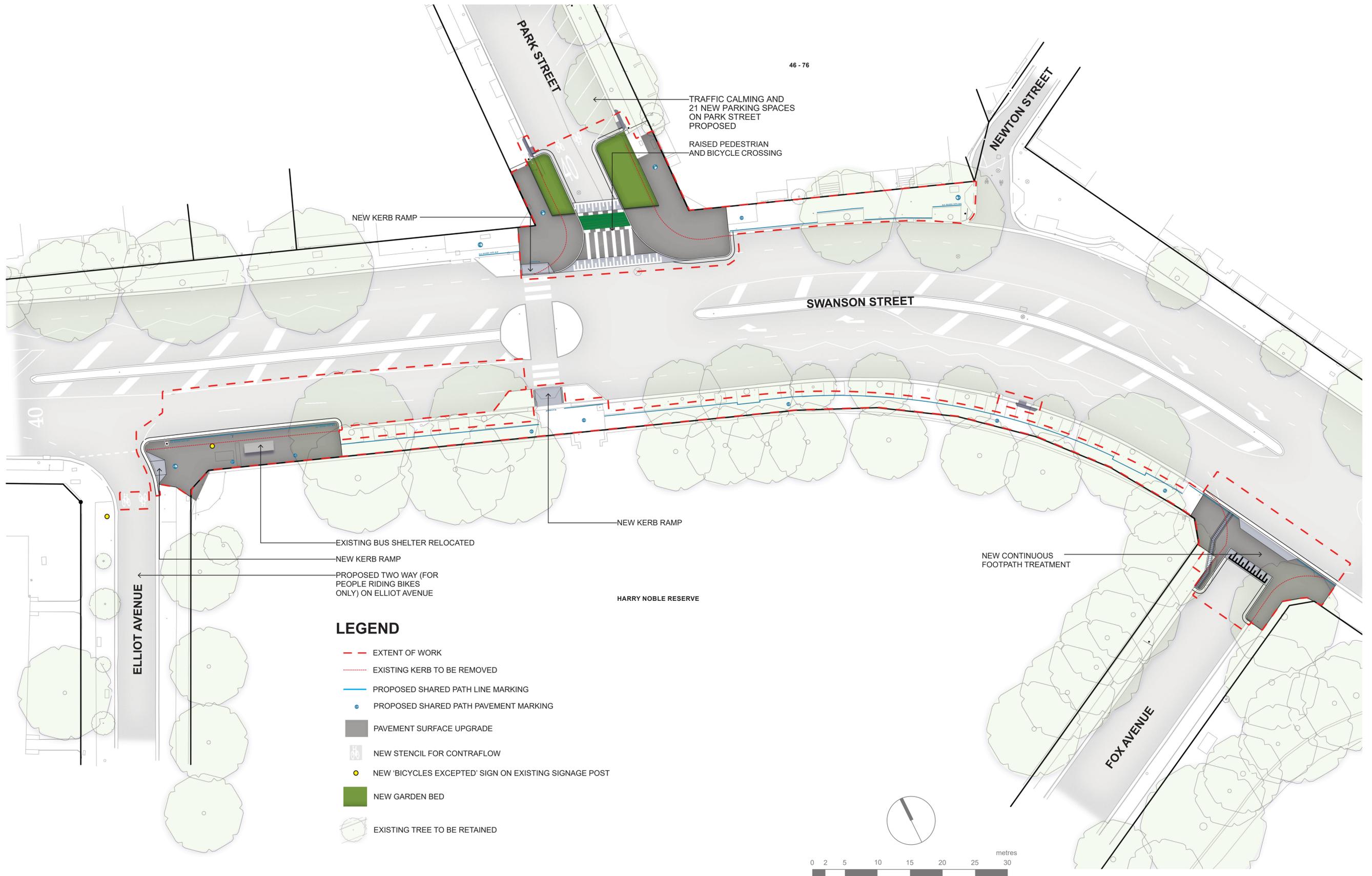
Safe Routes to School

Cycling and walking improvements to Brown Street, Mitchell Road and Buckland Street



Safe Routes to School

Cycling and walking improvements to Swanson Street



Attachment B

**Community Feedback December 2020 -
Shared Path Improvements and Changes to
Parking and Traffic on Park Street,
Erskineville**

Shared path improvements and changes to parking and traffic on Park Street

Respondents were asked: *Please provide your feedback on the proposed shared paths in Alexandria and Erskineville and changes to parking and traffic on Park Street*

This section contains comments received in response to this question, relating specifically to the proposed shared path improvements and changes to parking and traffic on Park Street.

Overall 77 comments

Below is a summary of points made by respondents about the proposed shared path improvements and changes to parking and traffic on Park Street, based on their overall sentiment towards the proposal.

Supportive comments

- There was slightly more support for the proposed changes than there was objection.
- Support was on the basis of safety and the perception that the intervention would have minimal disruption to traffic and roads.

Unsupportive comments

- Just over a quarter of comments on the proposal for shared paths in Alexandria and Erskineville and changes to parking and traffic on Park Street were not supportive.
- The most frequently given reason for objecting to this was that it would create traffic and parking issues.

Mixed or qualified support

- Approximately the same number of respondents who supported the proposal, provided a comment showing mixed support, or qualified their support with some caveats.

MIXED OR QUALIFIED SUPPORT

29 COMMENTS

The most frequently offered comment for the proposed changes for shared paths in Alexandria and Erskineville and changes to parking and traffic on Park Street were mixed. Respondents frequently supported the proposals but took issue with some aspect of its implementation.

A main issue for those with mixed views on the proposed changes was traffic volume and safety for active transport users in Park Street. Several respondents questioned whether or not pedestrian safety is adequately addressed in the plans. Comments included:

Park Street really needs the traffic calmed as people now use it to skip through to Henderson Road. Given that the end of Park Street on Swanson Street is a busy crossing due to its proximity to the park, I would welcome a solution that slowed that traffic and gave priority to pedestrians.

If Park Street remains the only option for local traffic, there ABSOLUTELY needs to be a pedestrian crossing placed at the intersection of Park and Copeland.

Due to the variety of specific suggestions, remaining comments are included verbatim in Appendix 7.

SUPPORTIVE COMMENTS

26 COMMENTS

Support for the proposal for shared paths in Alexandria and Erskineville and changes to parking and traffic on Park Street was most frequently given in general terms. The proposals were variously described as "all good", and "a great idea". Similar phrases were used by several respondents, and in a few cases greater description was provided, as in the comment below:

Any changes to promote walking and cycling are welcomed. Separate paths are usually best but if this is not possible a shared path is better than no path.

Secondary to general comments, support was expressed about perceived safety improvements. One-fifth of the comments in support of this proposal cited safety in their responses. The proposal was deemed likely to result in the following:

Safer zones for kids and parents walking to school.

Totally support the idea of improving the area and making it more convenient and safe for pedestrians and bikes.

Safe paths to every school in (the) area.

One respondent went further to state that:

I think the reduction in parking is worth the safety gains for commuters (walking and riding).

A small number of respondents specifically noted support for a pedestrian crossing on Park Street, as the comments below show:

A pedestrian crossing is an absolute must now due to the increased volume of traffic! Especially as it is heavy vehicle traffic.

The installation of a pedestrian crossing on Park Street is absolutely crucial. It should have been installed at the same time as the "pop-up" cycle lanes.

UNSUPPORTIVE COMMENTS

22 COMMENTS

Objections to the proposed changes to shared paths and Park Street were most commonly due to the changes that this would bring to Park Street. It was anticipated that parking would be made more difficult by the changes, and that traffic, which was viewed as worsening already, would further become problematic.

Parking changes to Park street would also ruin the street character and are a poor outcome for residents here.

With parking at limited already a reduction is not a thought-out idea.

There was the perception that the changes would be dangerous generally, and for pedestrians. Safety issues included both shared path users and road users. The latter was in part due to increased traffic use of Park Street, and additionally, that heavy vehicles continue to use the street in spite of restrictions. Examples of safety comments are included below:

Shared paths sound great until someone gets injured. It's just too dangerous.

You are proposing for bikes to take over footpaths, so where do the kids go. It's not going to be kids on bikes because that's already allowed use of the paths. It's not unlikely my kid will end up run down by one of these idiots you create even more space for.

Park Street is restricted heavy vehicle zone with a three tonne heavy vehicle limit however this is being ignored. Residents vehicles are being side swiped including my neighbours.

There were several impassioned comments about the use of Park Street by increasing volumes of traffic, and the proportion of this that is heavy traffic. Comments conveyed a sense of extreme displeasure that this was occurring, citing pollution and noise (alongside safety) in their comments, as well as frustration that heavy vehicle limits were not being adhered to.

General displeasure at the proposed changes included the following two final comments:

None of these footpaths are wide enough to accommodate.

You are just creating a traffic and parking nightmare.

Appendix 7

This appendix contains verbatim comments from respondents who offered qualified support for the proposed shared path improvements and changes to parking and traffic on Park Street, alongside suggestions for how the proposal could be improved. The comments below have been included in this appendix due to their specific and detailed nature which makes them more useful for CoS use as whole statements. Note that the key points made in each of these comments have also been synthesised into the body of the report, above.

QUALIFIED SUPPORT FOR SHARED PATH IMPROVEMENTS AND CHANGES TO PARKING AND TRAFFIC ON PARK STREET – SUGGESTIONS

- *This is an add on to my earlier submission on the Henderson Road Cycleway. Copeland Street is experiencing hugely increased traffic volumes. It becoming very noisy, polluted and increasingly dangerous, with speeding cars, trucks and motorcycles at all hours of the day and night. Wider shared paths, or even a cycle lane along the northern side of Copeland Street from the Kurrajong Hotel down to Mitchell Road, combined with traffic calming measures might address this. Don't stop these measures on Swanson Street, please bring them all the way down Copeland Street to Mitchell Road to discourage the use of this as a thoroughfare. People wanted to travel by car between Newtown and Randwick should be encouraged to use Sydney Park Road or Cleveland Street, rather than tearing through the quiet community of Erskineville and Alexandria.*
- *A raised footpath at the south end of Park Street is positive but insufficient to have any impact on the problems created by the closure of the left hand turn from Erskineville Road to Railway Parade. 90 degree parking is not supported as a traffic calming measure if it is to run the whole street. Parking at this angle would be supported only at the entrance to Park Street close to the cafe/pub and up to the park. Some of the streets width and charm should be retained in line with heritage conservation zones across the city and the desire to maintain the history and charm of terrace lined streets.*
- *I've often felt footpaths have been underutilised. Park Street is relatively quiet and wide.*
- *Hello: I am Sydney trains Site manager for Operational Technology Center 126-128 Railway PDE Erskineville. I have concern for the main entry Gate 2, at my depot which is set back behind parked cars. I would like to propose that the two car spaces either side of the gate is removed. Vehicles entering the depot do not have a clear view for pedestrians or cyclist. we are currently having interruptions with deliveries and waste disposal garbage trucks not able to gain a swing turn into our driveway without causing damage to the parked cars. Traffic build up due to vehicles turning into our drive way causes*

issues to traffic flow and causing tension and sounding of horns and abuse at us. Resident have complained and abusing my staff. I fell the community and residents are being affected with noise heavy traffic flow from Park St to Railway Parade. This also impacts the State Emergency center across from our driveway. Trying to maneuver around cars parked opposite their roller doors. Help remove the Hazard of two parked car spaces either side of our main entry gate would be benefit to all.

- *If we have cycleways can we ensure cyclists use then as I always see cyclists on the road down Henderson Road rather than on the cycleway.*
- *Park Street really needs the traffic calmed as people now use it to skip through to Henderson Road. Given that the end of Park Street on Swanson Street is a busy crossing due to its proximity to the park, I would welcome a solution that slowed that traffic and gave priority to pedestrians.*
- *Traffic must again be directed down Railway Pde. Park St should NOT be a thoroughfare*
- *Something needs to be done to slow the traffic and address the rat run that Park Street has become due to no left turn onto Henderson Road from Erskineville Railway bridge. A left turn only from North end of Park Street would mean no loss of amenity for the residents in that area. But everyone else should have to go to Mitchell Road to turn left.*
- *As a regular rider and resident of Buckland Street I am concerned with these shared paths based on the amount of traffic and speed as to which cars/trucks travel along Buckland and Mitchell. I have many experiences of aggressive drivers and have been concerned for my safety. To encourage and place children in this situation could be very dangerous unless council address the speed of cars first. Also, the amount of cars illegally turning from Mitchell Road (coming from south) turning right into Buckland Street is always concerning and as a local you must be aware to watch for this, I would hate to put children in harms way, without council addressing this issue first.*
- *The crossing at park is a good initiative. However should not result in the loss of large London plane trees on Swanson between Newton and Park. Removal of these mature trees wouldn't be accepted for any other public works undertaken in a development. Why should council remove them instead of working around them like every other private infrastructure upgrade has to. Parking changes to Park street would also ruin the street character and are a poor outcome for residents here*
- *Regarding Park Street. It needs 2 chicanes along it rather than those speed bumps.*

- *All the continuous footpath treatments make perfect sense, especially at the extra wide crossing across Park Street on Swanson Street. I also strongly support traffic calming and angle parking on Park St in principle, as there is currently greatly increased volumes of traffic due to the pop-up cycleway, and parking is often completely full at night. However, I definitely want to see more details of how precisely this will be implemented before any work is approved. I do not think the footpaths on Park St and the north side of Swanson St should become shared paths, as they are already quite narrow.*
- *I am concerned about the impact these routes will have on existing amenities in the area. In particular, by funneling cyclists into the footpaths where there is currently outdoor dining venues, such as 'Kurrajong Hotel', 'Naked Brew' and 'Parkview Hotel'. The addition of cyclists on the footpath would be dangerous for what is a very populated footpath with residents, diners and pub-goers. A better option would be to direct cyclists to the foot path on the opposite side of the road where there are no businesses or residential premises.*
- *There is not enough room on these narrow paths for fast bike riders as you also have a highly popular with local cafe (Naked Brew) that utilise this space for their dining. So bikes could hurt these diners. PLEASE DO NOT REMOVE the outside dining option of this cafe as it gives the area a lovely community feel!*
- *If Park Street remains the only option for local traffic, there ABSOLUTELY needs to be a pedestrian crossing placed at the intersection of Park and Copeland.*
- *I don't think these changes are necessary as the flow of traffic down Park Street is not excessive in my opinion. I would be more in favour of amending the current cycleway on Henderson road and reopening railway terrace to bidirectional traffic which would in turn reduce the traffic burden on park street.*
- *Place the traffic calming measure at both ends of Park Street making it inaccessible to heavy vehicles.*
- *I think bike lanes are a great idea but the ones I am commenting on are not well placed and have a detrimental effect on people who rely on a car for transport*
- *Along this section of Swanson Street there is a lot of extra space from the road width. Could some of this be converted to a dedicated cycle path?*
- *I have not seen detailed plans on Councils plans for Park Street. Park Street is shown on the safe routes to school map only briefly and refers to calming measures and angled parking, but I haven't seen what this will actually look like. Council needs to urgently put out a more detailed look at what the plans*

for Park Street are. It probably needs to be closed off altogether or at a minimum, closed to traffic turning right from Park onto Henderson.

- I don't know these roads well but Swanston Street should have a cycleway down each side and perhaps shared path helps get us there. What changes do you have for Park Street? Temporary cycle lanes like in Dalmeny Avenue would seem very suitable.
- The changes to traffic on Park Street is not clear. Will traffic be able to travel from Swanson Street to Henderson Street via Park Street?
- Shared paths are a reasonable use of space so long as they don't reduce road way. Where are the plans for this proposal?
- The installation of a pedestrian crossing on Park Street is absolutely crucial. It should have been installed at the same time as the "pop-up" cycle lanes, given the predictable impact on traffic flows down Park Street, which has been horrible for a once quiet and safe street.
- Residents require access to Railway St from Swanson road via Park street due to the need to avoid further congestion on Mitchell Rd, which has gotten / will get much worse since Park Sydney complex opened.
- The ability to access Railway pd from Park Street is essential. The constant limiting of residents' access to houses in the Erskineville triangle from Swanson St ruining amenity in the area.
- Cycle ways are great and I am supportive BUT unfortunately the consequences have been significant for Park Street. Cars and trucks are racing down it constantly all times of day and night. I am so terrible worried that someone is going to be hit as the cross at the Swanson street end. I recommend that an island be put between the Kurrajong and Naked Brew Cafe. It would force cars to completely slow down as they enter the street. It is such a concern, it is such a heavily pedestrian focused end of the street with so many kids every day walking home from the two schools only a hundred metres away. A change needs to happen to our street to stop all the rat runners. It cannot stay as it is.
- Safe routes to school/shared path improvements (Buckland Street, Mitchell Road, Swanson Street)

Parts of the "existing user network" shown on the context map are not safe for children walking/riding to school. In particular, children going to/from Alexandria Park along Belmont Street must cross Fountain Street, which has high-speed/volume traffic. Measures are required to reduce crash risk here, e.g., Pedestrian/bicycle crossing; kerb extensions to reduce crossing distance; and narrow traffic lanes to reduce traffic speed.

A continuous footpath treatment is needed at Swanson St/Elliot Ave.

The existing Swanson St pedestrian crossing should also have a bicycle crossing.

To reduce traffic speeds and crash risk, Brown Street laneway should be 10 a km/h shared zone.

Item 4.**Update to Sydney Local Environmental Plan 2012 and Development Control Plan 2012 - Working Group of Councillors and Central Sydney Planning Committee Members****File No: X039444****Summary**

The City of Sydney's land use planning framework, including the local environmental plans and development control plans, guides good planning outcomes and helps us achieve the green, global and connected strategic vision set out in Sustainable Sydney 2030 and the Local Strategic Planning Statement. The planning framework guides the development of places where we live, work and play. It helps us strengthen the character and amenity of places; the wellbeing and resilience of the community; the quality of the environment; and the competitiveness of the economy.

City staff are preparing an update to the planning controls in Sydney Local Environmental Plan 2012 and Sydney Development Control Plan 2012, and are convening a joint working group drawn from Councillors and Central Sydney Planning Committee members to help finalise the update.

The City has an ongoing program of strategic planning work to ensure our planning controls remain consistent with the City's and NSW Government's adopted plans and strategies. In the last year City staff have set the local planning priorities for the next 15 years through the Local Strategic Planning Statement - City Plan 2036, adopted by Council in February 2020.

This next stage of work progresses Council's plans and strategies by implementing actions from the planning statement. It also looks to make changes to improve the operation of the controls within existing policy settings.

To strengthen and streamline the finalisation of this work, City officers are convening a joint working group drawn from Councillors and Central Sydney Planning Committee members. The working group is expected to meet fortnightly for about two hours on five occasions through March and April 2021.

This report asks Council to nominate a minimum of two representatives for the working group. Other Councillors and Central Sydney Planning Committee members may attend and participate in the meetings.

Recommendation

It is resolved that Council:

- (A) note the indicative program and Terms of Reference for the Planning Control Update Working Group;
- (B) nominate a minimum of two representatives to the Planning Control Update Working Group; and
- (C) note that agendas and minutes from meetings of the Planning Control Update Working Group will be provided to all Councillors by way of the CEO Update.

Attachments

Attachment A. Planning Control Update Working Group - Terms of Reference

Background

1. The City is preparing an update to its land use planning framework with the aim of reporting draft planning controls to Council and the Central Sydney Planning Committee (CSPC) by mid-2021 for approval to be placed on public exhibition. The update will affect the planning controls in Sydney Local Environmental Plan 2012 (the LEP) and Sydney Development Control Plan 2012 (the DCP). Statutory public exhibition of the draft planning controls is expected late in 2021.
2. The City of Sydney's land use planning framework, including the local environmental plans and development control plans, guides good planning outcomes. It helps us achieve the green, global and connected strategic vision set out in Sydney 2030 and City Plan 2036: City of Sydney Local Strategic Planning Statement. It guides the development of places where we live, work and play and helps us strengthen the character and amenity of places; the wellbeing and resilience of the community; the quality of the environment; and the competitiveness of the economy. The City regularly reviews the planning framework to ensure it contributes to Sydney 2030 and the planning statement.
3. The planning statement was adopted by Council in February 2020 and approved by the Greater Sydney Commission and published in March 2020. It establishes the vision for how the city will change and be managed through the planning framework to achieve a green, global and connected city. The planning statement builds on the vision and directions in Sustainable Sydney 2030, supports existing planning controls that provide strategic outcomes and also guides future changes to the controls. It sets the targets for employment and housing growth in the local area.
4. Priorities for the land use planning framework established through the planning statement include:
 - (a) Infrastructure - *movement for walkable neighbourhoods and a connected city* focuses on improving local neighbourhoods, ensuring land uses match transport investments and managing roads to reduce impacts and create great places.
 - (b) Liveability - *a creative and socially connected city* describes how the City will take a people-focussed approach to planning and place-making and improving planning to support cultural activity and spaces.
 - (c) Liveability - *creating, renewing and maintaining great places* includes improving heritage conservation and ensuring high amenity neighbourhoods.
 - (d) Productivity - *developing innovative business clusters in the Sydney Fringe* responds to the evolution of health, education, innovation and creative business clusters in the areas surrounding Central Sydney, prioritising these land uses and improving connections between businesses and institutions.
 - (e) Productivity - *protecting industrial and urban services lands and evolving businesses in the Green Square-Mascot strategic centre* addresses the City's enterprise areas and the need to retain these lands while allowing for their evolution to accommodate a new generation of businesses.
 - (f) Sustainability - *protecting and enhancing the natural environment for a resilient city* focusses on improving the city's waterways, biodiversity connections, green spaces and tree canopy to support the environment and a healthy community.

- (g) Sustainability - *creating better buildings and places to reduce emissions and waste and use water efficiently* supports our work to guide the development of buildings that will be net-zero by 2050, use water more efficiently and help us reduce our waste.
5. In February 2020 Council noted the intended program for implementation of the planning statement and update of the planning controls. This planning control update is the next stage in that implementation and has three broad streams of work. These will be reported to Council as a series of planning proposals to amend the LEP along with associated DCP amendments. The streams of work are:
- (a) **Strategic places, including the Botany Road Corridor, Oxford Street, and North Alexandria.** These places have been identified as strategic priorities in the planning statement. The projects implement actions from the planning statement to contribute to long term employment targets and other strategic priorities. They take a people-focussed approach to planning and place making, and investigate strategic opportunities to support cultural activity and spaces and innovative and diverse business clusters.
 - (b) **Policy updates.** This includes improved controls to protect and conserve the City's heritage areas, while providing for housing and business diversity in highly liveable places. It also includes a net-zero energy pathway for development, establishing planning controls to improve the energy performance and increase the use of renewable energy in new buildings and major refurbishments. The City's Enterprise Area controls will be updated to reflect a revised evidence-based, long-term strategy for managing growth and change in the City's enterprise lands. Other planning control changes will support increased tree canopy, biodiversity connections, solar panels and water efficiency.
 - (c) **Housekeeping and minor policy updates.** This stream of work improves the operation of the existing controls through minor wording and other small changes, or updates planning controls to maintain consistency with Council plans and strategies.
6. In addition, the City continues with other strategic planning work under the guidance of the planning statement. Major pieces of work include:
- (a) finalising and implementing the Central Sydney Planning Framework adopted by Council in December 2020 and assessing planning proposals lodged under the Strategy;
 - (b) completing our Open and Creative City planning reforms to encourage more small-scale cultural and creative uses and provide a fair and balanced framework for the management of entertainment noise;
 - (c) making strong representation to the NSW Government to deliver positive strategic outcomes on government-led development at Central Station, Pyrmont and Blackwattle Bay;
 - (d) working with the NSW Land and Housing Corporation to ensure redevelopment of government-owned social housing estates delivers good places and strong communities; and
 - (e) assessing other land-owner requests to change planning controls for their sites through planning proposals.

7. Council and the CSPC both have a statutory role in establishing planning controls in the City. This report recommends the establishment of a joint working group to provide input to City officers as they finalise the planning control update. This will allow any issues of particular interest or concern to be identified prior to reporting, streamlining the process and resulting in more robust outcomes and clearer alignment with Council's and State governments policies and strategies.
8. Terms of Reference for the working group are included at Attachment A. The main components of the Terms of Reference are:
 - (a) The role of the group is to provide comment and input within the scope of the update to the City's planning controls. It does not have authority to direct staff or make decisions. All members will be subject to their obligations under the City of Sydney Code of Conduct, including declarations of pecuniary and non-pecuniary conflicts of interest, as part of their participation.
 - (b) Comment should be made in the context of relevant state and local plans and strategies.
 - (c) Council and the CSPC should each nominate a minimum of two members to the working group. The group will nominate a chair from within that membership. All other members of Council and the CSPC may attend meetings of the working group and contribute to the discussion on an informal basis as facilitated by the Chairperson.
 - (d) The group will meet five times through March and April 2021, with each meeting around two weeks apart. Each meeting will be for about two hours.
 - (e) City officers will prepare materials for each meeting, take minutes including member comments, and circulate those minutes for confirmation as soon as practicable after each working group meeting. All minutes and agendas will be circulated to all Councillors via the CEO Update.
 - (f) City officers will provide written follow-up to the working group comments.
9. The City will report the updates to Council and the CSPC seeking permission to request Gateway determinations from the Minister for Planning and Public Spaces to allow public exhibition. Subject to that Gateway determination, public exhibition is expected late-2021.

Key Implications

Strategic Alignment - Sustainable Sydney 2030

10. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
 - (a) Direction 10 - Implementation through Effective Governance and Partnerships - convening a working group bringing together both bodies with authority to make planning decisions in the local area allows will streamline the process for amending the planning controls, and lead to more robust planning outcomes with clearer strategic alignment.

Relevant Legislation

11. Environmental Planning and Assessment Act 1979
12. City of Sydney Act 1988.

GRAHAM JAHN AM

Director City Planning, Development and Transport

David Fitzpatrick, Senior Planner

Attachment A

**Planning Control Update Working Group –
Terms of Reference**

PLANNING CONTROL UPDATE WORKING GROUP TERMS OF REFERENCE

1. Purpose

The Planning Control Update Working Group (the working group) has been established to provide opportunity for members to provide input into projects being undertaken by City staff which make changes to Sydney Local Environmental Plan 2012 and Development Control Plan 2012. These changes will be reported to Council and the Central Sydney Planning Committee (CSPC) for their consideration in mid-2021 prior to statutory public exhibition.

There is benefit to Council, the CSPC and staff in having the input of the working group prior to the public reporting of the proposed changes.

2. Role of the working group

The working group provides input to City staff on projects within the scope outlined in this Terms of Reference.

This working group is purely an opportunity for input and engagement. It is not constituted as a committee of Council under the Local Government Act 1993, nor a sub-committee of the Central Sydney Planning Committee under the City of Sydney Act 1988. It does not take on any of the statutory roles of those bodies.

All members of the working group are required to comply with all obligations under the City of Sydney Code of Conduct when participating in any activities associated with the working group.

3. Scope

The scope of the planning control update is limited to the following projects:

Policy updates <ul style="list-style-type: none"> • Built form in conservation areas • Net-zero emissions planning pathway • Deep soil and canopy cover • Car parking • Locality statements 	Strategic places <ul style="list-style-type: none"> • Oxford Street • Botany Road Corridor • North Alexandria 	Housekeeping <ul style="list-style-type: none"> • Changes to improve the planning controls in their delivery of existing policy and strategy
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4. Reference to certain material

The working group will provide advice and guidance to the City taking into consideration the following strategies and plans:

- Sustainable Sydney 2030
- City Plan 2036 - Local Strategic Planning Statement
- Eastern City District Plan
- A Metropolis of Three Cities - the Greater Sydney Region Plan

5. Membership of the working group

The working group will consist of members nominated by the Council and the Central Sydney Planning Committee.

Each of those bodies will nominate from their membership to the working group.

The working group will nominate one of its members to act as Chair.

All other members of Council and the CSPC may attend meetings of the working group and contribute to the discussion on an informal basis as facilitated by the Chair however meetings will not be open to the public.

6. Operation of the working group

The working group will meet five times or more if required.

Each meeting will be approximately two hours duration.

The City will provide secretariat services, including the preparation and distribution of meeting papers and meeting minutes. Working group comments will be recorded in the meeting minutes, prepared by City staff and agreed to by working group members. All agendas and minutes will be circulated to all Councillors by way of the CEO Update.

All comments provided by the working group will be formally responded to by City staff through minutes and meetings.

7. Working group meeting schedule

Meetings will be held in the following weeks. Dates, times and agendas will be confirmed once the working group has been established:

- 1-5 March 2021
- 15-19 March 2021
- 29 March - 2 April 2021
- 12-16 April 2021
- 26-30 April 2021

Item 5.

City of Sydney Local Planning Panel - Reappointment of Members

File No: X079022

Summary

The City of Sydney Local Planning Panel (LPP) has been operating since 1 March 2018. The Local Planning Panel is comprised of a chair, two expert members and one community representative.

Council, at its meeting of 19 February 2018, appointed the following members to the City of Sydney Local Planning Panel for a three-year term expiring 28 February 2021.

- Chair - Richard Pearson
- Alternate Chairs - Abigail Goldberg and Steven Layman
- Expert members - Shaun Carter and Helen Lochhead
- Alternate expert members - Steve Kennedy and Peter Romey
- Community representative - Amelia Thorpe
- Alternate community representative - John McInerney AM

Additional expert members were appointed to the Panel by Council at its meeting of 8 April 2019 for a three-year term expiring 8 April 2022.

- Alternate expert members - Paul Berkemeier, Darlene van der Breggen, Tony Caro, Helena Miller and Penny Murray.

In December 2020, the Minister for Planning and Public Spaces requested that councils reappoint current chairs, alternate chairs and expert members up to 30 June 2021 so that an Expression of Interest can be conducted by the Department of Planning, Industry and Environment to refresh the chair and expert pools from which councils make appointments to local planning panels. The selection and appointment of community representatives is a council responsibility.

This report recommends the reappointment of the Minister's nominated chair (and alternate chairs), the reappointment of four expert members from the Minister's pool of experts and the reappointment of two community representatives to the City of Sydney Local Planning Panel for a period ending 30 June 2021.

Recommendation

It is resolved that Council:

- (A) endorse the Minister's nomination of Richard Pearson as the Chair of the City of Sydney Local Planning Panel and Abigail Goldberg and Steven Layman as alternate Chairs to the City of Sydney Local Planning Panel for a period commencing 1 March 2021 and ending 30 June 2021;
- (B) endorse the appointment of four expert members from the Minister's pool of experts to the City of Sydney Local Planning Panel: Shaun Carter, Helen Lochhead, Steve Kennedy and Peter Romey for a period commencing 1 March 2021 and ending 30 June 2021; and
- (C) endorse the appointment of two community representatives to the City of Sydney Local Planning Panel: Amelia Thorpe and John McInerney AM for a period commencing 1 March 2021 and ending 30 June 2021.

Attachments

Nil.

Background

1. Local planning panels (LPPs) (formerly known as Independent Hearing and Assessment Panels or IHAPS) are panels of independent experts that determine development applications on behalf of Council.
2. Under the Environmental Planning and Assessment Act 1979 local planning panels are mandatory for all Sydney councils, Wollongong City Council and Central Coast Council. Panels are put in place so the process of assessment and determination of development applications (DAs) with a high corruption risk, sensitivity or strategic importance is transparent and accountable.
3. Statutory rules govern the panel's operation, through a code of conduct and operational procedures.
4. The City of Sydney Local Planning Panel (LPP) has been operating since 1 March 2018.
5. The Local Planning Panel is comprised of a chair, two expert members and one community member.
6. Council, at its meeting of 19 February 2018, appointed the following members to the City of Sydney LPP for a three-year term expiring 28 February 2021.
 - (a) Chair - Richard Pearson;
 - (b) Alternate Chairs - Abigail Goldberg and Steven Layman;
 - (c) Expert members - Shaun Carter and Helen Lochhead;
 - (d) Alternate expert members - Steven Kennedy and Peter Romey;
 - (e) Community representative - Amelia Thorpe; and
 - (f) Alternate community representative - John McInerney AM.
7. Additional expert members were appointed to the Panel by Council at its meeting of 8 April 2019 for a three-year term expiring 8 April 2022.
 - (a) Alternate expert members - Paul Berkemeier, Darlene van der Breggen, Tony Caro, Helena Miller and Penny Murray.
8. In December 2020, the Minister for Planning and Public Spaces requested that the Department of Planning, Industry and Environment conduct an Expression of Interest during early 2021 to refresh the chair and expert pools from which councils make appointments to their local planning panels.
9. As this timing coincides with the end of the first three-year term of office for local planning panel members, on 28 February 2021, councils have been requested to reappoint current chairs and alternate chairs up to 30 June 2021.
10. Councils can choose to reappoint current expert members or choose different experts from the expert pool for appointment up to 30 June 2021.

11. Following the completion of the Expression of Interest process by the Department of Planning, Industry and Environment, there will be a further report to Council seeking the appointment of the Minister's nominated chair (and alternate chairs) and expert members.
12. The City will also conduct an Expression of Interest process for community representatives for the City of Sydney Local Planning Panel. Following the completion of the process, there will be a further report to Council seeking the appointment of community representatives.
13. The selection and appointment of community representatives is a council responsibility.
14. Clause 11, Part 4, Schedule 2 of the Environmental Planning and Assessment Act 1979 states that a member of a local planning panel may not hold office as a member of that panel for more than six years in total.
15. Since 1 March 2018, the City of Sydney Local Planning Panel has held 48 meetings and determined 183 Development Applications.

Chair and Alternate Chairs

16. On 21 December 2017, the then Minister for Planning advised Council that Richard Pearson had been nominated as the Chair for the City of Sydney Local Planning Panel, and that Abigail Goldberg and Steven Layman have been nominated as alternate chairs to the panel.
17. The term of the chair and alternate chairs was three years, commencing on 1 March 2018 and ending on 28 February 2021.
18. In accordance with the request from the Department of Planning, Industry and Environment, it is recommended that the Minister's nominated chair (and alternate chairs) are reappointed to the City of Sydney Local Planning Panel for a period ending 30 June 2021.

Expert Members

19. On 21 December 2017, the then Minister for Planning provided the City of Sydney access to the list of independent experts that the Minister approved. Councils were required to select two members to the panel from the Minister's pool of independent experts. The Minister's list of approved independent experts contains the names of 492 persons, of which 225 nominated for the City of Sydney panel.
20. Experts must have expertise in one of the following areas: planning, architecture, heritage, the environment, urban design, economics, traffic and transport, law, engineering, tourism or government and public administration.
21. Advice was provided to local councils that an advisory panel consisting of independent persons from the Law Society of NSW and the Planning Institute of Australia, the Government Architect and the Deputy Secretary Department of Planning and Environment reviewed the expert member applications. The panel recommended, for approval by the Minister, persons suitable for chair roles and persons for the independent expert roles. Each expert was approved on the basis of their professional standing, experience, technical ability and broad understanding of the development assessment process.

22. Advice was provided to local councils that probity and political donation checks were undertaken for each approved chairperson and each independent expert has provided a statutory declaration that they have not been bankrupt, do not have a criminal record and are not developers or real estate agents.
23. Senior staff from the City Planning, Development and Transport Division at the time reviewed the applications for 225 independent experts and recommended Shaun Carter, Helen Lochhead, Steve Kennedy and Peter Romey be appointed as the expert members of the Local Planning Panel.
24. The term of the expert members was three years, commencing on 1 March 2018 and ending on 28 February 2021.
25. In accordance with the request from the Department of Planning, Industry and Environment, it is recommended that the four expert members from the Minister's pool of experts are reappointed to the City of Sydney Local Planning Panel for a period ending 30 June 2021.
26. Those additional expert members appointed to the Panel by Council at its meeting of 8 April 2019 whose appointments expire in April 2022, will be the subject of the report to Council to appoint a new Panel.

Community Representatives

27. Nominations for community representatives for the City of Sydney Local Planning Panel were sought from 1 November to 30 November 2017. Advertisements were placed in The Sydney Morning Herald and Central Newspapers on two occasions each, and information was also available on the City of Sydney website.
28. Nominations were received from seven persons who reside in the City of Sydney local government area. The Department of Planning and Environment issued guidelines to local councils regarding the selection of community representatives. These guidelines stated that community representatives are to be selected from the local community and that mayors, councillors, property developers and real estate agents are not eligible to be appointed as community representatives.
29. The guidelines also state that local community representatives should:
 - (a) be current residents within the local government area (LGA);
 - (b) have knowledge and awareness of the LGA and issues of concern to the local community;
 - (c) be able to represent and communicate the interests of the local community;
 - (d) have an understanding of the planning process and assessment issues (but are not expected to be experts);
 - (e) commit to attending the meetings and contributing constructively to the determination of applications; and
 - (f) be willing to adhere to the code of conduct and operational procedures.

30. All nominations received were reviewed by the then Executive Manager Development and Executive Manager Strategic Planning and Urban Design. Interviews were held with all seven candidates in December 2017 to assist in the shortlisting process and to determine the candidate's suitability for the role. Areas that were explored in the interview included:
- (a) area of expertise that may be relevant to the panel;
 - (b) understanding of issues affecting the City of Sydney and planning/urban development matters;
 - (c) general availability to attend and participate on local planning panel meetings;
 - (d) appreciation of conflicts of interest; and
 - (e) judicious and independent thinking and decision-making capabilities.
31. The selection process resulted in Amelia Thorpe and John McInerney being recommended and endorsed as the community representatives for the Local Planning Panel.
32. The term of the community representatives was three years, commencing on 1 March 2018 and ending on 28 February 2021.
33. It is recommended that the two community representatives, selected after an Expression of Interest by the City in 2017, Amelia Thorpe and John McInerney, be reappointed to the City of Sydney Local Planning Panel for a period ending 30 June 2021.

Risks

34. If member terms are not extended, the City of Sydney Local Planning Panel will not be able to operate after 1 March 2021 as there will be no chair or community representatives and therefore no quorum. Without the Local Planning Panel, certain development applications would not be able to be determined.
35. If member terms are not extended, the Minister may appoint Panel members and/or delegate/s without council endorsement to determine these development applications.

Key Implications

Strategic Alignment - Sustainable Sydney 2030

36. Sustainable Sydney 2030 is a vision for the sustainable development of the City to 2030 and beyond. It includes 10 strategic directions to guide the future of the City, as well as 10 targets against which to measure progress. This report is aligned with the following strategic directions and objectives:
- (a) Direction 8 - Housing for a Diverse Population - the Local Planning Panel determines development applications which contribute to the housing diversity of the City.
 - (b) Direction 9 - Sustainable Development, Renewal and Design - the Local Planning Panel determines development applications and reviews conditions of consent which provide for sustainability, renewal and design excellence.

- (c) Direction 10 - Implementation through Effective Governance and Partnerships - the operation of the Local Planning Panel is a collaboration between City staff, applicants, objectors, independent members and the NSW Government.

Financial Implications

- 37. There are sufficient funds available in the 2020/21 operating budget and future years' forward estimates for the operation of the City of Sydney Local Planning Panel.
- 38. The Minister determines the remuneration rates for Local Planning Panel members. Remuneration of Local Planning Panel members and these have been provided for in the City's budget.

Relevant Legislation

- 39. Environmental Planning and Assessment Act 1979.

Critical Dates / Time Frames

- 40. Member terms expire on 28 February 2021.
- 41. There is a Local Planning Panel meeting scheduled on 17 March 2021.
- 42. The reappointment of members is required prior to the March meeting so that quorum for the meeting can be achieved.

ANDREW THOMAS

Executive Manager Planning and Development

Erin Cashman, Council Business Coordinator