

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

File No: X020922.035

Summary

This report is to update Council on:

- (a) the Review of Environmental Factors (REF) to continue the operation and use of the Moore Park Road and Fitzroy Street pop-up cycleways beyond their current planning approval of May 2023, for a further 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
- (b) the outcome of public consultation on the draft Review of Environmental Factors.

The Review of Environmental Factors considers the current state of the street, describes the proposal, documents the likely impacts of the proposal on the environment, and details protective measures to be implemented in order to reduce or avoid potential environmental impacts. It covers the temporary pop-up cycleway only.

The temporary cycleway on Moore Park Road and Fitzroy Street was installed in mid-2020 to provide a safe connection for people riding between the city and the east. Two years earlier in 2018, there was a fatality of a bike rider on Moore Park Road.

In May 2021, Council endorsed a Review of Environmental Factors that would allow the cycleway in place to remain until May 2023.

Transport for NSW is developing its project for a cycleway on Oxford Street East (between Centennial Park and Taylor Square) but only recently commenced public consultation for the project, meaning that it will not be completed for several years.

The City intends to remove the pop-up cycleway on Moore Park Road and Fitzroy Street once Transport for NSW opens the Oxford Street East cycleway.

The Review of Environmental Factors finds that the proposed activity will create minimal environmental impacts that can be generally mitigated during operation with the various environmental safeguards nominated in Sections 6 and 7 of each Review of Environmental Factors.

The City of Sydney is both the proponent and the determining authority for the pop-up cycleways Review of Environmental Factors required under Part 5 of the Environmental Planning and Assessment Act 1979.

Following community exhibition of the draft Review of Environmental Factors from Monday 27 February until Tuesday 28 March 2023, this report seeks Council approval to continue the operation and use of these pop-up cycleways for a further 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.

Recommendation

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.

Attachments

Attachment A. Location Map

Attachment B. Review of Environmental Factors - Continued Operation and Use of the Moore Park Road and Fitzroy Street Pop-Up Cycleways

Attachment C. Engagement Report

Background

1. The temporary cycleway on Moore Park Road and Fitzroy Street was installed in mid-2020 to provide a safe connection for people riding between the city and the east.
2. In May 2021, Council endorsed a review of environmental factors that would allow the cycleway in place to remain until May 2023.
3. Transport for NSW is developing its project for a cycleway on Oxford Street East (between Centennial Park and Taylor Square) but only recently commenced public consultation for the project, meaning that it will not be completed for several years.
4. The City intends to remove the pop-up cycleway on Moore Park Road and Fitzroy Street once Transport for NSW opens the Oxford Street East cycleway.
5. The proposed works under usual planning processes meet the definitions for "road infrastructure facilities" and accordingly the provisions of Clause 2.109(3) of the Transport and Infrastructure State Environmental Planning Policies apply and Part 5 of the Environmental Planning and Assessment Act 1979 requires consideration of the environmental impacts of the proposal.
6. To continue the operation of the cycleways, no new construction works are required. Maintenance works may involve replacement of the cycleway separators with other materials that may be more suitable for operation for the nominated period.
7. The pop-up cycleways have been in operation for nearly two and a half years and usage monitoring has indicated increased patronage by people riding. During February 2021, the trip counter on the Moore Park Road cycleway installed by Transport for NSW recorded an average of 1,915 trips per week. This increased to 2,165 trips during the first week of March 2021. More recent trip count data indicates that in the first week of December 2022, 3,218 trips were recorded. The current weekday trip average recorded at the counter on Moore Park Road near Oatley Road is 500 trips per day Monday to Friday and 360 trips on Saturdays and Sundays. This data suggests that usage has increased over time and supports the continued operation of these pop-up cycleways.

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

8. The purpose of the Review of Environmental Factors is to describe the proposal, assesses the potential for the proposal to result in environmental impacts, and inform the decision to proceed with the proposal.
9. The Review of Environmental Factors was prepared by an environmental planning consultant on behalf of the City of Sydney. The proposal and associated environmental impacts have been described in the context of clause 171 of the Environmental Planning and Assessment Regulation 2021, fulfilling the requirements of Section 5.5 of the Environmental Planning and Assessment Act 1979.
10. The Review of Environmental Factors found that the proposals would not result in any significant impacts upon the environment and as such may be approved with relevant mitigations applied.

11. The Review of Environmental Factors considers the continued operation and use of the Moore Park Road and Fitzroy Street pop-up cycleways beyond their current planning approval of May 2023, for a further 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.
12. The Review of Environmental Factors considers the current state of the street, describes the proposal, documents the likely impacts of the proposal on the environment, and details protective measures to be implemented in order to reduce or avoid potential environmental impacts. It covers the temporary pop-up cycleway only.

Moore Park Road (Paddington)

13. The Review of Environmental Factors assesses the proposal to continue operation of the existing two-way cycleway along the southern side of Moore Park Road between Anzac Parade and Lang Road in Paddington and Moore Park.
14. The cycleway is two-way and constructed using Klemmfix barriers and concrete medians to separate the cycleway from road traffic. The cycleway is designated with line and paint markings and signage. At the signalised intersection of Moore Park Road and Driver Avenue, the existing pram ramp was widened, and cycle lanterns added as part of the original installation to merge onto an existing shared path between Driver Avenue and Anzac Parade (approximately 350 metres).
15. Two trafficable westbound lanes are retained, and the speed limit has been reduced to 40km/h along Moore Park Road as a separate road safety measure implemented by Transport for NSW.
16. To ensure the safety of cyclists, the ability to make a left turn movement from Lang Road into Moore Park Road has been removed through closure of the slip lane. This is considered a minor inconvenience to drivers and a left turn into Moore Park Road can still be made from Cook Road, some 100 metres to the west of Lang Road, accessed from Lang Road via a short detour along Mitchell Street and Cook Road. The left turn movement from Lang Road into Oxford Street is not affected.
17. Between 2009 and 2019, there were an average of 2.3 crashes involving people riding on Moore Park Road a year that were serious enough to be reported to Police, including the fatality of a bike rider in March 2018. Over those 10 years, Moore Park Road was the ninth worst road for bike crashes in the City's Local Government Area. Since the pop-up cycleway was installed, there have been no police reported bike crashes (up to 30 June 2022 - latest data available).
18. Moore Park Road is subject to variable Event Mode conditions between Poate Road and Driver Avenue and is a no-stopping zone through between Driver Avenue and Anzac Parade.
19. Mitigation measures were put in place to address parking impacts. These measures included designating 34 spaces as "1P 7pm-6am Permit Holders Excepted Area 13" on Moore Park Road just west of Cook Road to allow overnight parking for residents and reducing this section of Moore Park Road to a single westbound lane overnight.

20. The reconstructed Allianz Stadium opened in August 2022. During events, street parking restrictions are in place along Moore Park Road, as well as the surrounding streets. The special event clearways are strict no-parking zones for all vehicle types and apply to residents with local parking permits of Transport for NSW Mobility Scheme Permit holders.
21. The location and extent of median separator near the stadium accessway was adjusted to accommodate access to Allianz Stadium during events.
22. The continuation of these temporary conditions until the permanent cycleway on Oxford Street is delivered is considered appropriate.

Fitzroy Street (Surry Hills)

23. The Review of Environmental Factors assesses the proposal to continue operation of a two-way, separated cycleway along the southern side of Fitzroy Street between Bourke Street and South Dowling Street in Surry Hills.
24. Parking is permitted in sections of the northern side of Fitzroy Street between 7pm and 6am weekdays and on weekends, no parking is permitted on the southern side of Fitzroy Street. Between 6am and 7pm daily, a clearway operates for the northern kerbside (westbound) trafficable lane of Fitzroy Street.
25. There are no vehicular entry/exits (driveways) along the southern side of Fitzroy Street that might otherwise be impacted by the continued operation of the cycleway.
26. The cycleway occupies the lane that previously operated as a bus lane during am and pm peak times and provided an additional westbound traffic lane outside these peaks. A bus stop located opposite Hutchinson Street was temporarily closed. The closest bus stop is located at the intersection of Crown and Foveaux Streets, approximately 90 metres south of Fitzroy Street. This bus stop is serviced by the 304 and 352 bus services, and provides access to the wider Sydney Buses network, as well as the rail network, with Central and Redfern Stations the closest to Fitzroy Street.
27. The changes to bus arrangements on Fitzroy Street does not cause an unacceptable impact on access or reliability of bus services.

Oxford Street East Cycleway (Transport for NSW)

28. The Oxford Street East Cycleway project provides an essential link in Transport for NSW's strategic cycling vision, connecting the Sydney CBD to suburbs in the east.
29. The Oxford Street East Cycleway Project proposes a two-way cycleway on the south side of Oxford Street between Paddington Gates and Taylor Square. The project will change the allocation of road space, reducing four traffic lanes to two, and retaining two bus lanes and kerbside parking.
30. The Oxford Street East Cycleway would connect to the Centennial Park Cycleway, which has been completed, and the Oxford Street West Cycleway, which is being delivered by the City of Sydney. Together, these bike lanes will create a continuous separated cycle corridor between Bondi and Sydney CBD.
31. Transport for NSW only recently commenced public consultation for the project, meaning that it will not be completed for several years.

32. The City intends to remove the pop-up cycleway on Moore Park Road and Fitzroy Street once Transport for NSW opens the Oxford Street East cycleway.

Oxford Street and Liverpool Street Cycleways/Oxford Street West Cycleway (City of Sydney)

33. Following Council endorsement of the project scopes in February 2022, the City is also delivering permanent cycleways (partly funded by Transport for NSW) on:
 - (a) Oxford Street between Flinders Street and College Street, and;
 - (b) Liverpool Street between College Street and Castlereagh Street.
34. The project will deliver a safe connection for people riding between the existing cycleways along Bourke Street and in the city centre on Liverpool and Castlereagh Streets. The Oxford and Liverpool Street cycleway is part of the City's broader Cycling Strategy and Action Plan, the NSW Government's Principal Bicycle Network and a strategic cycleway network route in the NSW Government's Sydney City Centre Access Strategy. The proposal aligns with a well-used bike commuter route between the city centre and eastern suburbs.

Key Implications

Strategic Alignment - Sustainable Sydney 2030-2050 Continuing the Vision

35. Sustainable Sydney 2030-2050 Continuing the Vision renews the communities' vision for the sustainable development of the city to 2050. 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 5 - A city for walking, cycling and public transport - The pop-up cycleways form part of the Regional and Local Bike Network identified in the City's Cycling Strategy and Action Plan 2018-2030 and were installed in locations identified as a strategic priority. This included locations where existing cycleways were discontinuous, where there was demand for cycling infrastructure, where there was a recognised route to key employment areas or where there was a recognised hot spot of congestion requiring more transport choices including access to recreation. The pop-up cycleways provide safe connections in important travel corridors and usage has steadily increased over time. The cycleways contribute to the objective of implementing priority cycleway connections to improve safety, accessibility, connectivity and amenity across the local government area for people cycling.

Organisational Impact

36. The continued operation of the pop-up cycleways will require minor maintenance and repairs as required until removed. The future removal will require resources.

Risks

37. Risks associated with the proposal have been considered throughout the first two years of operation and have been assessed through the Review of Environmental Factors. process. These include safety (in particular road safety for people walking, cycling or driving), environmental impacts and economic impacts, as well as community concerns.

Social / Cultural / Community

38. The proposal supports healthy lifestyles and meets the relevant strategy documents by increasing access and safety for people on bikes and improves modal integration and complements the wider transport network, inclusive of existing cycleway networks in the area.

Environmental

39. The proposal aligns with Sustainable Sydney 2030-2050 Continuing the Vision goals which aim to provide a better environment for people walking and riding bikes, resulting in lower emissions.
40. Cycling and walking are integral to our transport future because they are the most accessible, equitable, sustainable and reliable forms of transport.
41. The assessments find that the proposals support active transport and minimise motorist emissions.
42. The assessments find that the proposals would not result in any significant impacts upon the environment.

Economic

43. The proposals play an important role in allowing people to safely return to work and local businesses, helping support continuing economic recovery.

Financial Implications

44. There are sufficient funds within the City's operating budget and future year forward estimates to undertake maintenance works on these cycleways.

Relevant Legislation

45. Environmental Planning and Assessment Act 1979.
46. Environmental Planning and Assessment Regulation 2021.
47. State Environmental Planning Policy (Transport and Infrastructure) 2021.

Critical Dates / Time Frames

48. 16 May 2023 - expiration of the current Moore Park Road and Fitzroy Street Review of Environmental Factors
49. Continuation of the operation and use of the Moore Park Road and Fitzroy Street pop-up cycleways 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.
50. The City intends to remove the pop-up cycleway on Moore Park Road and Fitzroy Street once Transport for NSW opens the Oxford Street East cycleway.

Options

51. The option to 'Do Nothing' was considered for each pop-up cycleway.
52. In 2018 there was a fatality of a bike rider on Moore Park Road. The removal of the pop-up cycleway would reverse the positive impacts and outcomes of the cycleway, including improved safety, and therefore be an adverse impact on the area and people.
53. This option would not achieve the proposal objectives, nor would it achieve the City of Sydney's strategic objectives towards providing a connected active transport network and supporting equitable access and healthy lifestyles. This cycleway is part of the bike network in Council's adopted Cycling Strategy and Action Plan
54. Therefore the 'Do Nothing' option is not the preferred option.

Public Consultation

55. The City consulted local residents and businesses in surrounding streets. There were 450 letters sent advising that the Review of Environmental Factors was on exhibition.
56. The details of the proposal were available on the Sydney Your Say website with feedback able to be provided between 27 February 2023 and 28 March 2023 by mail or email. The website was visited 366 times.
57. A total of 35 submissions were received, 12 support the retention of the pop-up cycle for up to three years and 23 oppose it.
58. There were four submissions from organisations including BIKEast, UTS, Venues NSW and Rugby Australia. These submissions included comments regarding access, disruption of operations, safety and liability that require ongoing stakeholder engagement.

59. Regarding access issues raised by UTS, Venues NSW and Rugby Australia the Review of Environmental Factors notes the following:
- (a) The main access to the stadium is provided from Driver Avenue per the Stadium development approval. The Sydney Football Stadium Redevelopment Event Traffic and Transport Management Plan (ETTMP) dated 18 July 2022 indicates that the Moore Park Road pop-up cycleway is closed for use during major events and this is facilitated through the placement of signage and vehicles along the cycleway. The ETTMP currently acknowledges the extended approval of the pop-up cycleway until April 2023, after which time it anticipates its removal and the return of the ability for the southern kerb of Moore Park Road to be used for passenger drop-off and pick-up during events at the stadium. However, the ETTMP sets out details for the preferred arrangement for passenger drop-off and pick-up while the cycleway is in operation. These preferred arrangements were developed in consultation with Transport for NSW, NSW Police and Greater Sydney Parklands and primarily utilise Driver Avenue. Although the Event Traffic and Transport Management Plan also provides future arrangements for passenger pick-up following removal of the cycleway, it is considered that the current arrangements set out in the ETTMP can continue in the event that approval for the continued use of the cycleway until 31 May 2026 or until the permanent Oxford Street Cycleway between Taylor Square and Centennial Park has been constructed by the NSW Government and is operational. This may require an update/amendment to the Event Traffic and Transport Management Plan and it is noted that this is contemplated in Chapter 7 of the ETTMP, noting that a Social Impact Monitoring Program (SIMP) prepared to respond to condition D49 of SSD-9835 provides the framework for the monitoring and review process for the Event Traffic and Transport Management Plan. Notwithstanding, the update and/or amendment of the Event Traffic and Transport Management Plan is not a matter for this Review of Environmental Factors.
 - (b) Access to the entry to Sydney Cricket Ground (SCG) Gate 1 is maintained as part of the pop-up cycleway configuration, with a break in the Klemmflix barrier allowing for left-in and left-out movements from Moore Park Road into SCG Gate 1. This intersection is also signalised, including bike lanterns that would require cyclists (as well as vehicles) to stop on Moore Park Road to allow vehicles to exit SCG Gate 1 on a green signal. All road users have a responsibility to be aware of the traffic around them and yield as necessary. In this instance, this applies to riders moving through this intersection, as well as drivers turning into SCG Gate 1 off Moore Park Road. This is a similar situation to all other cycleways across the City that cross vehicular entries to sites along the cycleway routes.
60. Key concerns people raised about the proposal include:
- (a) The cycleways are perceived as unsafe
 - (b) The cycleways are perceived as underused
 - (c) The cycleways have reduced parking
 - (d) The cycleways have restricted emergency services access
 - (e) The on-road bike lanes that were on the road previously were sufficient
61. In addition, the following concerns were raised in a number of submissions:

- (a) Residents have had to put up with the negative impacts for too long and the pop-up cycleways should be removed and the former on-road cycle lanes reinstated.
 - (b) Continued loss of street parking, with the temporary overnight parking on Moore Park Road between 7pm and 6am daily of limited benefit to residents.
 - (c) Residents of Moore Park Road have difficulties with access to their properties, including access for deliveries, trades people, removalists and emergency vehicles.
 - (d) There is a safety issue at the intersection of Poate Road and Moore Park Road due to vehicle/cyclist conflict.
62. A number of issues raised in the submission were not related to environmental impacts and/or were outside the scope of the Review of Environmental Factors.
63. The submissions reflect matters identified through previous consultation processes including opposition to the continued operation of the pop-up cycleways, particularly by residents of Moore Park Road adjacent to the cycleway, due primarily to the concerns associated with the loss of on-street parking and access to their properties.
64. The issues raised through the community consultation which are relevant to environmental impacts have been considered and addressed in the Review of Environmental Factors and it was concluded that the proposal should be approved.
65. The Review of Environmental Factors states the following management measures previously implemented due to community and road/cycleway user safety concerns for the Moore Park Road pop-up cycleway are to be maintained and remain in place for the duration of the operation of the pop-up cycleway:
- (a) The "1P 7pm-6am Permit Holders Excepted Area 13" overnight parking arrangements on Moore Park Road between Cook Road and Poate Road;
 - (b) The two loading zones installed in Poate Lane;
 - (c) The accessible parking space relocated to Poate Road;
 - (d) The three P15 spaces installed near the bus stop in Cook Road;
 - (e) The installation of bike safe grates to the kerb inlet pits;
 - (f) The alternate loading zone for Rugby Australia installed in Poate Lane; and
 - (g) The warning sign installed in the Moore Park Road median at the intersection of Poate Road to advise motorists turning right into Poate Road that they are crossing the cycleway.

Conclusion

66. The Review of Environmental Factors concludes the 'Do nothing option', consisting of the removal of the pop-up cycleways and a return to the former mixed traffic cycle lanes is not the preferred option, as the benefits to the safety and encouragement of cycling as a viable mode of transport outweigh the alternative, where people using these routes would not have an option physically separated from traffic. The benefits in terms of safety, accessibility and amenity for people walking and riding are considered to outweigh the mitigated impacts to affected residents and motorists. The proposal is to continue the use of the cycleway on a temporary basis until the permanent Oxford Street Cycleway between Taylor Square and Centennial Park (constructed by the NSW Government) is operational.
67. The Review of Environmental Factors concludes the ongoing operation of the Moore Park Road and Fitzroy Street pop-up cycleways is considered the preferred option to the removal of the cycleways as it provides a connected and safe east-west cycling link between the eastern suburbs and the City that encourages cycling within the inner city region.
68. Retention of the pop-up cycleways directly meets the strategic framework and objectives of Sustainable Sydney 2023-2050 Continuing the Vision, Strategic Direction 5 A City for Walking, Cycling and Public Transport.

KIM WOODBURY

Chief Operating Officer

Sebastian Smyth, Executive Manager City Access and Transport