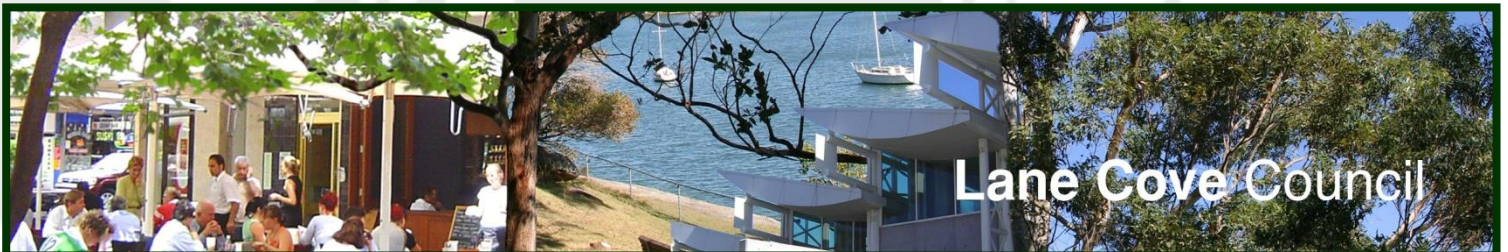


Agenda Ordinary Council Meeting 21 March 2024

Council will commence consideration of
all business paper agenda items at 7.00 pm.



Notice of Meeting

Dear Councillors,

Notice is given of the Ordinary Council Meeting, to be held in the Council Chambers on Thursday 21 March 2024 commencing at 7:00 PM. The business to be transacted at the meeting is included in this business paper.

In accordance with clause 3.26 of the Code of Meeting Practice Councillors are reminded of their oath or affirmation of office made under section 233A of the Act, and of their obligations under the Council's Code of Conduct to disclose and appropriately manage conflicts of interest.

Yours faithfully

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Craig Wrightson
General Manager

Council Meeting Procedures

The Council meeting is chaired by the Mayor, Councillor Scott Bennison. Councillors are entitled to one vote on a matter. If votes are equal, the Chairperson has a second or casting vote. When a majority of Councillors vote in favour of a Motion it becomes a decision of the Council. Minutes of Council and Committee meetings are published on Council's website www.lanecove.nsw.gov.au by 5.00 pm on the Tuesday following the meeting.

The Meeting is conducted in accordance with Council's Code of Meeting Practice. The order of business is listed in the Agenda on the next page. That order will be followed unless Council resolves to modify the order at the meeting. This may occur for example where the members of the public in attendance are interested in specific items on the agenda.

The Public Forum will hear registered speakers from the Public Gallery as well as online using the web platform Zoom. All speakers wishing to participate in the Public Forum to be held Monday, 18 March 2024 at 07:00 pm in the Council Chambers must register by using the [online form](#) no later than midnight, on the day prior to the Public Forum (Sunday, 17 March 2024) and a Zoom meeting link will be emailed to the provided email address of those registered as an online speaker. Please note that the time limit of three minutes per address still applies, so please make sure your submission meets this criteria. Alternatively, members of the public can still submit their written address via email to service@lanecove.nsw.gov.au. Written addresses are to be received by Council no later than midnight, on the day prior to the meeting. (500 words maximum).

Please note meetings held in the Council Chambers are recorded on tape for the purposes of verifying the accuracy of minutes and the tapes are not disclosed to any third party under the Government Information (Public Access) Act 2009, except as allowed under section 18(1) or section 19(1) of the PPIP Act, or where Council is compelled to do so by court order, warrant or subpoena or by any other legislation. Should you require assistance to participate in the meeting due to a disability; or wish to obtain further information in relation to Council, please contact Council's Executive Manager – Corporate Services on (02) 9911 3550.

DECLARATIONS OF INTEREST

APOLOGIES

ACKNOWLEDGEMENT TO COUNTRY

MINUTE OF SILENCE FOR RELECTION OR PRAYER

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Ordinary Council Meeting 21 March 2024
MAYORAL MINUTE - UPDATE ON NEW PLANNING REFORMS

Subject: Mayoral Minute - Update on New Planning Reforms
Record No: SU8053 - 14273/24
Division: Lane Cove Council
Author(s): Councillor Scott Bennison

I acknowledge that Lane Cove Council and NSROC have lodged their own submissions respectively in response to the new planning reforms.

A key issue for all councils is the release of the next round of housing targets for the Lane Cove Local Government Area (LGA). It is anticipated that new targets will be released mid 2024. In its strategic planning to meet the targets, Council is seeking to preserve the scale of the Lane Cove Village and protect the Greenwich Conservation Area by proposing offsets by increasing density in other areas.

It is crucial that the General Manager and staff promptly and unhindered explore and devise strategic planning options to meet the forthcoming (DPHI) housing targets. This proactive approach aims to ensure a more favorable planning outcome for the Lane Cove LGA.

I have also become aware there is increased activity with owners of properties being approached with respect to property acquisition in light of the proposed planning reforms. There appears to be misinformation circulating in relation to the reforms and therefore it is important our community receives accurate information. I have discussed this with the General Manager and he has advised that in addition to Council's website and Enewsletter that it is intended to include a feature article on the front page of the next edition of the In Focus Newsletter which be distributed with the next Rates Instalment Notice in Mid-April.

RECOMMENDATION

That the General Manager:-

1. Be authorised to investigate and develop strategies that address the anticipated increase to housing targets; and
2. Report back to Council once the increase housing targets are known with recommended strategies that align with Council's submission made to DPIE on the 23rd February 2024.

Councillor Scott Bennison
Councillor

ATTACHMENTS:

There are no supporting documents for this report.

Ordinary Council Meeting 21 March 2024
MAYORAL MINUTE - COST SHIFTING BY THE NSW GOVERNMENT

Subject: Mayoral Minute - Cost Shifting by the NSW Government
Record No: SU896 - 14223/24
Division: Lane Cove Council
Author(s): Councillor Scott Bennison

Discussion

The pressure on councils to continue to provide services of appropriate standard to our communities is now extraordinary.

The unrelenting growth of cost shifting to councils, coupled with rate pegging, is increasingly eroding any possibility of financially sustainable local government and risking the capacity of councils to deliver tailored, grassroots services to their communities and properly deliver and maintain vital local infrastructure.

Alarmingly, the latest research commissioned by Local Government NSW (LGNSW) shows that the increase in cost shifting has been accelerated by various NSW Government policies.

As shown in the latest cost shifting report produced by independent consultants Morrison Low on behalf of LGNSW for the 2021/2022 financial year (www.lgnsw.org.au/costshifting), an amount of \$1.36 billion of expense has been passed on to councils to fund. This is an increase of \$540 million since the last report from the 2017/2018 financial year and represents lost services, lost opportunity and lost amenity for all our residents and businesses.

On average, this represents an additional cost of \$460.67 for every ratepayer across the state.

With councils having to fund this ongoing subsidy for the State Government each and every year it means our communities get less or go without. They go without better roads, they go without better parks, they go without important community services that only councils provide, and they and their ratepayers are effectively paying hidden taxes to other levels of government.

Councillors, our communities deserve better and this must stop. Prior to the most recent state election the then Minns Opposition wrote to LGNSW acknowledging that cost shifting had undermined the financial sustainability of the local government sector.

Now in 2024, it is important to councils and communities that the NSW Government urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

RECOMMENDATION

That:-

1. Council receive and note the findings of the LGNSW Cost Shifting report for the 2021/2022 financial year;
2. A copy of the report be placed on Council's website so that our communities can access it; and
3. Council write to the Premier, the NSW Treasurer and the NSW Minister for Local Government seeking that they urgently seek to address cost shifting through a combination of regulatory reform, budgetary provision and appropriate funding.

Councillor Scott Bennison
Councillor

ATTACHMENTS:

There are no supporting documents for this report.

Ordinary Council Meeting 21 March 2024
NOTICE OF RESCISSION - SUPPORT FOR ADDITIONAL LEGISLATION TO RESTRICT THE SALE OF NON-THERAPEUTIC UNREGULATED E CIGARETTES (VAPES)

Subject: Notice of Rescission - Support for Additional Legislation to Restrict the Sale of Non-Therapeutic Unregulated E Cigarettes (Vapes)
Record No: SU3530 - 11413/24
Division: Lane Cove Council
Author(s): Councillor Katherine Mort; Councillor Scott Bennison; Councillor David Brooks-Horn

RECOMMENDATION

That Council rescind its decision made at the Ordinary Council Meeting of Thursday 22 February 2024 in relation to 'Notice of Motion – Support for Additional Legislation to restrict the sale of non-therapeutic unregulated e-cigarettes (Vapes)', viz:-

1. *Lane Cove Council:*
 - a) *Notes the role the Tobacco Industry plays in advocating for less restrictive legislation and to oppose the influence of industry lobbyists on decision making.*
 - b) *Seek a change of regulations to mandate that tobacconist and vape stores require approval through a development application to open in the Lane Cove Local government area, incorporating in this planning mechanism the restriction of no Tobacconist or E-cigarettes (vapes) store within 500m of a school in the Lane Cove Government Area.*
2. *Write to the NSW Planning Minister, Hon Paul Scully advocating for:-*
 - a) *Banning the sale of E-cigarettes (vapes) other than at a pharmacy within 500 metres of any school in the Lane Cove Government Area.*
 - b) *The introduction of a Positive Licensing Scheme requiring notification and registration of all commercial premises which sell cigarettes and vaping products and in so doing place a cap on the number of these business permissible in the Lane Cove Government Area.*
 - c) *Seek State Government support to enact planning changes at a local government level (in item 1 above).*
 - d) *The NSW Government to undertake a health promotion campaign outlining the health effects of vaping, information about the production and content of vapes.*
3. *Council notes and supports that Federal Government passed a new legislation Act no:118 in both houses on 14 December 2023 and being implemented from the 1 March 2024, which included but was not limited to:*
 - a) *cessation of the personal importation of E-cigarettes (vapes).*
 - b) *ban on the importation of non-therapeutic E-cigarettes (vapes).*
 - c) *requirement for therapeutic E-cigarettes (vapes) importers and manufacturers to notify the Therapeutic Goods Administration of their product's compliance with the relevant product standards.*
 - d) *requirement for importers to obtain a licence and permit from the Australian Government's Office of Drug Control before the products are imported.*
 - e) *domestic manufacturers of vapes for smoking cessation or nicotine dependence will be required to provide pre-market notifications to the TGA declaring compliance with the relevant product standards, prior to the supply of those goods*

Ordinary Council Meeting 21 March 2024
NOTICE OF RESCISSION - SUPPORT FOR ADDITIONAL LEGISLATION TO RESTRICT THE
SALE OF NON-THERAPEUTIC UNREGULATED E CIGARETTES (VAPES)

- f) *The updated standard for vapes, the Therapeutic Goods (Standard for Therapeutic Vaping Goods) (TGO 110) Order 2021 (TGO 110) commenced on 1 January 2024. And included:*
- i. product labelling (including an over sticker or in an information sheet provided with the product)*
 - ii. child resistant packaging*
 - iii. maximum nicotine concentration (although people can only access the nicotine concentration prescribed to them)*
 - iv. requiring actual nicotine concentration/content of the vape to reflect the product label*
 - v. prohibited ingredients*
 - vi. accepted flavours of mint, menthol and tobacco only*
 - vii. quality management system requirements for vaping devices and vaping device accessories*
 - viii. documentation that needs to be kept by the Australian sponsor of the product*
4. *Lane Cove Council report back to the Ordinary Council Meeting in May 2024 on the progress of item 1 and 2 in this motion.*

Councillor Katherine Mort
Councillor

Councillor Scott Bennison
Councillor

Councillor David Brooks-Horn
Councillor

ATTACHMENTS:

There are no supporting documents for this report.

Ordinary Council Meeting 21 March 2024
**NOTICE OF MOTION - SUPPORT FOR ADDITIONAL LEGISLATION TO RESTRICT THE SALE
OF NON-THERAPEUTIC UNREGULATED E CIGARETTES (VAPES)**

Subject: Notice of Motion - Support for Additional Legislation to Restrict the Sale of Non-Therapeutic Unregulated E Cigarettes (Vapes)
Record No: SU3530 - 13351/24
Division: Lane Cove Council
Author(s): Councillor Katherine Mort; Councillor Scott Bennison; Councillor David Brooks-Horn

Background

In the event the Notice of Rescission is carried, the following Motion is proposed.

Discussion

This motion commits Lane Cove Council to actively engage in the advocacy of initiatives aimed at addressing public health concerns associated with vaping products.

In the February Council meeting a (Foreshadowed) Motion - *Support For Additional Legislation To Restrict The Sale Of Non-Therapeutic Unregulated E Cigarettes (Vapes)* was passed and is subject to a notice to resind. This motion supported Federal government Legislation passed in December, 2023 and also included action advocating for changes to the NSW Planning Laws to restrict commercial premises selling E-cigarettes within 500 metres of schools and include regulation of these premises.

Current Federal Government legislation is the first phase of restricting importation and sale of E-cigarettes. The importation of all vapes, including personal importation is banned from 1st March, 2024 other than by importers holding a valid permit and licence from the Office of Drug Control. Legally imported vapes will only be sold in pharmacies.

This legislation is positive start but does not stop the high volume of sales continuing to occur in every suburb in Australia. Research shows that the overwhelming majority of vapes sold as non-nicotine contain high levels of nicotine.

There is a second stage of reforms anticipated to go before parliament late in 2024 and it is hoped will eliminate the sale of all vaping products. It should include a ban on the manufacture, supply, advertising and commercial possession of vapes that fall outside the prescription network. This is imperative to end the sale of recreational vaping products and the closure of vape shops.

The reason for rescinding the previous Motion is that while sound it omitted Lane Cove Council's support and advocacy for the second stage of legislation to be passed as a matter of urgency and is crucial.

All over Sydney young people are buying vaping products with no difficulty and stores that sell them are only a short walk from the schools they attend daily.

Numerous sources list possible side effects of nicotine in young people as changes in brain development, impaired attention, learning and memory difficulties and an increase in anxiety, stress and depression. However, nicotine is not the only substance found in E-cigarettes. Studies have demonstrated some contain cleaning products, nail polish remover, insect and weed killer and diacetyl. Without regulation there is nothing to stop any substances at all being added. These substances and toxins are inhaled straight to the terminal area of the lungs, the alveoli where gas exchange occurs and changes that lead to chronic lung damage may occur. There are no safe E-cigarettes just like there are no safe tobacco-based cigarettes.

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OF NON-THERAPEUTIC UNREGULATED E CIGARETTES (VAPES)

Legislative change left until later in the year allow more and more young Australians to start on a path of nicotine addiction while providing profits for a tobacco industry that have shown they cannot be trusted.

This motion seeks to prioritise action to prevent this including Lane Cove Council writing to the Federal Minister for Health, The Hon Mark Butler and our local federal member, Ms Kylea Tink calling on their support and advocacy to prioritise urgent legislation and implementing of the second phase or full suite of reforms.

It is important to note that although the anticipated legislative changes will continue to allow vaping products by prescription, they remain unapproved medicines and have not been subjected to the same rigorous safety and effectiveness testing as other evidence-based quit smoking aids.

RECOMMENDATION

That Lane Cove Council:

1. Notes the role the Tobacco Industry plays in advocating for less restrictive legislation and to oppose the influence of industry lobbyists on decision making.
2. Seek a change of regulations to mandate that tobacconist and vape stores require approval through a development application to open in the Lane Cove Local government area, incorporating in this planning mechanism the restriction of no Tobacconist or E-cigarettes (vapes) store within 500m of a school in the Lane Cove Government Area.
3. Write to the Federal Health Minister, the Hon Mark Butler MP and our local federal member, Ms Kylea Tink MP expressing our support for the new reforms (introduced 1st January to 1st March, 2024) and the need to see the full suite of reforms urgently legislated and implemented.
 - a. Specifically, we request their support for further legislation banning the domestic manufacture, advertisement, supply and commercial possession of non-therapeutic vapes and disposable single use vapes to ensure comprehensive controls on vapes across all levels of the supply chain.
 - b. Further we request the additional legislation not be delayed until later in the year or postponed as other issues gain more traction.
4. Write to the NSW Planning and Public Space Minister, Hon Paul Scully MP advocating for:-
 - a. Banning the sale of E-cigarettes (vapes) other than at a pharmacy within 500 metres of any school in the Lane Cove Government Area.
 - b. The introduction of a Positive Licensing Scheme requiring notification and registration of all commercial premises which sell cigarettes and vaping products and in so doing place a cap on the number of these business permissible in the Lane Cove Government Area.
 - c. Seek State Government support to enact planning changes at a local government level (in item 1 above).
 - d. The NSW Government continue to undertake a health promotion campaign outlining the health effects of vaping, information about the production and content of vapes including particular focus on under age E – cigarette users.
5. Notes and support that the Federal Government passed a new legislation Act no:118 in both houses on 14 December 2023 and being implemented from the 1 March 2024, which included but was not limited to:

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NOTICE OF MOTION - SUPPORT FOR ADDITIONAL LEGISLATION TO RESTRICT THE SALE
OF NON-THERAPEUTIC UNREGULATED E CIGARETTES (VAPES)

- a. cessation of the personal importation of E-cigarettes (vapes).
 - b. ban on the importation of non-therapeutic E-cigarettes (vapes).
 - c. requirement for therapeutic E-cigarettes (vapes) importers and manufacturers to notify the Therapeutic Goods Administration of their product's compliance with the relevant product standards.
 - d. requirement for importers to obtain a licence and permit from the Australian Government's Office of Drug Control before the products are imported.
 - e. domestic manufacturers of vapes for smoking cessation or nicotine dependence will be required to provide pre-market notifications to the TGA declaring compliance with the relevant product standards, prior to the supply of those goods.
 - f. The updated standard for vapes, the *Therapeutic Goods (Standard for Therapeutic Vaping Goods) (TGO 110) Order 2021 (TGO 110)* commenced on 1 January 2024. and included:
 - I. product labelling (including an over sticker or in an information sheet provided with the product)
 - II. child resistant packaging
 - III. maximum nicotine concentration (although people can only access the nicotine concentration prescribed to them)
 - IV. requiring actual nicotine concentration/content of the vape to reflect the product label
 - V. prohibited ingredients
 - VI. accepted flavours of mint, menthol and tobacco only
 - VII. quality management system requirements for vaping devices and vaping device accessories
 - VIII. documentation that needs to be kept by the Australian sponsor of the product.
6. Receive a report to the Ordinary Council Meeting in May 2024 on the progress of item 1, 2 and 3 in this motion.

Councillor Katherine Mort
Councillor

Councillor Scott Bennison
Councillor

Councillor David Brooks-Horn
Councillor

ATTACHMENTS:

There are no supporting documents for this report.

Ordinary Council Meeting 21 March 2024
NOTICE OF MOTION - REPORT ON COUNCIL MEASURES TO MINIMISE IMPACTS OF DOGS
ON GRASSED OFF-LEASH SPORTS FIELDS

Subject: Notice of Motion - Report on Council measures to minimise impacts of Dogs on grassed Off-Leash Sports Fields
Record No: SU1252 - 14434/24
Division: Lane Cove Council
Author(s): Councillor Kathy Bryla; Councillor Merri Southwood

Executive Summary

A motion on the Council measures to minimise impacts of Dogs on grassed Off-Leash Sports Fields.

Background

On 19 May 2022 Council established a Dog Advisory Committee.

The Dog Advisory Committee acts as a central point of communication between Council and community stakeholder representatives as users of open space for dogs in the Lane Cove LGA.

The committee held its inaugural meeting on 6 December 2022.

A significant focus of the Dog Advisory Committee has been the education of dog owners about their responsibilities under Section 14 of the Companion Animals Act (NSW) 1998 on and adjacent to sports fields.

Council has designated some grassed sports fields as “off- leash parks” only when organised games are not in progress. <https://www.lanecove.nsw.gov.au/Community/Parks-and-Recreation/Dog-off-leash-areas>

Some damage is caused to grassed sports fields, often when sports fields are not being used for organised sport/training.

This damage may include digging of holes, defecating by a dog without clean-up by those in control of a dog or leaving of sticks on the playing surface after they have been used for dog play.

Whilst the extent of this activity is unquantified, it is acknowledged that such activity may pose a risk to those who use the sports fields for organised sport/training.

It is also acknowledged that holes and the presence of sticks on grounds may be caused by non - dog related activities.

Since 19 January 2024, Council has displayed signage at grassed sports fields that advises that dogs are allowed off-leash except during organised sport/training.

It also displays signage requesting those in control of dogs to stop digging, to pick up “poo” and to take sticks home as holes and abandoned sticks can cause injury to players.

Dog ownership has risen significantly in Lane Cove and Sydney generally. Council’s website states that there are more than 500,000 dogs in Sydney alone.

It is acknowledged that interacting with companion animals including dogs can have a range of physical and mental health benefits for people. <https://kb.rspca.org.au/knowledge-base/what-are-the-benefits-of-companion-animals-to-human-health/> 10/3/2024

Ordinary Council Meeting 21 March 2024
NOTICE OF MOTION - REPORT ON COUNCIL MEASURES TO MINIMISE IMPACTS OF DOGS
ON GRASSED OFF-LEASH SPORTS FIELDS

It is also acknowledged that grassed open spaces are increasingly scarce and that demand for such spaces from a range of stakeholders will increase with increasing population demands. Council must balance its duty of care to those who use grassed off-leash sports fields for organised sport/training with the mental and physical benefits to dogs and dog owners of access to grassed off-leash open spaces.

RECOMMENDATION

That:-

1. That Council acknowledges that it seeks to balance its duty of care for the safety of those who use grassed off-leash sports fields for organised sport/training with the mental and physical benefits to dogs and dog owners of access to grassed off-leash open spaces
2. That a report be prepared on:
 - (a) the signage that has been placed on and adjacent to grassed off-leash sports fields to advise those in control of dogs of their responsibility when grassed sports fields are being used for organised sport/training, to stop dogs digging holes, to clean up after a dog has defecated and not to leave sticks after they been used for dog play, such report to include-
 - (i) date of installation of signage at each grassed off-leash sports field
 - (ii) location of signage and distance between signs
 - (iii) size of signage
 - (iv) signage adopted by other Councils in NSROC who allow dogs off-leash on grassed sports fields
 - (b) data on the number (reported and verified) of holes caused by dogs, unremoved "poo" and unremoved sticks previously used by dogs on grassed off-leash sports fields since the signage in 2(a) was installed
 - (c) data on fines, warnings and other enforcement action taken by Council officers since the signage referred to in 2(a) was installed
 - (d) recommendations as to other steps that can be taken to achieve the objective of safe shared use of grassed off-leash sports fields and the cost thereof
3. That the draft report in 2 be referred to the Dog Advisory Committee and the Sporting Club Advisory Committee for review and input
4. That a finalised report be presented to Council for consideration in its July 2024 meeting.

Councillor Kathy Bryla
Councillor

Ordinary Council Meeting 21 March 2024
NOTICE OF MOTION - REPORT ON COUNCIL MEASURES TO MINIMISE IMPACTS OF DOGS
ON GRASSED OFF-LEASH SPORTS FIELDS

Councillor Merri Southwood
Councillor

ATTACHMENTS:

There are no supporting documents for this report.

Ordinary Council Meeting 21 March 2024
NOTICE OF MOTION - REPORT ON COUNCIL MEASURES TO ENSURE OPTIMAL
UTILISATION OF COUNCIL SPORTS FIELDS

Subject: Notice of Motion - Report on Council measures to ensure optimal utilisation of Council Sports Fields
Record No: SU1252 - 14427/24
Division: Lane Cove Council
Author(s): Councillor Kathy Bryla; Councillor Merri Southwood

Executive Summary

A motion on the Council measures to ensure optimal utilisation of Council Sports Fields.

Background

It is recognised that there is a shortage of open space for use by sporting groups in the Lane Cove LGA, both for training and for match play.

It is therefore important to implement procedures to ensure that use of such open space is optimised and is shared equitably between sporting groups.

Council voted to establish a Sporting Club Advisory Committee on 19 May 2022 as a central point of communication between Council and community stakeholder representatives as users of open space facilities in the Lane Cove LGA.

One of the concerns that has been expressed by some sporting groups is that those in control of dogs have allowed dogs to stray onto sporting fields when fields are being used for organised sport or training, posing a safety risk for players.

To address this concern, Council introduced a red flag system. Hirers of sporting fields are required to install and display red flags, supplied by Council, whenever a sports field is in use

It appears that use of these flags is not enforced by some sporting groups, thereby reducing the impact of the red flag initiative.

An additional concern has been reported that is unrelated to the dog and flag matter.

This relates to the fact that sporting fields are being booked but are not used without any notification to Council.

Given the need to optimise the use of open space, it is important for sporting groups who are aware that they will not need a ground booked in their name, to advise Council in sufficient time to allow the ground to be made available to another sporting group.

It is important that Council takes step to ensure that there is consistent use of the red flag system

<p style="text-align: center;">Ordinary Council Meeting 21 March 2024 NOTICE OF MOTION - REPORT ON COUNCIL MEASURES TO ENSURE OPTIMAL UTILISATION OF COUNCIL SPORTS FIELDS</p>
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RECOMMENDATION

That:-

- (a) Council conducts a survey of all users who have regular bookings in place for a sports field to confirm that they will need the sports field for the times of their bookings and to adjust booking schedules to reflect the outcome of the survey
- (b) Council prepares a draft report on recommendations to ensure future consistent use of the red flag system and to ensure that those who have booked time slots for a sports field, and find they cannot use it, notify Council in sufficient time to allow another sporting group to use the sports field
- (c) the draft report be made available for comment and input to the Sporting Club Advisory Committee
- (d) the final report and recommendations be tabled for consideration at the May 2024 meeting of Council.

Councillor Kathy Bryla
Councillor

Councillor Merri Southwood
Councillor

ATTACHMENTS:

There are no supporting documents for this report.

Ordinary Council Meeting 21 March 2024
FURTHER REPORT - JEAN MITCHELL LUCRETIA BATHS RESTORATION

Subject: Further Report - Jean Mitchell Lucretia Baths Restoration
Record No: SU8705 - 13638/24
Division: Community and Culture Division
Author(s): Stephanie Kelly

Executive Summary

This report provides an update in relation to the Lucretia Baths project. Council has sought funding support to restore the space, but no grant or private funding has been achieved. A concept design has now been completed, assessing the restoration cost to be \$1,462,800. This report recommends that given the level of complexity, risk, and Council's existing significant capital works program, Council not proceed with the project at this time.

.Background

In November 1991, the Lucretia Baths Co-operative Society Board wrote to Council requesting that Council take over the management of the beachside community facility. In 1992 the lease was passed over to Council. Council undertook works of \$7,500 based on the recommendations of Council's Chief Engineer and Council's insurer to ensure the safety of the Baths. A further series of maintenance works, including more major works in 2006 involved replacing some of the palings on board walk repairs.

The Baths are currently in a state of disrepair with significant funding required to bring the Baths up to a safe standard. If repaired, Council will also need to make an annual budget for maintenance available and it will also need to put aside funds for further replacement of parts of the structure in future years.

TfNSW who is the owner of the majority of the Baths has also raised concerns with Council regarding the current ability of boat owners to tie their boats up to the handrail on the platform on the western side of the Baths. TfNSW do not see this as lawful use of the Baths and have requested Council to consider ways of not permitting this activity.

Appropriate safety warning signage was erected on the site in March 2023 and is still in place. This replaced an earlier iteration.

There have been several Council reports and consultations about progressing the restoration and replacement of the Jean Mitchell Lucretia Baths Restoration, notably 24 November 2022, 23 February 2023, 23 May 2023 and 21 September 2023. This report responds to the Council resolution from 21 September 2023, viz:-

"That Council:

- 1. Receive and note the Report;*
- 2. Determine if it wishes to proceed with the next stage of the Project, which would include preparation of documentation for TfNSW Permission to lodge a DA at a cost of \$78,700 ex GST, to be funded from the Capital Expenditure Reserve;*
- 3. Receive a progress report at the 2024 Corporate Planning Weekend; and*
- 4. Undertake a further community engagement process to gauge the community interest in further involvement with the Baths project."*

Discussion

Ordinary Council Meeting 21 March 2024
FURTHER REPORT - JEAN MITCHELL LUCRETIA BATHS RESTORATION

Consultants Royal Haskoning DHV were engaged to complete Stage 1 of this project following on from the September 2023 Council resolution. Stage 1 involved preparing all the documentation and plans for the TfNSW Permission to Lodge application and the Development Application.

The consultants have completed a design plan, including a concept plan, suggestions for safety and maintenance improvements and a construction approach. The plan also includes reports on the effectiveness of the predator protection system, marine habitat, surveys, preliminary geotechnical information, and an assessment of the water quality.

To proceed to Stage 2 – Detailed Design and Tender Documentation will cost an additional \$59,000 to progress.

The restoration cost is significantly higher than the original ballpark estimate of \$600,000, with the current estimate from a quantity survey being \$1,462,800.

Element	Cost
Preliminaries	\$405,000
Demolition	\$27,000
Board Walk	\$302,000
Stairs	\$16,000
Paling System	\$147,000
Painting	\$4,000
Signage & Plaques	\$15,000
Fencing	\$20,000
Landscaping and finishings	\$55,000
Contractors	\$228,000
Contingency	\$243,800
Total	\$1,462,800

This price increase is due to the project's complexity, assessment of the various regulatory conditions, the general rise in construction and materials costs, and addressing the many marine requirements based on underwater investigation.

Council has unsuccessfully submitted two grant applications into the NSW Government Places to Swim—2021/22 and 2022/23 Grant Program to rebuild the Baths and enhance the surrounding foreshore area. This grant stream has not been offered this year. Community consultation on funding has not identified any significant sources of alternative funding or significant achievable funding.

The key challenge is to ensure the program's financing is available given the higher-than-anticipated cost and the Council's current extensive capital works program over the next two years which total approximately \$96m, the largest in Lane Cove's History The key projects include:-

- Indoor Sport & Recreation Facility
- Blackman Park Improvements Program
- Bob Campbell Oval Masterplan Implementation

- Aquatic Centre Energy Efficiency Program
- Bus Shelters Program
- Skate Park Project
- Pottery Green Amenities
- 1-5 Pottery Lane Roof Repairs
- Burns Bay Road Paving Project
- Bicycle SUP - Burns Bay Road Linley Point
- Mowbray Road/Centennial Ave Traffic Signal Upgrade
- St Leonards Child Care & Community Facilities
- New Performance Space
- Ventemans Reach Boardwalk
- Lane Cove North Speed Reduction Infrastructure
- Asset Renewal Works (Roads, Drainage and Footpaths)

This project involves several risks that must be addressed. Environmental risks include potential harm to marine life and ecosystems due to construction activities. Financial risks include cost overruns during the construction phase due to unforeseen challenges, as well as ongoing operational expenses such as maintenance and insurance. Despite the work completed by Royal Haskoning DMV, there are still regulatory risks to deal with when meeting TfNSW compliance and environmental standards to obtain necessary permits and approvals. And there are ongoing risks around management of the maintenance of the structure and the need to invest heavily in its regular upkeep to ensure safety and functionality, as well as repair and replacement costs over time.

A discussion on the timing of the project has occurred with the General Manager, Director Corporate and Strategy and Director Community and Culture. All staff concluded that given the level of complexity, risk, and Council's significant capital works program, it is recommended that Council not proceed with the project at this time. A realistic timeframe for Council to reconsider proceeding with the project is 3 years, after completion of the Sport and Recreation Facility and funding opportunities can be identified.

Outcomes of Community Consultation

The community engagement program has been completed to gauge interest in volunteering, sponsorship, and any community contribution.

The consultation was designed to understand the community's enthusiasm for the restoration of the baths and also to seek community resources to help support the program of activities to restore the baths. The resolutions required that the Council consult about:

1. Providing volunteer support during the restoration and ongoing future management of the Baths, using a model similar to Council's existing 'bushcare' or 'bushfriends' programs;
2. Provide potential 'sponsorship' of the restoration of the Baths (for example, named plaques) and
3. Suggestions into other ways that the community might contribute to the ongoing amenity of the Baths.

Council undertook extensive community consultation from 10 November 2023 to 8 January 2024 to discover if the community could help resource the project since grant funding was unavailable. The consultation included an online survey, a website page, on-site signage, e-mail to residents who registered interest in the project, and other Council communication channels, including social media and e-newsletters.

Ordinary Council Meeting 21 March 2024
FURTHER REPORT - JEAN MITCHELL LUCRETIA BATHS RESTORATION

It asked the community if there was interest in providing:-

1. volunteer support to the restoration and future management of the baths
2. potential sponsorship of the restoration of the baths and
3. suggestions of other ways that the community might contribute to the ongoing amenity of the Baths.

The engagement generated 28 online responses and three additional submissions. The community was invited to support the resourcing of the baths, and the community provided suggestions for the Council to explore. The resource suggestions from the community are detailed in the table below.

Offer	Opportunity assessment	Proposed Response
Advertising	Install signage to be used for advertising is neither desirable or permissible at this site.	No Action
Donation	Confirm project and accept	Progress
Fitness classes	Feasibility of this must be assessed in terms of space at the baths and the cost of hosting it.	Progress
In water movie night	Feasibility of this must be assessed in terms of space at the baths and the cost of hosting it.	Progress
Retail sponsorship	Shade umbrellas, on site promotions and sales – it is not Council policy to allow advertising in a foreshore reserve.	No Action
Special Levy	To levy a small number of local houses for this program is not cost effective.	No Action
Buy a paling	Assess feasibility and cost to do versus potential funds raised.	Progress
Users pay	Cost of staffing and running a programmed space is not feasible due to size and tides	No Action

Advertising and sponsorship signage are not allowed at the foreshore reserve due to policy restrictions. The cost of staffing and running a programmed space where users pay to fund the baths is deemed not feasible, considering the size and tides of the area. Similarly, programs and activation (fitness classes, movies, etc.) at the baths are desirable but require a feasibility assessment to determine if there is enough space. These concepts will be unlikely to return a surplus to the Council, given that event infrastructure (toilets, power, etc.) will need significant investments. Implementing a special levy on local houses is not considered financially feasible. A 'Buy a Paling campaign is a possible small-scale fundraiser and requires further investigation. In summary, progress can be made on some proposals; however, most compromise Council policies or are not deemed cost-effective.

Offers of support in developing the replacement baths

Offer	Proposed Response
Architectural design (X2)	Specialised marine design services were already appointed. There is limited need for additional architectural design as works are predominantly underwater engineering.
Bush regeneration	Bush management is valuable. Leveraging existing Council systems mean this opportunity is simple to progress.
Emotional Support	Emotional support is appreciated and accepted.
Laboring (X3)	Laboring requirements are contingent on builder and workplace health and safety considerations, with confirmation pending.
Lifeguard	Lifeguard services are deemed unnecessary for an unstaffed facility, leading to a decline in the proposal.
Litter collection	Progress this offer subject to identifying the need for training, equipment, and on-site storage for litter collection.
Maintenance (X2)	Maintenance tasks require definition, training, and supervision, prompting further investigation before confirmation.
Management of the facility (X4)	Condition audits for asset protection is desirable. However, training and proformas will be required.
Meeting Minutes(x2)	This is not required at this stage of the program but should a 'Friends of Lucretia Baths' be established this service would be welcomed.
Painting	Painting requirements are contingent on builder and workplace health and safety considerations, with confirmation pending.

In summary, progress is noted in areas such as bush regeneration, litter collection, and facility management. At the same time, further investigation or confirmation is required for labouring, maintenance, meeting minutes, and painting proposals. Some proposals, like architectural design and lifeguard services, are not required based on identified current needs and considerations.

Ordinary Council Meeting 21 March 2024
FURTHER REPORT - JEAN MITCHELL LUCRETIA BATHS RESTORATION

Requests for new elements to the baths

Request	Opportunity Assessment	Proposed Action
Plaques installed recognizing original founding families	Documenting local history (Plaques & QR code to a local studies page).	Documenting local history through plaques and QR codes. Subject to resources, this initiative will be pursued.
Lucretia baths should be same standards as Greenwich	This is not feasible due to site limitations and resources	No action proposed
Shade needed	Limited feasibility due to space	Pursue subject to resources
Seating needed	Limited feasibility due to space	Pursue subject to resources
Change facilities required	Not feasible due to space and services.	No action proposed
Make pool larger	Not feasible due to cost	No action proposed
Coffee Van	Difficult location but possible	Explore options
Boat pad to allow water access	Not feasible - TfNSW direction to not have boats tied to the facility.	No action proposed
Promotion	Keen to see this opportunity promoted.	Pursue

Conclusion

This report highlights the progress the project team has made so far and outlines the results of the community consultation. Given the level of complexity, risk, and Council's significant capital works program, not proceed with the project at this time.

RECOMMENDATION

That Council:

1. Receive and note the report; and
2. Given the level of complexity, risk, and Council's significant capital works program, not proceed with the project at this time.

Stephanie Kelly
Director - Community and Culture
Community and Culture Division

ATTACHMENTS:

There are no supporting documents for this report.

Subject: Planning Proposal No. 39 - 448-456 Pacific Highway, St Leonards
Record No: SU8727 - 11193/24
Division: Planning and Sustainability Division
Author(s): Christopher Pelcz

Executive Summary

This report relates to the Planning Proposal No 39 for the site at 448-456 Pacific Highway St Leonard's. The site is often referred to as the Car Wash.

The PP prepared by File Planning & Development Services Pty Ltd seeks to amend the Lane Cove Local Environmental Plan 2009 (LCLEP2009) to rezone land located at 448-456 Pacific Highway, St Leonard's (**AT-1**).

The Proposal was reported (**AT-2**) to the Lane Cove Local Planning Panel (LCLPP) for advice on the 5 March 2024. In accordance with Section 9.1 of the EP & A Act, staff prepared an assessment report with recommendations in relation to the Planning Proposal including whether the proposal should be forwarded to the Minister for a Gateway Determination.

The Panel was requested to review, consider relevant issues and amendments proposed by the proponent along with the views and concerns raised in the staff report.

The LCLPP advised that Planning Proposal No 39 is supported (with amendments) and should proceed to the Gateway Determination (**AT-3**).

In relation to the advice of the Lane Cove Local Planning Panel, it is recommended that Planning Proposal No. 39 be supported with the recommended amendments and be forwarded to the Department of Planning, Housing and Infrastructure for review.

Background

Site

The subject site comprises 1,661 m² of land at 448-456 Pacific Highway, St Leonards (**Figure 1**), on the corner of Oxley Street, strategically located on the Pacific Highway *diagonally opposite* the planned Crows Nest Metro Station which forms part of the Sydney Metro City & Southwest Project and within 400 metres of the existing St Leonards Station.



Figure 1: Site location

Currently, the site comprises a car wash facility located on 448-452 Pacific Highway and a 4-storey commercial building at 456 Pacific Highway. At the corner of Pacific Highway and Oxley Street there is also an at grade car parking and car wash areas, shade sails and a single-storey building. Entry to the car wash is via Oxley Street and exit is to the Pacific Highway. The commercial building fronts Pacific Highway with a car parking entrance fronting the street, car parking at ground level and three levels of commercial floor space above. The site currently contains six commercial buildings ranging in height from two to four storeys, which are claimed to be “*reaching the end of their economic lifespan, in poor repair and in some cases unusable*”. The eight lots have been combined under a single landholding ownership.

Much of the land on the north and south side of the Pacific Highway has been redeveloped with larger mixed-use buildings and several underdeveloped properties are subject to development consent. Further north of the site is ‘The Forum’ which forms a town centre of St Leonards and acts as a commercial, retailing and transport hub.

The site is in the corridor between the existing St Leonards Station and the planned Crows Nest Metro Station. This area is undergoing rapid urban renewal and change in response to major government infrastructure investment in the form of the Sydney Metro City & Southwest Project and the vision set out under the 2036 Plan.

Proposal

The proponent-led Planning Proposal seeks the following amendments to Lane Cove LEP 2009 for the subject site:-

- Rezone the site from E2 Commercial Centre to MU1 Mixed Use.
- Increase the floor space ratio controls from 2:1 & 6:1 to 14.7:1,
- Increase the Height of Building controls from 15 metres & 36 metres to RL196.30.
- Require any building on the land to have a non-residential floor space ratio of 0.2:1,
- Introduce a site-specific clause to provide 12% of gross floor area as affordable housing in perpetuity,
- Amend existing Local Environmental Plan Design Excellence clause 7.6 to include this site.

Overall, the proposed controls would result in the following outcomes:

- A mixed-use commercial/residential podium/tower of 30 storeys (see **Figure 2** for 3D concept), with a total GFA of between 24,523 m², including 702 m² of ground floor retail as part of a 4-storey podium;
- Up to 242 apartments, with 36 (14.9%) of those to be utilised for affordable/key worker housing in perpetuity.
- Public domain improvements including an activated through-site link along the southern boundary connecting to an on-site plaza (see **Figures 3 & 4**).

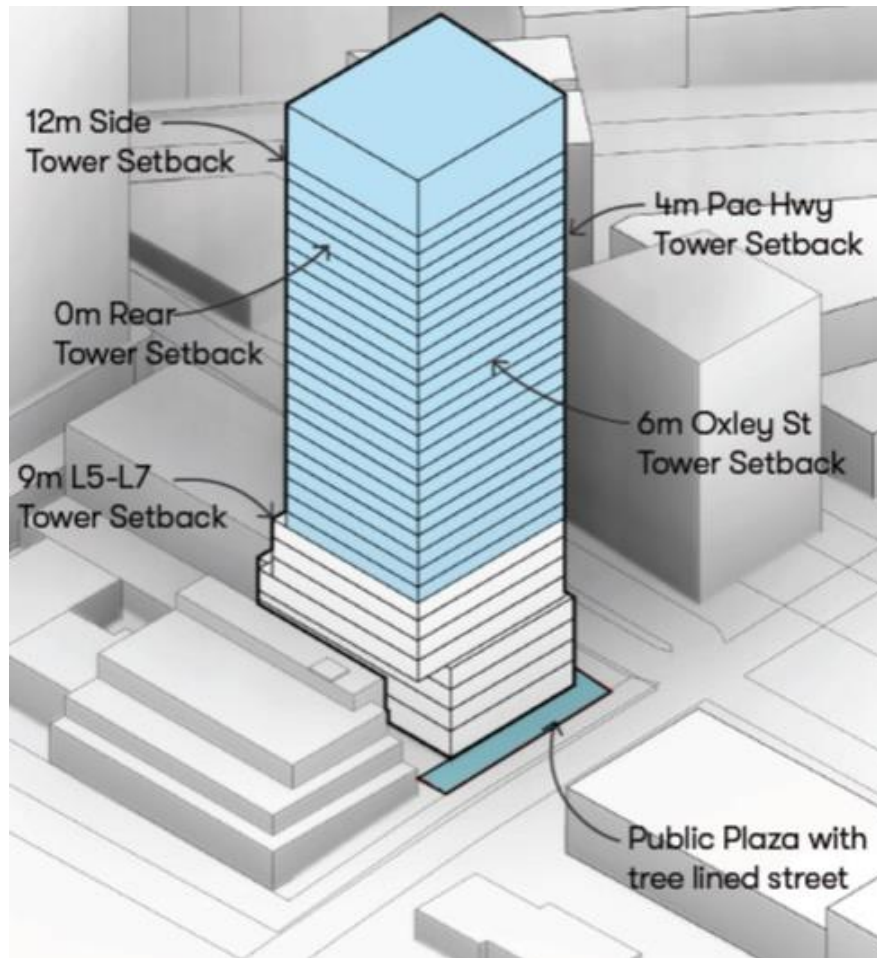


Figure 2: Concept 3D view (with setbacks)

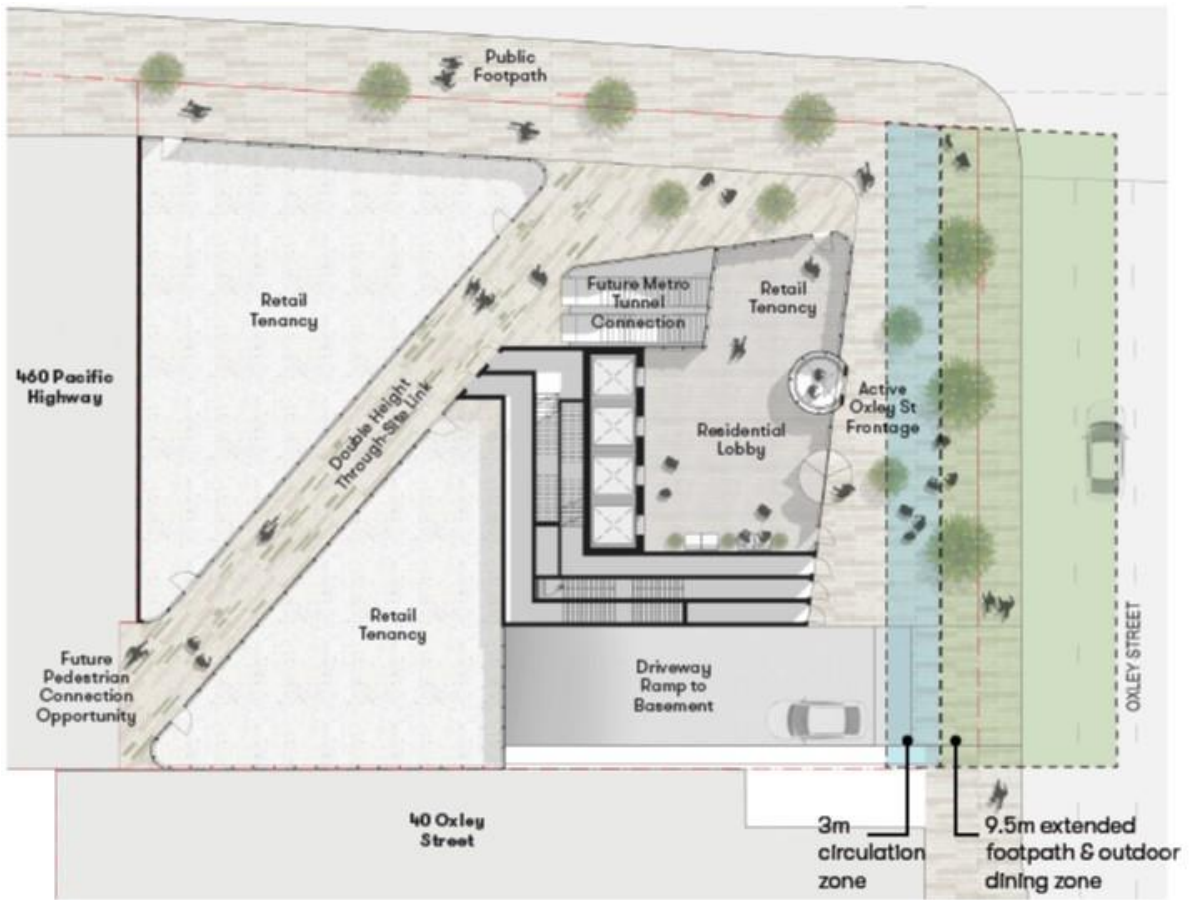


Figure 3: Proposed through-site link with Plaza

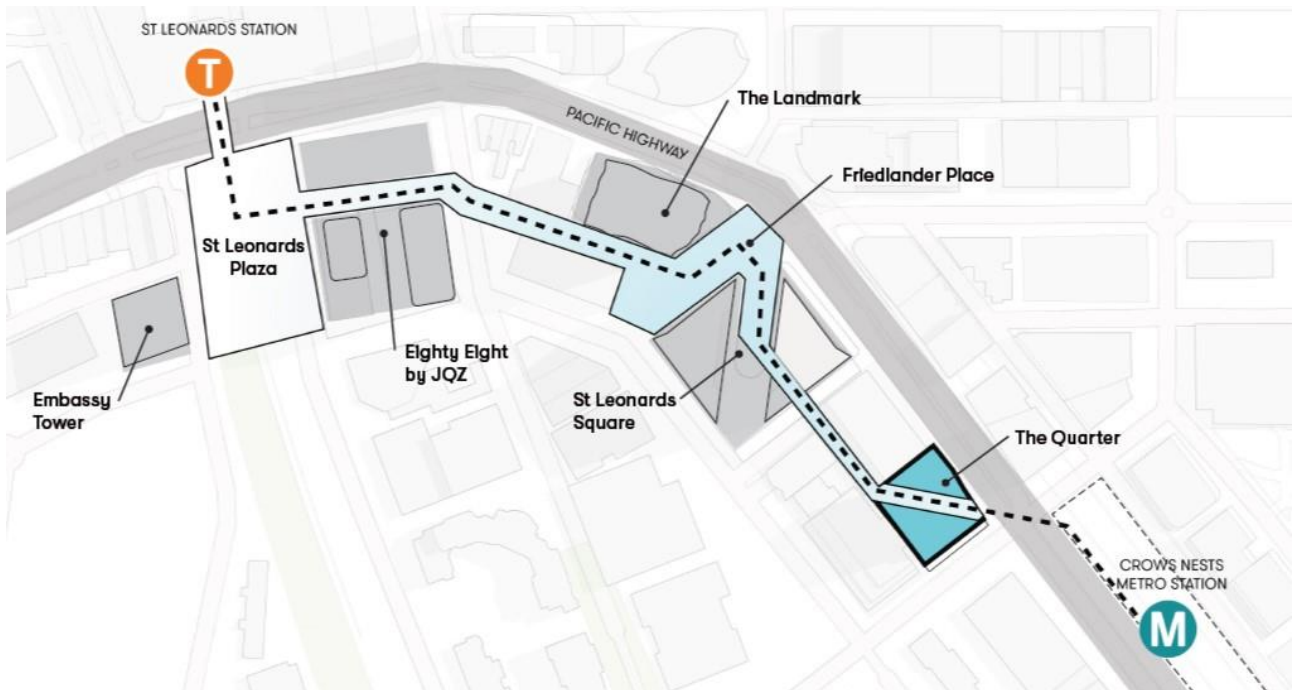


Figure 4: Connection to broader through-site links

Planning Agreement

Although a Planning Agreement is mentioned in the Proposal one was not submitted with the initial application – a subsequent letter of offer was received. In any event, Council's adopted policy is that any Planning Agreement would be assessed separately by Council at a later stage to ensure that any Planning Proposal is considered on its own merit.

Submissions

Previous comments received are discussed in **AT-2**.

Discussion

Referral to Local Planning Panel

Planning Proposal No 39 for 448-456 Pacific Highway, St Leonard's was referred for advice to the Lane Cove Local Planning Panel, under Section 9.1 of the EP&A Act 1979. The Panel was requested to review and consider issues and amendments proposed by the proponent along with the views and concerns raised in a staff report (**AT-2**).

The Report to the Lane Cove Planning Panel examines the detailed provisions of the proponent's Planning Proposal against the strategic and site-specific merit test as well as other relevant matters. The discussion is contained within that report (see **AT-2**).

In general terms, all previous matters raised by Council were addressed by the Planning Proposal.

At the meeting, Council staff provided a broad overview of Planning Proposal No 39. The proponent addressed and provided a presentation to the Panel.

Following the meeting, the Panel deliberated and provided their considered advice in the form of recommendations and reasons for their decision.

Panel advice to Council

In providing their advice to Council (see **AT-3**), the Panel (LCLPP) unanimously supported the findings in the staff's report with minor amendments, as follows:

- *The Panel supports a site-specific clause for low-cost housing requiring 12% of gross floor area, expressed as either a percentage or a specific number.*

The Panel accepted the recommendations and agreed with all the reasons provided.

Community Consultation

It should be noted that in line with Council's policy PP No 39 was exhibited for 28 days in April 2023 including the posting of a sign on the site. 5 submissions were received and have been addressed in the staff assessment report to the LCLPP.

If the PP proceeds to Gateway a further formal public notification will be required in line with Council's Community Consultation Policy as set out below with indicative timing provided.

Ordinary Council Meeting 21 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

Statement of Intent

The consultation is designed to consult with the local community of the proposed rezoning of the site. Any comments received will be reviewed and evaluated to determine whether to proceed with the Planning Proposal.

Method

Level of Participation	Inform	Inform	Consult
Form of Participation	Open	Targeted	Open
Target Audience	Lane Cove Community and community groups	Adjoining owners and Local Government Areas	Lane Cove Community
Proposed Medium	Advertisement and eNewsletter	Notification Letters	Public Exhibition, Website Exhibition
Indicative Timing	6 weeks (May-June 2024)	6 weeks (May-June 2024)	6 weeks (May-June 2024)

Conclusion

The Planning Proposal has responded to the matters raised by Council, both Local Planning Panels and the Design Review Panel.

It is important to note that the non-residential floor space has been decreased from the previous proposal. While it differs from the St Leonard's Crows Nest 2036 Plan the approach is line with the NSW Governments strategy to address housing shortages and the stock of affordable housing in and around train stations in particular the new Metro – which will be operational in the second half of 2024.

On balance, the revised proposal achieves both merit tests. However, it is recommended that the Planning Proposal be amended as stated in the Local Planning Panel's advice (**AT-3**) and forwarded to the Department of Planning, Housing and Infrastructure for review.

RECOMMENDATION

That having considered the advice of the Lane Cove Local Planning Panel meeting of 5 March 2024, Council:

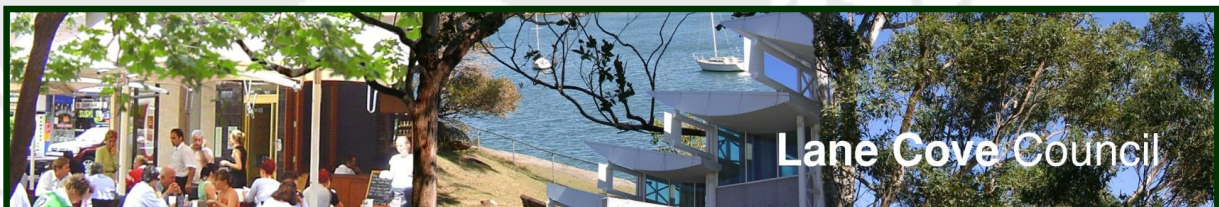
1. supports Planning Proposal No. 39, incorporating the amendments requested by the Panel.
2. forward the amended proposal to the Department of Planning, Housing and Infrastructure for review.
3. delegate authority to the General Manager to prepare a site-specific Development Control Plan (DCP) in conjunction with the proponent to support the Planning Proposal, to be exhibited with the Planning Proposal if a Gateway Determination is issued.

Mark Brisby
Director - Planning and Sustainability
Planning and Sustainability Division

ATTACHMENTS:

AT-1	View	Revised Planning Proposal	81 Pages	Available Electronically
AT-2	View	Local Planning Panel - REPORT	19 Pages	
AT-3	View	Local Planning Panel - ADVICE	4 Pages	
AT-4	View	Appendix A - Revised Urban Design Study	77 Pages	Available Electronically
AT-5	View	Appendix B - Revised Traffic Study	16 Pages	Available Electronically
AT-6	View	Appendix C - Traffic Modelling Summary	13 Pages	Available Electronically
AT-7	View	Appendix D - Wind Impact Assessment	5 Pages	Available Electronically
AT-8	View	Appendix F - Response to Council RFI	30 Pages	Available Electronically
AT-9	View	Further responses to Council's queries	2 Pages	Available Electronically

Agenda
Lane Cove Local Planning Panel Meeting
5 March 2024



Lane Cove Local Planning Panel 5 March 2024**Notice of Meeting**

Dear Panel Members,

Notice is given of the Lane Cove Local Planning Panel Meeting, to be held in the Council Chambers on Tuesday 5 March 2024 commencing at 5pm. The business to be transacted at the meeting is included in this business paper.

Yours faithfully



Craig Wrightson
General Manager

Lane Cove Local Planning Panel Meeting Procedures

The Lane Cove Local Planning Panel (LCLPP) meeting is chaired by Ms Louise Byrne. The meetings and other procedures of the Panel will be undertaken in accordance with the Lane Cove Lane Cove Local Planning Panel Charter and any guidelines issued by the General Manager.

The order of business is listed in the Agenda on the next page. That order will be followed unless the Panel resolves to modify the order at the meeting. This may occur for example where the members of the public in attendance are interested in specific items on the agenda.

Members of the public may address the Panel for a maximum of 3 minutes. All persons wishing to address the Panel must register prior to the meeting by contacting Council's Office Manager – Environmental Services on 9911 3611. Where there are a large number of objectors with a common interest, the Panel may, in its absolute discretion, hear a representative of those persons.

Minutes of LCLPP meetings are published on Council's website www.lanecove.nsw.gov.au as soon as possible following the meeting. If you have any enquiries or wish to obtain information in relation to LCLPP, please contact Council's Office Manager – Environmental Services on 9911 3611.

Please note meetings held in the Council Chambers are Webcast. Webcasting allows the community to view proceedings from a computer without the need to attend the meeting. The webcast will include audio of members of the public that speak during the meeting. Please ensure while speaking to the Panel that you are respectful to other people and use appropriate language. Lane Cove Council accepts no liability for any defamatory or offensive remarks made during the course of these meetings.

The audio from these meetings is also recorded for the purposes of verifying the accuracy of the minutes and the recordings are not disclosed to any third party under the Government Information (Public Access) Act 2009, except as allowed under section 18(1) or section 19(1) of the PPIP Act, or where Council is compelled to do so by court order, warrant or subpoena or by any other legislation.

Lane Cove Local Planning Panel 5 March 2024
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Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

Subject: Planning Proposal No. 39 - 448-456 Pacific Highway, St Leonards
Record No: SU8727 - 9742/24
Division: Planning and Sustainability Division
Author(s): Christopher Pelcz; Terry Tredrea

Property:	448-456 Pacific Highway, St Leonard's
PP No:	Planning Proposal No. 39
Legal Description:	<ul style="list-style-type: none"> • Lots 1, 2 & 3, Section 16 in DP 3175; and • Lot C in DP 414984.
Date Lodged:	19 December 2023
Owner (Proponent):	The Quarter St Leonard's Pty Ltd
Applicant:	File Planning & Development Services Pty Ltd
Site Area:	1,661 m ²
Description of Proposal:	<p>To change the following planning controls:</p> <ul style="list-style-type: none"> • Rezone the site from E2 Commercial Centre to MU1 Mixed Use, • Increase the floor space ratio from 2:1 & 6:1 to 14.7:1, • Increase the height from 15 metres & 36 metres to RL196.30 metres, • Provide a non-residential floor space ratio of 0.2:1, • Introduce a site-specific clause to provide 12% of gross floor area as affordable housing, • Amend existing Local Environmental Plan Design Excellence clause 7.6 to include this site.
Planning Proposal documents	Links to all the proponent's documents are provided in Attachments at the end of this report (AT-1 to AT-7).
Relevant Strategic Planning documents	<p><i>A Metropolis of Three Cities – dated March 2018</i> <i>North District Plan – dated March 2018</i> <i>Final St Leonards/Crow's Nest 2036 Plan – dated 29 August 2020 (AT-11)</i> <i>Section 9.1 Ministerial Directions</i> <i>Local Strategic Planning Statement 2020 – dated 30 March 2020 (AT-12)</i> <i>Local Housing Strategy (AT-13)</i> <i>Local Environmental Plan 2009</i></p>
Recommendation	That Planning Proposal No. 39 be supported with amendments.

PURPOSE

The Lane Cove Local Planning Panel is required to review the proposal with a view to providing Council with advice in relation to the changes requested to the Lane Cove LEP.

REASON FOR REFERRAL

The Planning Proposal is referred to Council's Local Planning Panel under Section 9.1 of the *Environmental Planning and Assessment Act 1979*. This Section requires referral of any Planning Proposal to the Local Planning Panel for advice with an assessment report which sets out recommendations in relation to the Proposal.

The Planning Proposal does not meet any of the criteria for an exemption from referral to the Local Planning Panel. This criterion is as follows;

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

- a) the correction of an obvious error in a local environmental plan.
- b) matters that are of a consequential, transitional, machinery or other minor nature; or
- c) matters that Council's General Manager considers will not have any significant adverse impact on the environment or adjoining land.

Therefore, the Planning Proposal must be referred to the Local Planning Panel for advice prior to Council making any determination on the matter.

EXECUTIVE SUMMARY

The purpose of this report is to consider the planning merits and seek the Panel's advice on the proposal to redevelop land at 448-456 Pacific Highway, St Leonard into a mixed-use commercial podium / residential tower.

The Proposal (**AT-1**) seeks to rezone the existing E2 Commercial Centre zoning to a MU1 Mixed Use zone. In detail the changes sought to the planning controls are as follows;

- increase floor space ratios from 2:1 & 6:1 to 14.7:1.
- increase the building height from 30 storeys to RL196.30 metres.
- provide a non-residential floor space ratio of 0.42:1 &
- introduce site specific clauses for provision of affordable housing and design excellence.

[Planning Proposal 39](#) is also accompanied by:

- [Appendix A: Revised Urban Design Study \(AT-2\)](#),
- [Appendix B: Revised Traffic Study \(AT-3\)](#),
- [Appendix C: Traffic Modelling Summary \(AT-4\)](#),
- [Appendix D: Wind Impact Assessment \(AT-5\)](#),
- [Appendix F: Response to Council RFI \(AT-6\)](#),
- [Further responses to Council's queries \(AT-7\)](#),
- Previous Local Planning Panel [report \(AT-8\)](#) and [advice \(AT-9\)](#),
- [Advice from NSROC Design Review Panel \(AT-10\)](#),
- [Final St Leonards/Crows Nest 2036 Plan \(AT-11\)](#),
- [Lane Cove Local Strategic Planning Statement \(AT-12\)](#), and
- [Lane Cove Local Housing Strategy \(AT-13\)](#).

It is noted that the applicant refers to a Voluntary Planning Agreement in the Proposal. No documentation was included with the application. Any VPA is not the subject of this referral.

Council's policy is that a VPA is assessed separately by Council at a later stage to ensure that the Planning Proposal is considered on its own merit.

The Panel is requested to review the proposal in line with the assessment report.

SITE

The subject site comprises 1,661 m² of land at 448-456 Pacific Highway, St Leonard's (Figure 1), on the corner of Oxley Street, strategically located on the Pacific Highway *diagonally opposite* the planned Crow's Nest Metro Station which forms part of the Sydney Metro City & Southwest Project and within 400 metres of the existing St Leonard's Station.

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS



Figure 1: Location of site

The site comprises a car wash facility located on 448-452 Pacific Highway (Lots 1-3 Part 16 DP3175) and a 4-storey commercial building at 456 Pacific Highway (Lot C DP414984). The car wash is located on the corner of Pacific Highway and Oxley Street and comprises at grade car parking and car wash areas, shade sails and a single-storey building. Entry to the car wash is via Oxley Street and exit is to the Pacific Highway. The commercial building fronts Pacific Highway with a car parking entrance fronting the street, car parking at ground level and three levels of commercial floor space above. The site currently contains six commercial buildings ranging in height from two to four storeys, which are claimed to be “reaching the end of their economic lifespan, in poor repair and in some cases unusable.” The eight lots have been combined under a single landholding ownership.

The site is in the corridor between the existing St Leonards Station and the planned Crow’s Nest Metro Station. This area is undergoing rapid urban renewal and change in response to major government infrastructure investment in the form of the Sydney Metro City & Southwest Project and the vision set out under the 2036 Plan. The existing and future built form context is shown in Figures 2 & 3 below.

Much of the land on the north and south side of the Pacific Highway has been redeveloped with larger mixed-use buildings and several underdeveloped properties are subject to development consent. Further north of the site is ‘The Forum’ which forms a town centre of St Leonard’s and acts as a commercial, retailing and transport hub.

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

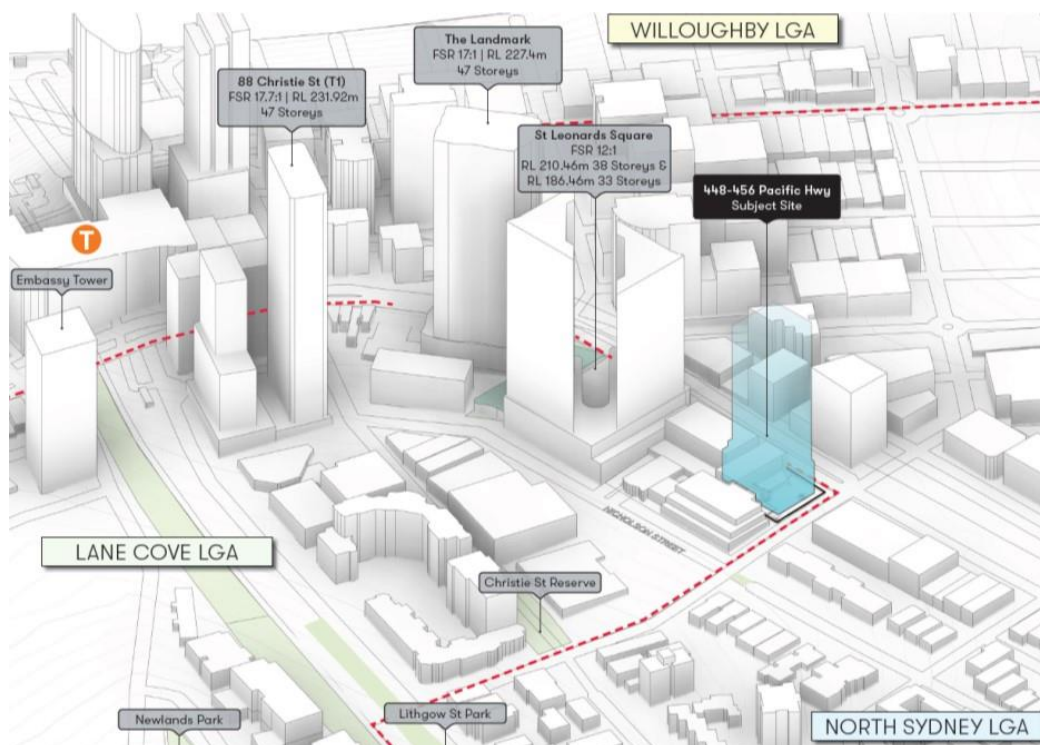


Figure 2: Current development context, including indicative proposal

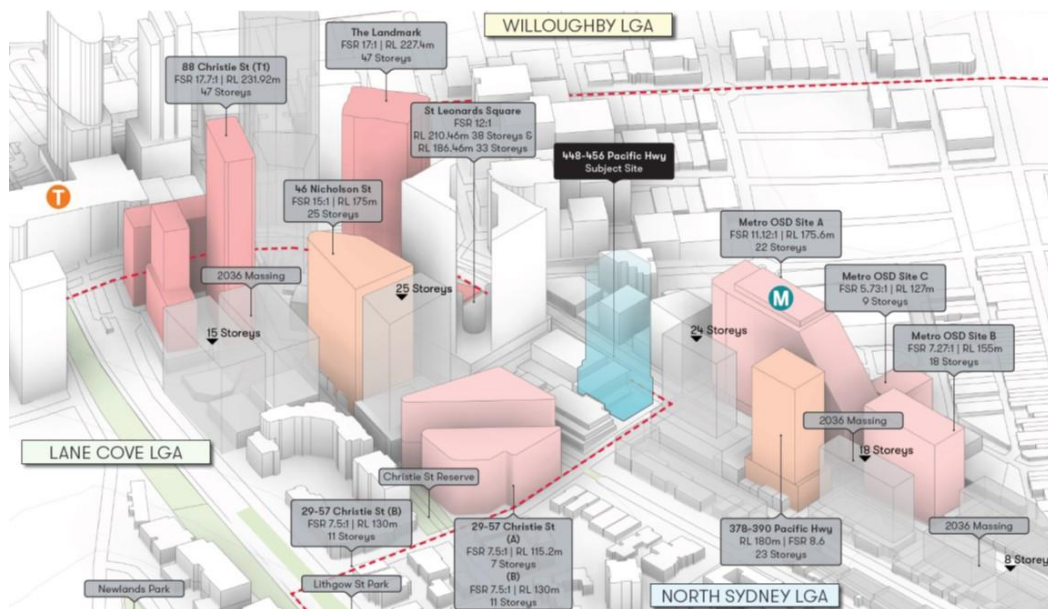


Figure 3: Future development context, including indicative proposal

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

Current LEP Planning Controls

Figure 4 shows the current LEP controls for maximum floor space ratio and height on the site.

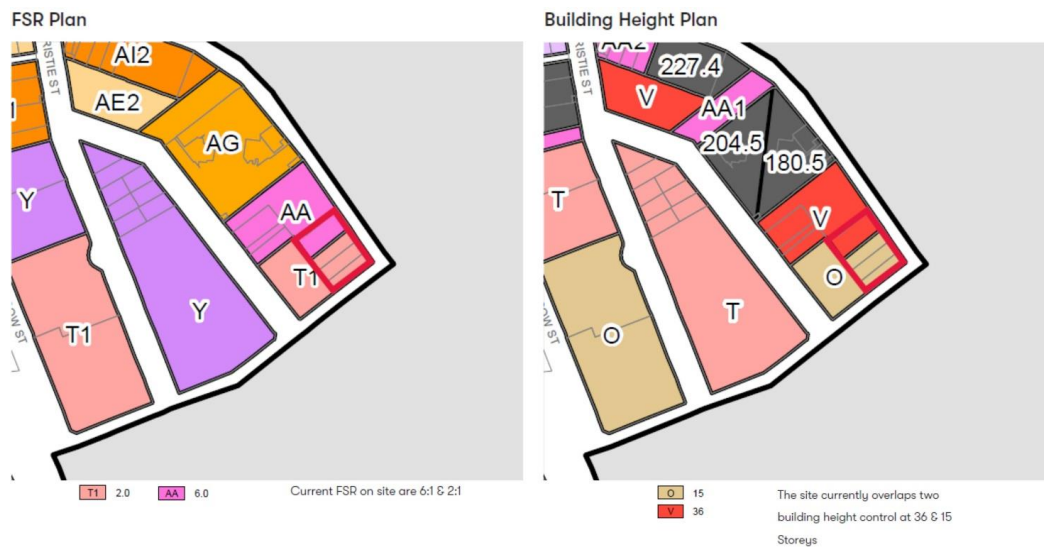


Figure 4: Lane Cove LEP – current FSR & height controls

Based on the current Zoning, FSR and Height controls, if developed entirely for commercial purposes, a potential building could be 15 metres and 36 metres in height with a total commercial GFA of 5,649 sqm.

St Leonard's Crows Nest 2036 Plan Controls

Figure 5 indicates the proposed controls under the SLCN 2036 Plan for maximum floor space ratio and height on the site.



Figure 5: 2036 Plan – FSR & height controls

Based on the SLCN 2036 Plan controls, if developed partly for commercial/residential purposes a potential building could be 30 storeys in height with a commercial GFA of 6,644 sqm.

Non Residential Floor Space Ratio (FSR):

4:1

BACKGROUND

The remainder of the sites were to remain as E2 Commercial Centre. This approach was implemented in 2012 via the following:-

- This targeted approach was a finely tuned policy designed to stimulate the centre's long-term commercial and employment potential with residential development providing a supporting role in the St Leonard's CBD.

The Greater Sydney Commission has confirmed this approach as consistent with the North District Plan which states that Councils “*strengthen St Leonards through approaches that grow jobs in the centre* (Action 34). It aims for a high job’s growth target of 16,400 between 2016 and 2036. The precinct is important “*as a key employment centre in Greater Sydney*”. “*Employment growth is the principal underlying economic goal for metropolitan and strategic centres*” (North District Plan: 2018, page 67) such as this.

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

While this Planning Proposal in principle validates Council's approach, there are also other strategic planning documents to consider. These documents and their relationship to this site are briefly outlined below.

Australian Housing Accord

In August 2023, the Australian Federal Government signed the National Housing Accord. The Accord committed to building 1.2 million new homes across Australia in a five year period from 2024 to 2029.

It set housing targets for each State and Territory, with NSW required to complete 377,000 new homes within the same five-year period.

While no formal targets have yet been set for individual local Councils, the accelerated delivery of affordable, well-located homes close to transport appears to be a significant priority for the NSW State Government.

Transport Oriented Development Program

A key NSW Government response to the Accord is the Transport Oriented Development Program. This program has identified the new Crows Nest Metro Station as one of the new "Accelerated Precincts". It is important to note that the Planning Proposal is directly across the road from the new Crows Nest Metro Station.

Areas within 1,200 metres of the new Station will be rezoned by the NSW Government towards the end of 2024. Lane Cove Council has been advised that the rezonings will largely be consistent with the existing SLCN 2036 Plan.

St Leonards and Crows Nest 2036 Plan

The St Leonards/Crow's Nest Planned Precinct is identified by the North District Plan (NDP) as "*a mixed-use centre with high-rise offices, and high-density residential development*". *Action 34 of the NDP focuses growth subject to "growing jobs in the centre"*. Additional capacity for housing supply is a secondary but important function of the precinct. It is from these two purposes of the *North District Plan* that the 2036 Plan has emerged.

The 2036 Plan (**AT-11**) recommends that this site be rezoned from E2 Commercial Core to MU1 Mixed Use, with an increased height and floor space ratio (see Discussion section), plus "*a minimum non-residential floor space requirement for the B4 Mixed Use zone to meet North District Plan high jobs target.*" (p44)

It is important to note that page 63 of the final 2036 Plan states that all controls shown in the 'Implementing the Plan' section are **indicative** only, however this is still subject to consideration of the Section 9.1 Ministerial Directions.

The Plan introduced a Special Infrastructure Contributions rate which now applies to all new residential and mixed-use residential development in the area.

Special Infrastructure Contributions

As part of the final 2036 Plan, the Special Infrastructure Contribution (SIC) applies to this area of St Leonards and Crow's Nest but only for the residential development component.

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Section 9.1 Ministerial Directions

All Planning Proposals are required to address Section 9.1 Ministerial Directions, where they are applicable to the site. However, in this instance Ministerial Direction 1.13 is relevant because it specifically deals with the implementation of St Leonards and Crow's Nest 2036 Plan.

It states that Planning Proposals **may be inconsistent with the Plan** if it can be demonstrated that **the inconsistency is of minor significance while still achieving the vision, objectives and actions identified in the Plan.**

Local Strategic Planning Statement

Council's adopted *Local Strategic Planning Statement (AT-12)* outlines a 20-year vision, planning priorities and actions for land use in Lane Cove. The LSPS came into force on 30 March 2020 and was published to the NSW Planning Portal website.

This Statement and other relevant documents must now be used to inform future amendments to Council's Local Environmental Plan and Development Control Plan.

Local Housing Strategy

Council's adopted Local Housing Strategy (LHS) provides an evidence-based framework that informs how and where residential development is planned to be delivered in the LGA for the next 20 years.

Because the Planning Proposal involves mixed use development with a residential component, this Strategy (**AT-13**) is relevant.

PROPOSAL

The proponent-led Planning Proposal seeks the following amendments to Lane Cove LEP 2009 for the subject site:-

- Rezone the site from E2 Commercial Centre to MU1 Mixed Use.
- Increase the floor space ratio controls from 2:1 & 6:1 to 14.7:1,
- Increase the Height of Building controls from 15 metres & 36 metres to RL196.30.
- Require any building on the land to have a non-residential floor space ratio of 0.2:1,
- Introduce a site-specific clause to provide 12% of gross floor area as affordable housing,
- Amend existing Local Environmental Plan Design Excellence clause 7.6 to include this site.

Overall, the proposed controls would result in the following outcomes:

- A mixed-use commercial/residential podium/tower of 30 storeys (see Figure 7 for 3D concept), with a total GFA of between 24,523 sqm, including 702 sqm of ground floor retail as part of a 4-storey podium;
- Up to 242 apartments, with 36 of those to be dedicated to affordable housing in perpetuity.
- Public domain improvements including an activated through-site link along the southern boundary connecting to an on-site plaza (see Figures 8 & 9).

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

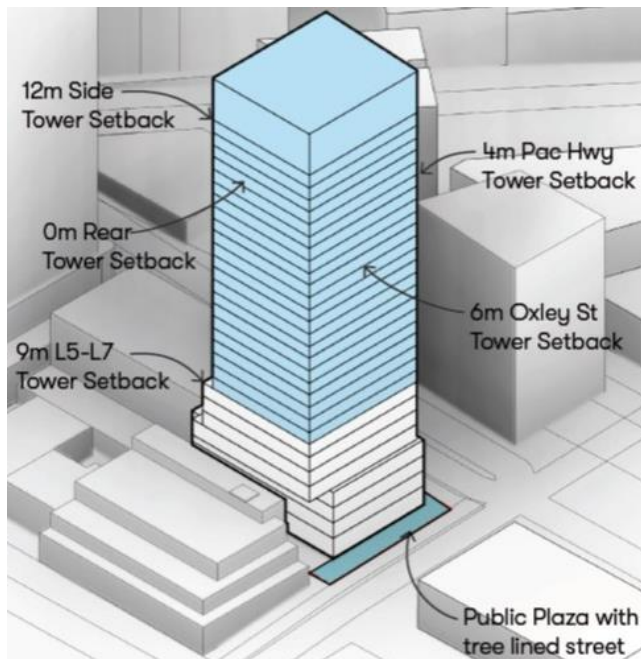
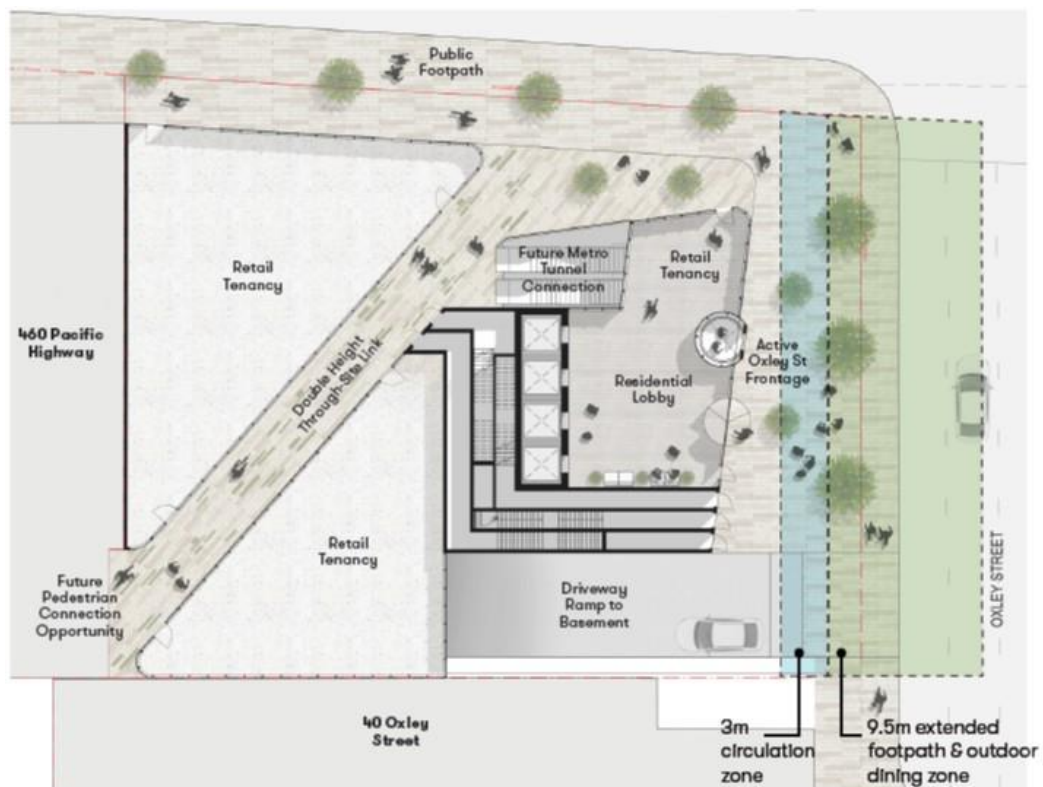


Figure 7: Concept 3D view (with setbacks)



Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

Figure 8: Proposed through-site link with Plaza

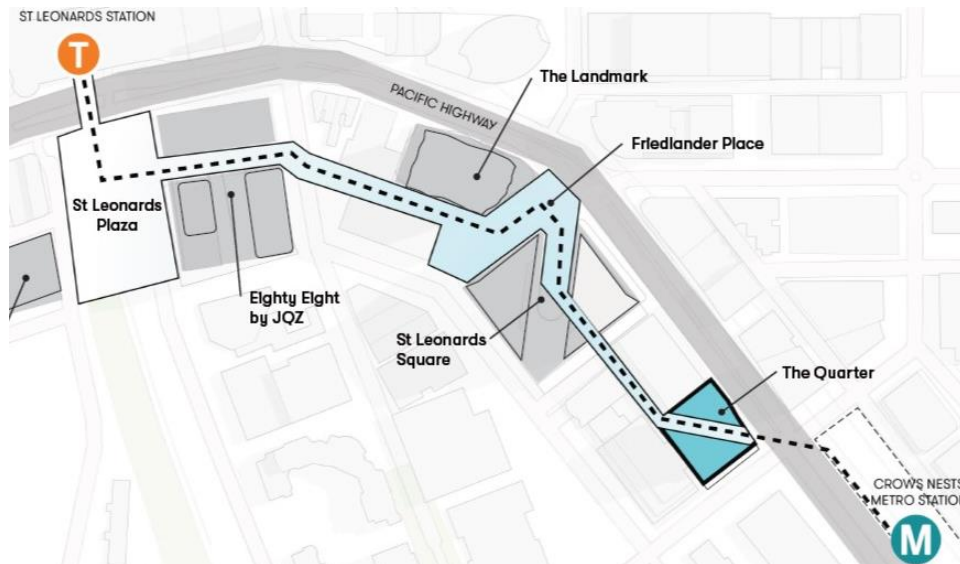


Figure 9: Connection to broader through-site links

Figure 10 shows the indicative sections of the building along Pacific Highway and Oxley Streets.

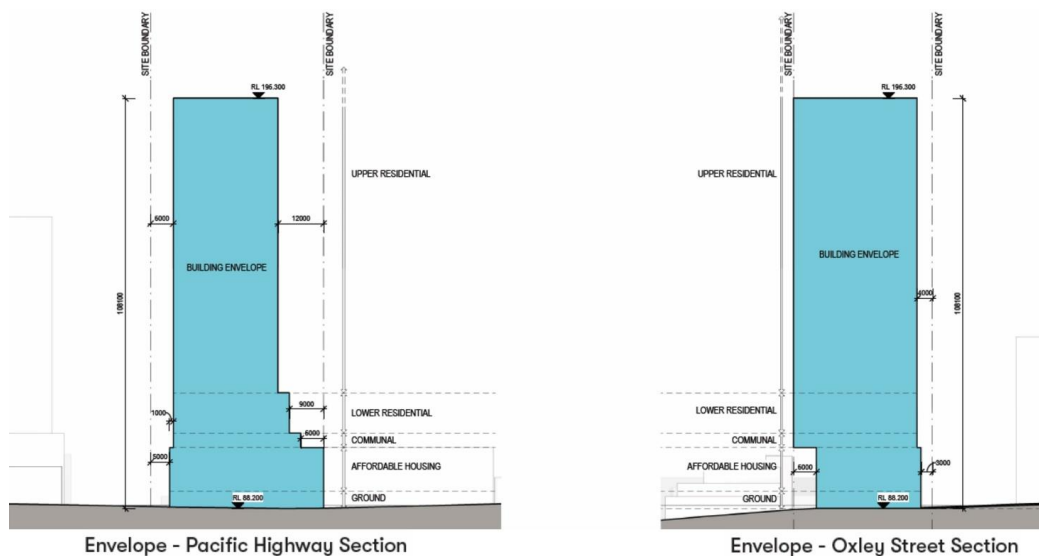


Figure 10: Pacific Highway/Oxley Street sections

DISCUSSION

A review of the proponent's amended documentation (**AT-1** to **AT-7**) indicates that they have addressed Council's concerns raised with the previous proposal see **AT-8** and **AT-9**. This report will discuss the strategic and site-specific merit requirements.

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

St Leonard's/Crows Nest 2036 Plan

S.9.1 Ministerial direction 1.13 aims “to ensure development within the St Leonard's and Crows Nest Precinct is consistent with the Plan.”

It states that Planning Proposals may be inconsistent with the Plan if it can be demonstrated that *the inconsistency is of minor significance while still achieving the vision, objectives and actions identified in the Plan.*

The inconsistencies are as follows;

- the requirement for 4:1 non-residential FSR &
- the provision of A-grade commercial floor space as the major incentive for increasing FSR in general.

The non-residential floor space ratio has been reduced which may affect employment opportunities not withstanding such this would not address the jobs target set for St Leonard's. Page 29 of the revised Planning Proposal states in support the following;

“The original Planning Proposal identified a 4:1 non-residential FSR. However further discussion with Council indicated a preference to prioritise additional affordable housing in place of commercial office uses to accommodate key workers and students to support the nearby health and education use. The proposal accommodates non-residential uses at the ground floor to provide for street activation (0.42:1 retail), with three levels of affordable housing above which will deliver around 36 affordable housing dwellings”.

It is argued that given the partial conversion of this commercial floor space to affordable housing dedicated in perpetuity is a more viable and acceptable outcome.

This option is consistent with the current NSW Government focus on “increasing the supply of affordable housing in well-located areas” in that St Leonard's is well-suited to providing accommodation for key workers in nearby health and education areas.

It is acknowledged that the current market for commercial floor space is nonexistent.

Local Strategic Planning Statement

Council's Local Strategic Planning Statement (LSPS) contains a series of Planning Principles for the future location of additional housing and supporting actions.

Two key principles from the Statement are relevant:

- “Consolidate housing around Strategic (St Leonards train station) and Local (Lane Cove Village/Plaza) centres to achieve transit orientated development”; and
- “**Locate higher density housing types within a 5 minute walk** (400 metre radius) of the St Leonards Strategic Centre (train station) and **Crows Nest Metro Station** but not at the expense of the attraction and growth of jobs, retailing and services in existing B3 Commercial Core zoned land” (page 30 of **AT-12**).

The amended proposal is consistent with these principles as the site is directly across the road from the Crows Nest Metro Station and is within 400 metres of the existing St Leonard's train station.

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

The previous quantum of affordable housing was not considered sufficient. After investigating alternatives, the applicant has argued that in lieu of providing a 4:1 non-residential floor space that majority of this space be used solely for the purposes of affordable housing. This would allow ground floor retail with 3 levels being used for affordable housing equaling 36 dwellings.

This approach is now consistent with Council's LSPS action to "*explore options and investigate opportunities for the provision and/or development of affordable/key worker housing*" (page 33 of **AT-12**).

In summary the proposal is now considered consistent with Council's LSPS principles for additional housing and actions for affordable housing.

Local Housing Strategy

One action is related to this proposal, as follows:

*"Only pursue planning proposals or other planning framework changes in the Lane Cove LGA if they include a principal affordable housing purpose and are consistent with Council's 'Principles for the location of additional housing' in its Local Strategic Planning Statement" (page 95 of **AT-13**).*

Given the substantial amount of affordable housing being provided in perpetuity, directly across the road from the Crows Nest Metro station, the proposal is consistent with this action.

Regarding site-specific merit, the issues are as follows:

- the natural environment (including known significant environmental values, resources or hazards).
- The traffic generation has now been assessed and is considered acceptable.
- A new wind impact study has indicated no unacceptable wind conditions.
- The reduction to 30 storeys has resulted in improved overshadowing outcomes (see Figure 11) that are consistent with the 2036 Plan recommendations of no additional overshadowing between the hours of 10am to 3pm.
- Views impacts on nearby buildings have been assessed, the revised design aims to provide an acceptable level of view sharing.

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS



Figure 11: Overshadowing impacts

- The proposal clearly responds to the imminent opening of the Crows Nest Metro station. By providing housing in the vicinity of the Metro, it responds appropriately to the principle of a TOD. In equal measure, the proposal is required to respond to the future arrival of commuters living within a reasonable distance needing employment close to the Metro.
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision. Likewise, the Metro is the most important infrastructure this proposal is responding to.

Other matters are also proposed to be addressed via an amendment to Council's Development Control Plan – to provide site-specific controls.

SUBMISSIONS

While the Gateway process does not provide for public exhibition prior to the submission to the Department Lane Cove Councils policy requires exhibition upon lodgment.

The proposal was exhibited for 28 days in April 2023. Council received 5 submissions:

- One was a request for clarification on certain matters.

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

- The other three were objecting based on height, need for open space and need to consolidate with other sites.

In response, the revised height is in line with the 2036 Plan's recommendations for building height. Council has already provided a number of new and upgraded public open space in the vicinity including Wadangari Park and Friedlander Place. The proponent is also seeking to provide a small public plaza.

While Council has previously asked about the consolidation of adjoining sites, the proponent has stated that despite discussion, no agreement can be reached. Even if the proposed development occurs, the other sites will not be isolated and could be potentially re-developed.

It is noted that the revised Planning Proposal documents in this report were not required to be re-exhibited in accordance with Council's [Community Participation Plan](#), because the environmental impact was reduced and the amendments addressed issues raised by Council and the submissions.

CONCLUSION

The revised Planning Proposal has responded to the matters raised by Council, the Local Planning Panel and the Design Review Panel.

It is important to note that the non-residential floor space has been decreased from the previous proposal. While it differs from the St Leonard's Crows Nest 2036 Plan the approach is line with the NSW Governments strategy to address housing shortages and the stock of affordable housing in and around train stations in particular the new Metro.

Council's current approach to affordable housing in its Local Environmental Plan (LEP) has been to specifically detail the exact number of dwellings that will be provided for affordable housing purposes – see [LEP clause 7.3](#). The use of 'percentages of gross floor area' is not acceptable and not consistent with Council's approach.

Council's existing [LEP clause 7.6](#) for design excellence only applies to development in the St Leonard's South area. Given the site is not within or close to this area, it would be inappropriate to amend this existing clause.

As a result, it is recommended that the Planning Proposal be amended to remove the proposed clause about design excellence entirely and amend the proposed affordable housing clause to specify the exact number of affordable housing dwellings rather than a percentage.

On balance, the proposed development achieves both merit tests.

RECOMMENDATION

Pursuant to Section 9.1 of the *Environmental Planning and Assessment Act 1979*, the Lane Cove Planning Panel at its meeting of 5 March 2024 is recommended to support Planning Proposal No. 39, with the following amendments:

A. Amendments

- Revise the site specific clause on affordable housing to replace "12% of gross floor area" with the actual number of dwellings used for affordable housing – similar to existing [LEP clause 7.3](#); and
- Not proceed with amending [LEP clause 7.6](#) (as this only applies to developments in St

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

Leonards South).

The Panel is recommended to support the amended Proposal as it will pass the Strategic Merit Test and Site-Specific Merit Test for the following reasons:

B. Amended Proposal – Passes Strategic Merit Test

Reasons

- 1) Is now consistent with the following aspects of the *St Leonards/Crows Nest 2036 Plan*:-
 - a. The 'tree-lined' vision of Oxley Street has been addressed;
 - b. The proposed height of 30 storeys complies with the Plan's recommendations;
 - c. While the FSR still exceeds the Plan's recommendations, it now complies with the Plan's recommendations for height in storeys;
 - d. The previous FSR bonus for design excellence has been removed;
 - e. 'Best practice' sustainability outcomes has been addressed and new development would be required to comply with Part S of Council's Development Control Plan;
- 2) Based on the above, the amended Planning Proposal is consistent with Section 9.1 Ministerial Direction 1.13 because it helps to deliver the vision, objectives and actions of the 2036 Plan and any inconsistencies can now be considered of minor significance.
- 3) The amended proposal is consistent with Council's *Local Strategic Planning Statement*, in particular the 'Principles for Location of Additional Housing' as it directly across the road from the new Crows Nest Metro Station.
- 4) The amended proposal is consistent with Council's *Local Housing Strategy* action to "Only pursue planning proposals or other planning framework changes in the Lane Cove LGA if they include a principal affordable housing purpose and are consistent with Council's 'Principles for the location of additional housing' in its Local Strategic Planning Statement".

C. Amended Proposal – complies with Section 3.33 of the Environmental Planning and Assessment Act

Reason:

This section of the Act deals with the preparation, explanation and justification of Planning Proposals – which requires Proposals to state whether they will give effect to both a Local Strategic Planning Statement and comply with the relevant directions under section 9.1.

Having considered the above, the amended Planning Proposal is consistent with Section 3.33 (2)(c) of the EP&A Act because the Planning Proposal will "give effect to" Council's Local Strategic Planning Statement and complies with the relevant Section 9.1 Ministerial Direction (i.e. Direction 1.13).

D. Amended Proposal – Passes Site-specific Merit Test

Reasons

- Additional studies show that traffic generation has now been assessed ;
- Access to site has been addressed;
- New wind impact study has been provided;

Lane Cove Local Planning Panel Meeting 05 March 2024
PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

- Reduction to 30 storeys has resulted in improved overshadowing outcomes, which are now consistent with the 2036 Plan recommendations.

E. Amended Proposal – now addresses all outstanding matters.

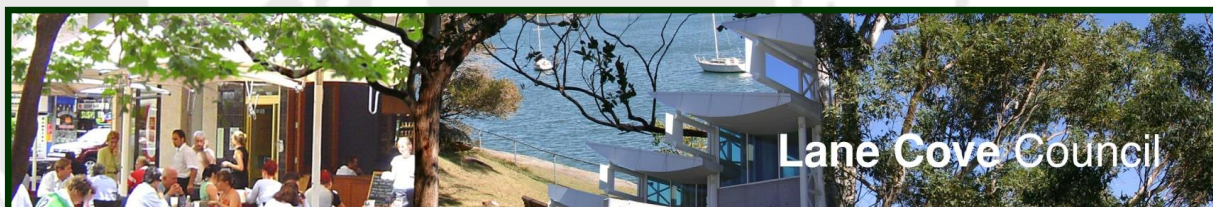
- F.** That the Council delegate to the General Manager to prepare a site-specific Development Control Plan (DCP) in conjunction with the proponent to support the Planning Proposal, to be exhibited with the Planning Proposal after Gateway Determination.

Mark Brisby
Director - Planning and Sustainability
Planning and Sustainability Division

ATTACHMENTS:

AT-1 View	Revised Planning Proposal	81 Pages	Available Electronically
AT-2 View	Appendix A - Revised Urban Design Study	77 Pages	Available Electronically
AT-3 View	Appendix B - Revised Traffic Study	16 Pages	Available Electronically
AT-4 View	Appendix C - Traffic Modelling Summary	13 Pages	Available Electronically
AT-5 View	Appendix D - Wind Impact Assessment	5 Pages	Available Electronically
AT-6 View	Appendix F - Response to Council RFI	30 Pages	Available Electronically
AT-7 View	Further responses to Council's queries	2 Pages	Available Electronically
AT-8 View	Previous Local Planning Panel Report	28 Pages	Available Electronically
AT-9 View	Previous Local Planning Panel Advice	5 Pages	Available Electronically
AT-10 View	Final minutes of Design Review Panel - March 2023	6 Pages	Available Electronically
AT-11 View	Final St Leonards and Crows Nest 2036 Plan - August 2020	80 Pages	Available Electronically
AT-12 View	Local Strategic Planning Statement - March 2020	83 Pages	Available Electronically
AT-13 View	Adopted Local Housing Strategy	98 Pages	Available Electronically

Minutes
Lane Cove Local Planning Panel Meeting
5 March 2024



**Lane Cove Local Planning Panel 5 March 2024
MINUTES**

PRESENT: Ms Louise Byrne, Chairperson, Mr David Ryan, Planning Expert, Ms Kim Crestani, Planning Expert and Mr David Risbey, Community Representative

ALSO PRESENT: Mr Mark Brisby, Director Planning and Sustainability, Mr Christopher Pelcz, Co-ordinator Strategic Planning and Ms Angela Panich, Panel Secretary

DECLARATIONS OF INTEREST: Nil

APOLOGIES

Nil

LANE COVE LOCAL PLANNING PANEL REPORTS

PLANNING PROPOSAL NO. 39 - 448-456 PACIFIC HIGHWAY, ST LEONARDS

RECOMMENDATION

Pursuant to Section 9.1 of the *Environmental Planning and Assessment Act 1979*, the Lane Cove Planning Panel at its meeting of 5 March 2024 is recommended to support Planning Proposal No. 39, with the following amendments:

A. Amendments

- The Panel supports a site specific clause for low cost housing requiring 12% of gross floor area, expressed as either a percentage or a specific number.
- ~~Not proceed with amending LEP clause 7.6 (as this only applies to developments in St Leonards South)~~

The Panel supports the amended Proposal as it will pass the Strategic Merit Test and Site-Specific Merit Test for the following reasons:

B. Amended Proposal – Passes Strategic Merit Test

Reasons

- 1) Is now consistent with the following aspects of the *St Leonards/Crows Nest 2036 Plan*:-
 - a. The 'tree-lined' vision of Oxley Street has been addressed;
 - b. The proposed height of 30 storeys complies with the Plan's recommendations;
 - c. While the FSR still exceeds the Plan's recommendations, it now complies with the Plan's recommendations for height in storeys;
 - d. The previous FSR bonus for design excellence has been removed;
 - e. 'Best practice' sustainability outcomes has been addressed and new development would be required to comply with Part S of Council's Development Control Plan;
- 2) Based on the above, the amended Planning Proposal is consistent with Section 9.1 Ministerial Direction 1.13 because it helps to deliver the vision,

This is page no. 2 of Lane Cove Council's Lane Cove Local Planning Panel Meeting Minutes held on 5 March 2024.

**Lane Cove Local Planning Panel 5 March 2024
MINUTES**

objectives and actions of the 2036 Plan and any inconsistencies can now be considered of minor significance.

- 3) The amended proposal is consistent with Council's *Local Strategic Planning Statement*, in particular the 'Principles for Location of Additional Housing' as it directly across the road from the new Crows Nest Metro Station.
- 4) The amended proposal is consistent with Council's *Local Housing Strategy* action to "Only pursue planning proposals or other planning framework changes in the Lane Cove LGA if they include a principal affordable housing purpose and are consistent with Council's 'Principles for the location of additional housing' in its Local Strategic Planning Statement".

C. Amended Proposal – complies with Section 3.33 of the Environmental Planning and Assessment Act

Reason:

This section of the Act deals with the preparation, explanation and justification of Planning Proposals – which requires Proposals to state whether they will give effect to both a Local Strategic Planning Statement and comply with the relevant directions under section 9.1.

Having considered the above, the amended Planning Proposal is consistent with Section 3.33 (2)(c) of the EP&A Act because the Planning Proposal will "give effect to" Council's Local Strategic Planning Statement and complies with the relevant Section 9.1 Ministerial Direction (i.e. Direction 1.13).

D. Amended Proposal – Passes Site-specific Merit Test

Reasons

- Additional studies show that traffic generation has now been assessed ;
- Access to site has been addressed;
- New wind impact study has been provided;
- Reduction to 30 storeys has resulted in improved overshadowing outcomes, which are now consistent with the 2036 Plan recommendations.

E. Amended Proposal – now addresses all outstanding matters.

- F. That the Council delegate to the General Manager to prepare a site-specific Development Control Plan (DCP) in conjunction with the proponent to support the Planning Proposal, to be exhibited with the Planning Proposal after Gateway Determination.

Panel Reasons:

Apart from the minor change to the proposed Amendments (see dot points above) the Panel accepts and endorses the Report prepared by the Council officers. Accordingly the Panel accepts their recommendation to support the Planning Proposal put to the meeting on 5 March 2024. Staff were present in the meeting and dealt with issues raised in the public meeting. The Panel agrees with the *Reasons* for each of the steps set out above necessary for the recommendation to move the Planning Proposal forward and does not consider any further reasons from the Panel for its decision are necessary.

This is page no. 3 of Lane Cove Council's Lane Cove Local Planning Panel Meeting Minutes held on 5 March 2024.

**Lane Cove Local Planning Panel 5 March 2024
MINUTES**

The decision of the Panel was unanimous

The meeting closed at 6.30pm

CHAIRPERSON

***** **END OF MINUTES** *****

This is page no. 4 of Lane Cove Council's Lane Cove Local Planning Panel Meeting Minutes held on 5 March 2024.

Subject: Traffic Committee - February 2024
Record No: SU1326 - 13010/24
Division: Open Space and Infrastructure Division
Author(s): Sashika Perera

Executive Summary

The Lane Cove Traffic Committee has met and submitted recommendations for Council's consideration. It is recommended that the recommendations of the Committee be adopted.

Background

The Lane Cove Traffic Committee is a requirement of Transport for NSW and is primarily a technical review committee, which provides advice to Council on matters referred to it by Council. These matters must be related to prescribed traffic control devices and traffic control facilities for which Council has delegated authority. The Committee makes has no decision-making powers, it makes recommendations for the Council to consider, but Council is not bound by the advice.

Discussion

The Lane Cove Traffic Committee Meeting was held on Tuesday, 20 February 2024.

The Agenda is included as **AT-1**. The Traffic Committee recommendations are shown in the Minutes of the Meeting, included as **AT-2**.

RECOMMENDATION

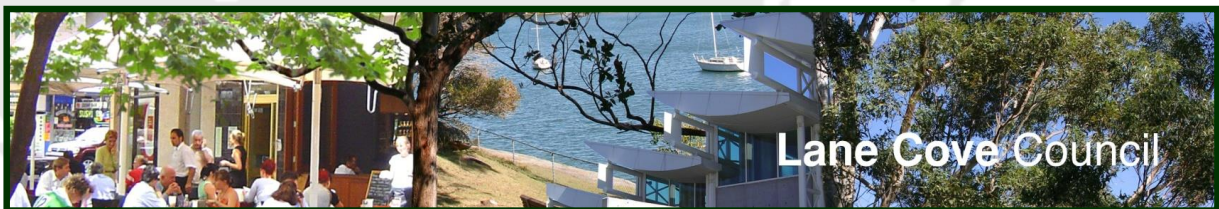
That Council adopt the recommendations of the Lane Cove Traffic Committee Meeting held on Tuesday, 20 February 2024.

Martin Terescenko
Director - Open Space and Infrastructure
Open Space and Infrastructure Division

ATTACHMENTS:

AT-1 View	Agenda - Traffic Committee - February 2024	27 Pages
AT-2 View	Minutes - Traffic Committee - February 2024	15 Pages

Agenda
Traffic Committee Meeting
20 February 2024, 10:00 AM



Traffic Committee 20 February 2024

Notice of Meeting

Notice is given of the Traffic Committee Meeting, to be held in the Council Chambers on Tuesday 20 February 2024 commencing at 10:00 AM. The business to be transacted at the meeting is included in this business paper.

**Traffic Committee 20 February 2024
TABLE OF CONTENTS**

ACKNOWLEDGEMENT OF COUNTRY

In the spirit of reconciliation, Lane Cove Council acknowledges the Traditional Custodians of the land, the Cameraygal people. We pay our respects to Elders past and present and extend that respect to all Aboriginal and Torres Strait Islander peoples today.

DECLARATIONS OF INTEREST**APOLOGIES****CONFIRMATION OF MINUTES****1. TRAFFIC COMMITTEE MEETING - 21 NOVEMBER 2023****FOR CONSIDERATION BY THE TRAFFIC COMMITTEE AND DELEGATED APPROVAL BY COUNCIL**

- 2. NICHOLSON STREET AND OXLEY STREET, ST LEONARDS - INSTALLATION OF 'GIVE WAY' SIGN AND ASSOCIATED LINE MARKINGS. 4**
- 3. BAY STREET AT WHARF, GREENWICH -INSTALLATION OF LOADING ZONE. 6**
- 4. PROPOSED IMPROVEMENTS AT PARKLANDS AVENUE 9**
- 5. NORTON LANE AT HELEN STREET, LANE COVE - INSTALLATION OF 'GIVE WAY'SIGN AND ASSOCIATED LINE MARKINGS..... 13**
- 6. RIVER ROAD WEST BETWEEN MORRICE ST AND AUSTIN STREET, LANE COVE - HIGH NUMBR OF ACCIDENTS FROM 22/12/23 TO DATE 15**
- 7. GREENWICH ROAD BETWEEN WARDROP STREET AND CHISHOLM STREET, GREENWICH - INSTALLATION OF SPEED CUSHIONS AT THE EXISTING MARKED PEDESTRIAN CROSSING 19**
- 8. NEW YEAR'S EVE CELEBERATIONS 2023 AT MANNS POINT, GREENWICH PENINSULA - BRIEF OF THE EVENT 22**
- 9. REGULATORY SIGNAGE AND LINE MARKING..... 25**

ORDERS OF THE DAY

Traffic Committee Meeting 20 February 2024
NICHOLSON STREET AND OXLEY STREET, ST LEONARDS - INSTALLATION OF 'GIVE WAY' SIGN AND ASSOCIATED LINE MARKINGS.

Subject: NICHOLSON STREET AND OXLEY STREET, ST LEONARDS - INSTALLATION OF 'GIVE WAY' SIGN AND ASSOCIATED LINE MARKINGS.

Record No: SU1326 - 5557/24

Division: Open Space and Infrastructure Division

Author(s): Sri Sritharan

Executive Summary

Council is proposing to install 'Give Way' Signs and associated line markings on Nicholson Street at Oxley Street to improve the safety at the intersection as shown in Figure 1 below.

Background

- Nicholson Street forms a T- intersection with Oxley Street. Recently Council painted Keep Clear markings in Oxley St after the approval of the Traffic Committee.
- The area of St Leonards east of railway and south of Pacific Hwy has gone through some major changes in terms redevelopment of some sites and road closures.
- Oxley Street has become a major traffic flow Street, with the recent development.

Discussion

- Onsite inspection and investigation revealed that some of the drivers are confused in terms of who has to give way to other driver at this intersection.
- The NSW Road Rules stipulate that the terminating leg must give way to the continuing leg at a T-intersection.
- An analysis of the most recent 5-year crash statistics from Transport for NSW (TfNSW), revealed no recorded crashes at the intersection of Nicholson Street and Oxley Street. Therefore, the location does not warrant the installation of 'STOP' signs.

Conclusion

It is proposed to install 'Give Way' signs and associated line markings on Nicholson Street at Oxley Street.

OFFICER RECOMMENDATION

That Council:-

Installs 'Give Way' signs and associated line markings on Nicholson Street at Oxley Street.

ATTACHMENTS:

There are no supporting documents for this report.

Traffic Committee Meeting 20 February 2024
NICHOLSON STREET AND OXLEY STREET, ST LEONARDS - INSTALLATION OF 'GIVE WAY' SIGN AND ASSOCIATED LINE MARKINGS.

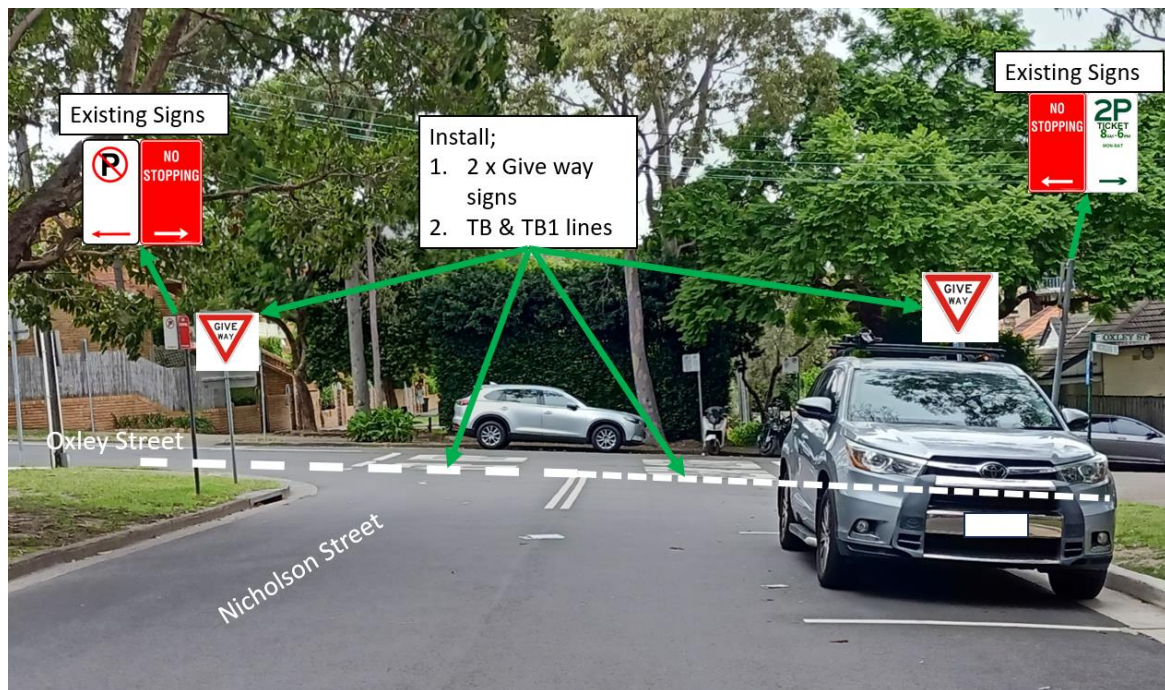


Figure 1: Proposed 'Give Way' Signs and associated line markings on Nicholson Street at Oxley Street

**Traffic Committee Meeting 20 February 2024
BAY STREET AT WHARF, GREENWICH -INSTALLATION OF LOADING ZONE.**

Subject: BAY STREET AT WHARF, GREENWICH -INSTALLATION OF LOADING ZONE.

Record No: SU1326 - 5563/24

Division: Open Space and Infrastructure Division

Author(s): Sri Sritharan

Executive Summary

Council is proposing to alter the existing 'No Stopping' zone at the rear of the Greenwich Flying Squadron building / Bay Street Wharf, to 'No Stopping' zone and 'Loading Zone' zone (2pm-10pm; Wednesdays) to facilitate for caterers to load and unload food and beverages for the functions of Greenwich Flying Squadron. The proposed signage and swept paths are shown in Figures 1 and 2 respectively.

Background

Bay Street is a narrow street with a cul de sac. The Greenwich Wharf and Greenwich Flying Squadron Building are located in the cul de sac. At rear of the building a turning bay is provided with 'No Stopping' zone so that the garbage vehicles and other vehicles can turn around.

The GFC has twilight events each Wednesday evening (during daylight saving months). The caterers for the events need to load and unload from their vehicle to deliver food and beverages. The nearest parking that is available, is too far away to carry to the events. The GFC is requesting to use this bay as a loading bay, so that the caterers can unload and load food and beverages.

Discussion

- The Traffic Team has liaised with the Council's Waste Contract Coordinator with regards to the waste collection in Bay Street. They have advised that the litter bins at wharf are collected daily and on Mondays the residential bins. The existing 'No Stopping' area needs to be maintained not for only waste collection but also for other vehicles / service vehicles to turn around in the dead-end area.
- Council's Design Engineer investigated and advised that a loading or parking bay can be provided, and this would allow other vehicles to turn around in the area. A swept path plan is shown in Figure 2 demonstrating the proposed parking bay and turning path.

Conclusion

It is recommended that the existing 'No Stopping' in the bay adjacent to the GFS building be altered to 'No Stopping' and 'Loading' zone (2pm – 10pm; Wednesdays), as per the concept plan included.

OFFICER RECOMMENDATION

That Council: -

Alter the existing 'No Stopping' in the bay adjacent to the GFS building to 'No Stopping' and 'Loading' zone (2pm – 10pm; Wednesdays) as the sketch in Figure 1.

Traffic Committee Meeting 20 February 2024
BAY STREET AT WHARF, GREENWICH -INSTALLATION OF LOADING ZONE.

ATTACHMENTS:

There are no supporting documents for this report.



Figure 2: Proposed 'No Stopping' and 'Loading Zone' on Bay Street

Traffic Committee Meeting 20 February 2024
BAY STREET AT WHARF, GREENWICH -INSTALLATION OF LOADING ZONE.

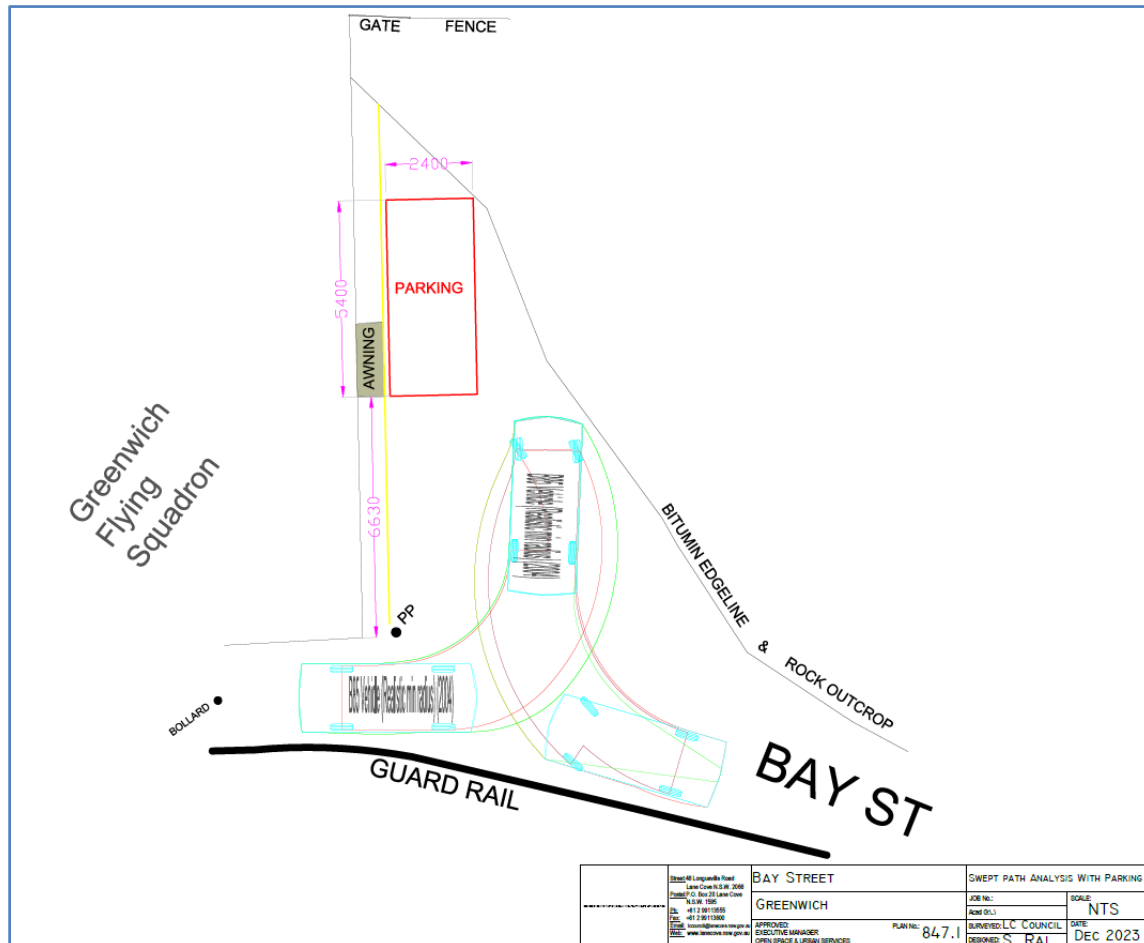


Figure 2: Swept path for B85 Vehicle

Traffic Committee Meeting 20 February 2024 PROPOSED IMPROVEMENTS AT PARKLANDS AVENUE

Subject: Proposed Improvements at Parklands Avenue

Record No: SU1326 - 6558/24

Division: Open Space and Infrastructure Division

Author(s): Sashika Perera

Executive Summary

Council undertook community consultation on proposed improvements on Parklands Avenue. The improvements are proposed due to vehicles illegally undertaking U-turns on Parklands Avenue creating an unsafe environment for motorists and pedestrians alike.

The proposed improvements include a roundabout or pedestrian refuge islands at the Parklands Avenue/Landers Road/Kara Street intersection and a short or long median on Parklands Avenue between Epping Road and Landers Road.

Concept Plans for each of the options are included in **AT-1** to **AT- 4** of this report.

Consultation indicated the majority of residents (61%) supported the roundabout option and 55% supported the short median up to the driveway of 1A Parklands Avenue.

As such, Council recommends the implementation of a roundabout at the Parklands Avenue/Landers Road/Kara Street intersection and a short median on Parklands Avenue as per the concept plans included in **AT-1** and **AT-3**.

Further to this, considering the key themes of the consultation, the Committee is to discuss marked pedestrian crossings on approaches to the roundabout and a pick up and drop off zone on Parklands Avenue.

Background

Council undertook community consultation on proposed changes on Parklands Avenue at two locations. The proposed changes are due to the number of vehicles undertaking U-turns in Parklands Avenue creating safety issues for vehicles and pedestrians.

Council is proposing changes to improve safety at two locations:

Location 1 - Parklands Avenue/Landers Road/Kara Street intersection

Location 2 - Parklands Avenue between Epping Road and Landers Road

Location 1 - Parklands Avenue/Landers Road/Kara Street intersection

To address safety concerns created by vehicles undertaking U-turns at this intersection, Council proposed two options outlined below:

Option 1: Roundabout

Option 2: Pedestrian refuges at the intersection

Traffic Committee Meeting 20 February 2024
PROPOSED IMPROVEMENTS AT PARKLANDS AVENUE
Location 2 - Parklands Avenue between Epping Road and Landers Road

Council is proposing the installation of a concrete median along Parklands Avenue. The proposed options are either a short or long median as outlined below.

Option 1: Short median - Concrete median extending from the Parklands Avenue/Epping Road/Longueville Road intersection up to the driveway of 1A Parklands Avenue. The median will stop south of the driveway and will not block right turn access in/out of the property.

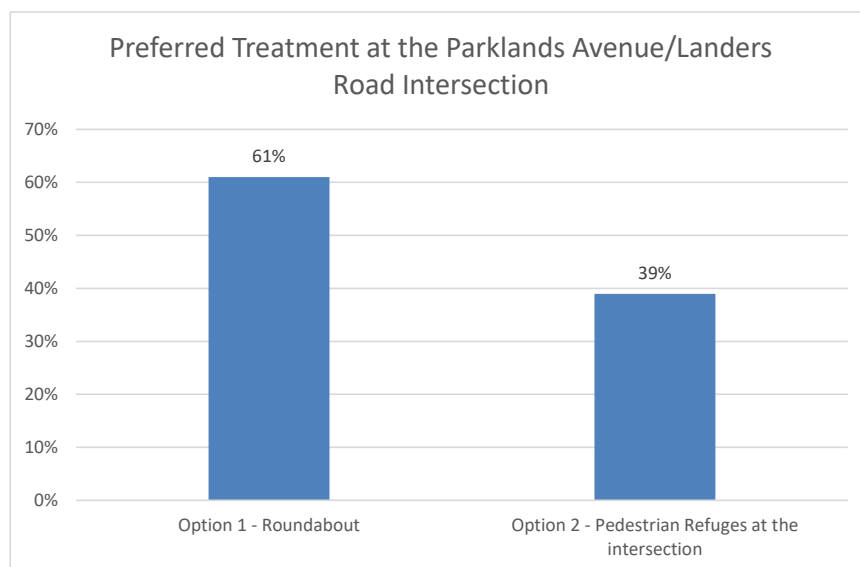
Option 2: Long median - Concrete median extending from the Parklands Avenue/Epping Road/Longueville Road intersection up to Parklands Avenue/Landers Road/Kara Street intersection. This proposed median will tie into either the roundabout or refuge island outlined above.

Discussion
Consultation Results

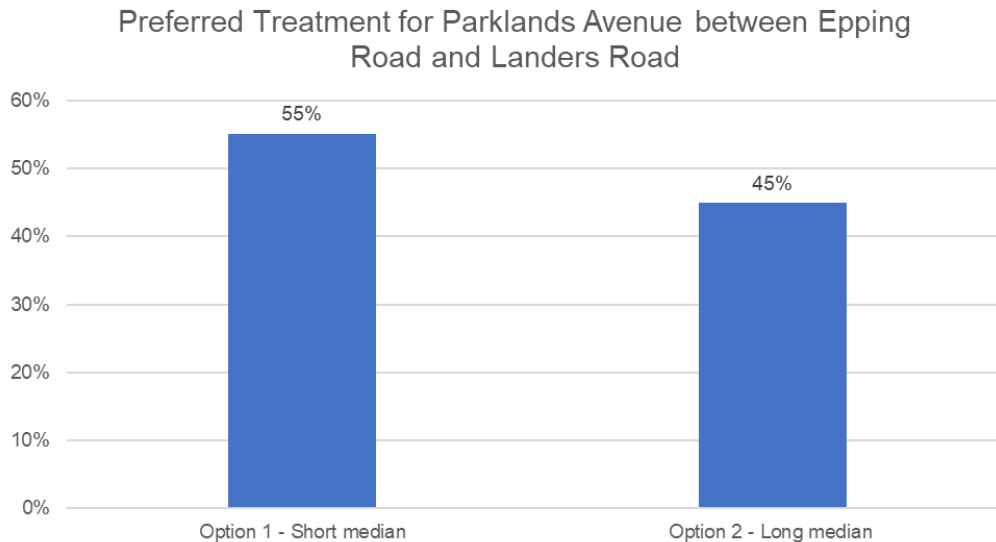
Consultation for the proposal occurred between 21 November 2023 and 29 January 2024 with 410 letters delivered to Parklands Avenue, Landers Road and Kara Street, Ralston Street and Kyong Street. Council received 118 responses making it a 29% response rate.

The consultation results indicate 61% support for a roundabout at the Parklands Avenue/Landers Road intersection and 55% support for a short median on Parklands Avenue between Epping Road and Landers Road.

A graphical representation of the results are shown below:



**Traffic Committee Meeting 20 February 2024
PROPOSED IMPROVEMENTS AT PARKLANDS AVENUE**



The consultation results indicated some recurring themes. Council's response to these are outlined below:

- ***Pedestrian crossing at the roundabout needs to be addressed;***

While it is acknowledged that roundabouts are complex structures for pedestrians, there are pedestrian refuges provided on the eastern and southern approaches of the roundabout. This will allow pedestrians to cross in stages and negotiate turning traffic.

The Committee will also consider marked pedestrian crossings on all approaches to the roundabout to provide pedestrian priority.

- ***The Epping Road/Parklands Avenue intersection is currently at capacity;***

Post implementation, Council will undertake traffic counts and assess the capacity of the intersection.

- ***The roundabout encourages U-turns;***

The roundabout facilitates U-turns to be undertaken in a safe manner. Unless the green time is increased on Longueville Road, there is no ideal solution to prevent U-turns without displacing them further north of Parklands Avenue. As such, a reasonable solution is to provide a safe U-turning facility.

- ***Vehicles dropping off patrons at the Longueville Road interchange park illegally in front of driveways;***

Council will investigate the conversion of two to three parking spaces designated as 2P; Resident Permits Excepted' to 'No Parking; 7-9am and 4-6pm M-F'. The spaces will remain as 2P; Resident Permits Excepted' outside of these hours.

<p style="text-align: center;">Traffic Committee Meeting 20 February 2024 PROPOSED IMPROVEMENTS AT PARKLANDS AVENUE</p>

- ***The green time at Longueville Road needs to be lengthened.***

Council to continue to lobby TfNSW for additional green time for the right turn from Longueville Road into Lane Cove.

Conclusion

Given the majority support for a roundabout at the Parklands Avenue/Landers Road/Kara Street intersection and a short median extending up to the driveway of 1 A Parklands Avenue, it is proposed to implement the above mentioned measures on Parklands Avenue.

Considering the key themes of the consultation, Council is to investigate a pick up and drop off zone on Parklands Avenue and the installation of marked pedestrian crossings at the roundabout.

OFFICER RECOMMENDATION

That Council:-

- Add the detailed design and construction of the roundabout at the Parklands Avenue/Landers Road/Kara Street intersection to Council's Works Program;
- Add the detailed design and construction of a short median on Parklands Avenue between Epping Road and 1A Parklands Avenue to Council's Works Program; and
- Notify affected residents of the recommendation.

ATTACHMENTS:

AT-1	View	Option 1 : Roundabout	1 Page
AT-2	View	Option 2 : Pedestrian Refuge	1 Page
AT-3	View	Option 1 : Short Median	1 Page
AT-4	View	Option 2 : Long Median	1 Page

Traffic Committee Meeting 20 February 2024
NORTON LANE AT HELEN STREET, LANE COVE - INSTALLATION OF 'GIVE WAY' SIGN AND ASSOCIATED LINE MARKINGS

Subject: NORTON LANE AT HELEN STREET, LANE COVE - INSTALLATION OF 'GIVE WAY' SIGN AND ASSOCIATED LINE MARKINGS

Record No: SU1326 - 5566/24

Division: Open Space and Infrastructure Division

Author(s): Sri Sritharan

Executive Summary

Council is proposing to install 'Give Way' Signs and associated line markings on Norton Lane at Helen Street, to improve the safety at the intersection. The proposed arrangement is shown in Figure 1.

Background

- Norton Lane forms a T- intersection with Helen Street. Norton Lane is one way street.
- Norton Lane is linked between Pacific Hwy and Helen Street and signalised at Pacific Hwy and provides access to the precinct. During peak hours the lane is busy.

Discussion

- Onsite inspection and investigation revealed that some of the vehicles are not obeying the 'Give Way' road rules at this intersection.
- The NSW Road Rules stipulate that the terminating leg must give way to the continuing leg at a T-intersection.
- An analysis of the most recent 5-year crash statistics from Transport for NSW (TfNSW), revealed no recorded crashes at the intersection of Norton Lane and Helen Street. Therefore, the location does not warrant the installation of 'STOP' signs.

Conclusion

It is recommended that 'Give Way' signs and associated line markings be provided in Norton Lane at Helen Street, as per the concept plan included.

OFFICER RECOMMENDATION

That Council:-

Installs the 'Give Way' signs and associated line markings be provided in Norton Lane at Helen Street, as per the concept plan included.

ATTACHMENTS:

There are no supporting documents for this report.

Traffic Committee Meeting 20 February 2024
NORTON LANE AT HELEN STREET, LANE COVE - INSTALLATION OF 'GIVE WAY' SIGN AND ASSOCIATED LINE MARKINGS

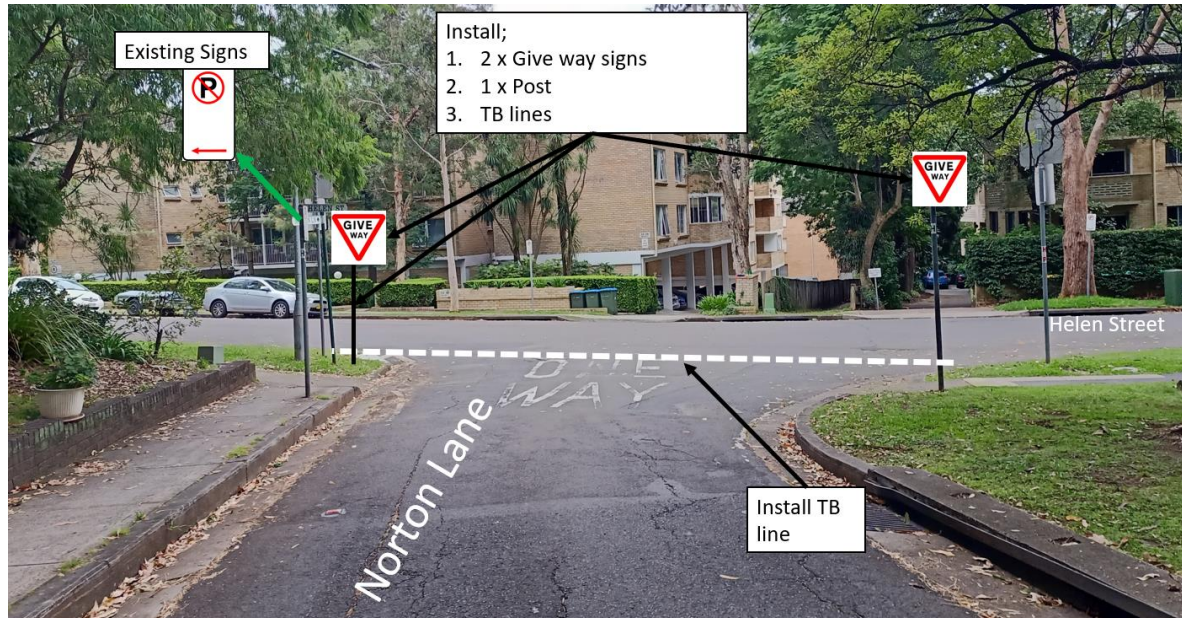


Figure 3: Give Way signs and associated line marking on Norton Lane

Traffic Committee Meeting 20 February 2024
RIVER ROAD WEST BETWEEN MORRICE ST AND AUSTIN STREET, LANE COVE - HIGH
NUMBR OF ACCIDENTS FROM 22/12/23 TO DATE

Subject: RIVER ROAD WEST BETWEEN MORRICE ST AND AUSTIN STREET, LANE COVE - HIGH NUMBR OF ACCIDENTS FROM 22/12/23 TO DATE

Record No: SU1326 - 5568/24

Division: Open Space and Infrastructure Division

Author(s): Sri Sritharan

Executive Summary

Council has been receiving report of accidents occurring on a regular basis from a resident living at River Road West and Warraroon Road, Lane Cove. There has been a total of 6 accidents during the period between 22/12/ 2023 and 23/02/2024 (5 weeks), in particular during days of wet weather. The Traffic Committee representatives of Police and Transport of NSW have been informed about these accidents.

As an interim solution, Council installed VMS signs at two locations on the 29/01/2024. One at River Road West at Barina Road for eastbound traffic and other at Austin Street for westbound traffic. The VMS has the message 'PLEASE SLOW DOWN' and 'HIGH CRASHES AREA'. It should be noted that since the installation of these VMS signs on 29/1/2024, there have been no reported accidents.

Council seeks assistance from Police and TfNSW to provide a permanent solution to prevent further accidents at this location.

Existing road conditions are shown in Photo 1 to 4.

Background

- *River Road West is a classified regional road and carries a traffic volume of more 23,000 veh/day.*
- Accident details by the resident as follows:
 - Thursday, 18 January 2024 at 7am which involved a multi car collision. Tow trucks and emergency vehicles were present;
 - Sunday, 15 January 2024 at 11pm;
 - Tuesday, 16 January 2024 at 8 am which required towing.
- Police Representative of the Traffic also provided the following details of accidents to Council :
 - 22/12/2023 – River Rd (unknown intersection) - 2 vehicle crash where details were exchanged.
 - 14/01/2024 – No information given.
 - 16/01/2024 – River Rd at Barina St - 2 vehicle crash and 3rd tried to avoid and collided with barrier. Details exchanged.
 - 18/01/2024 -River RD at Barina – 2 vehicle crash, details exchanged.

Traffic Committee Meeting 20 February 2024
RIVER ROAD WEST BETWEEN MORRICE ST AND AUSTIN STREET, LANE COVE - HIGH
NUMBR OF ACCIDENTS FROM 22/12/23 TO DATE

- 21/01/2024 – Bridge at Burns Bay – 2 vehicle crash, details exchanged.
- 23/01/2024 – No information given.

Discussion

- It appears that the installation of VMS signs is preventing the accidents at present, but this is only a temporary solution;
- Council would like to explore other solutions such as installing a large permanent sign (Slow Down, High Accidents), speed camera, Elsholz Median Kerb and a skid resistance surface.

Conclusion

Council has received complaints about crashes on River Road near Warraroon Road in particular during days of wet weather. Council has installed a VMS sign as an interim measure. There have been no crashes reported since the installation.

Council seeks feedback from TfNSW and NSW Police on permanent measures such as Elsholz Median Kerb, speed camera and skid resistance surface.

OFFICER RECOMMENDATION

That Council:-

- Discuss with the Traffic Committee long-term solutions such as the installation of a permanent electronic sign, speed camera, elsholz median kerb and skid resistance surface and whether it is eligible to apply for funding under the Safer Roads Program.

ATTACHMENTS:

There are no supporting documents for this report.

Traffic Committee Meeting 20 February 2024
RIVER ROAD WEST BETWEEN MORRICE ST AND AUSTIN STREET, LANE COVE - HIGH
NUMBR OF ACCIDENTS FROM 22/12/23 TO DATE



Photo 4: River Road looking East



Photo 2: River Road Near Barina Road

**Traffic Committee Meeting 20 February 2024
RIVER ROAD WEST BETWEEN MORRICE ST AND AUSTIN STREET, LANE COVE - HIGH
NUMBR OF ACCIDENTS FROM 22/12/23 TO DATE**



Photo 3: River Road East of Barina Road



Photo 4: River Road between Barina Road and Warraroon Road

Traffic Committee Meeting 20 February 2024
GREENWICH ROAD BETWEEN WARDROP STREET AND CHISHOLM STREET, GREENWICH
- INSTALLATION OF SPEED CUSHIONS AT THE EXISTING MARKED PEDESTRIAN
CROSSING

Subject: GREENWICH ROAD BETWEEN WARDROP STREET AND CHISHOLM STREET, GREENWICH - INSTALLATION OF SPEED CUSHIONS AT THE EXISTING MARKED PEDESTRIAN CROSSING

Record No: SU1326 - 5570/24

Division: Open Space and Infrastructure Division

Author(s): Sri Sritharan

Executive Summary

Council has received complaints from parents and residents regarding the safety at the existing raised marked pedestrian crossing in Greenwich Road. It has been reported that there have been numerous 'near misses' between vehicles and pedestrians, adjacent to shops and Greenwich Public School. A photo of Greenwich Road Looking South towards shops is attached in report. The proposed speed cushions are shown in Figure 1.

Council is proposing to install speed cushions on either side of the raised crossing.

Background

- The existing crossing is heavily used by local residents going to shops (Chemist, Post Office, IGA, bus stops etc) and children attending the school.
- The shops on westside of Greenwich Road have outdoor dining in the area which is in the extended footpath. The outdoor dining area is covered with clear thick plastic, and it does not allow a clear view between pedestrian trying to cross from westside(shops) to eastside (school) and oncoming traffic. The local shops businesses thrive on the outdoor dining with all-weather proof facility, and Council would not have the support from the local businesses to remove this facility.

Discussion

- The existing crossing is a raised crossing and has the Zig Zag line marking.
- It is suggested that speed cushions be installed just before and after crossing to prevent any accidents and improve the safety at the crossing.

Conclusion

It is recommended that speed cushions be installed before and after the crossing as per the concept plan included with the report.

Traffic Committee Meeting 20 February 2024
GREENWICH ROAD BETWEEN WARDROP STREET AND CHISHOLM STREET, GREENWICH
- INSTALLATION OF SPEED CUSHIONS AT THE EXISTING MARKED PEDESTRIAN
CROSSING

OFFICER RECOMMENDATION

That Council:-

Installs speed cushions on both approaches the crossing as per the concept plan included with the report.

ATTACHMENTS:

There are no supporting documents for this report.



Photo 1: Greenwich Road looking South

Traffic Committee Meeting 20 February 2024
GREENWICH ROAD BETWEEN WARDROP STREET AND CHISHOLM STREET, GREENWICH
- INSTALLATION OF SPEED CUSHIONS AT THE EXISTING MARKED PEDESTRIAN CROSSING

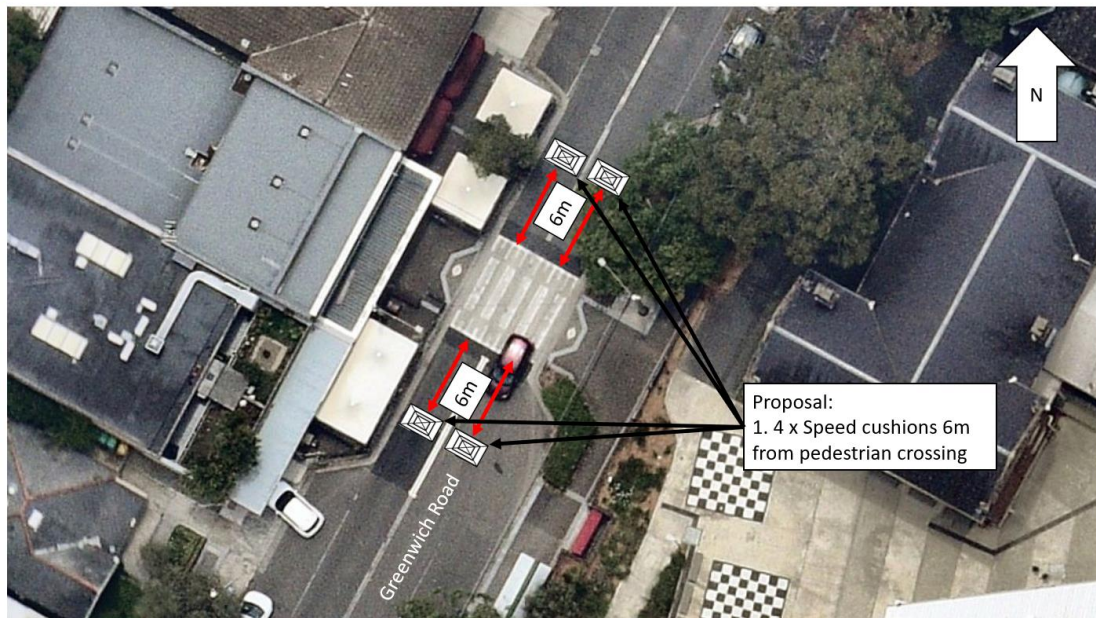


Figure 1: Proposed Speed Cushions on Greenwich Road on approach to Marked Crossing

**Traffic Committee Meeting 20 February 2024
NEW YEAR'S EVE CELEBRATIONS 2023 AT MANNS POINT, GREENWICH PENINSULA -
BRIEF OF THE EVENT**

Subject: NEW YEAR'S EVE CELEBRATIONS 2023 AT MANNS POINT, GREENWICH PENINSULA - BRIEF OF THE EVENT

Record No: SU1326 - 5749/24

Division: Open Space and Infrastructure Division

Author(s): Sri Sritharan

Executive Summary

Council has received complaints from residents regarding the road closure for the New Year's Eve Celebrations 2023 at the wrong location by the police. The Council's contractor closed the roads as per the TMP approved by the Traffic Committee, TfNSW and notification to residents. It appears that the NSW Police went to the area and closed Greenwich Road just south of Chisholm Street as this has been the practice few years ago. This has caused some confusion and inconvenience to the residents in Greenwich Peninsula. The Traffic Committee and TMP approved the road closures at the following locations,

- Gother Avenue at Manns Avenue
- George Street east of Manns Avenue
- Albert Street at George Street

Council seeks a response from NSW Police regarding the closure implemented in Greenwich Road south of Chisholm Street.

Background

The resident's complaints are as follows,

1. *I am writing to complain about the inaccurate information provided by Council concerning road closures at Greenwich point on New Years Eve.*

As a resident of Greenwich, it is annoying not to be able to move around our suburb freely - but we understand that crowd and traffic control measures need to be implemented on big nights like this.

Earlier in the day we checked the information on your website, and noted the roadside LED sign that stated the closure of George and Albert St and made plans to attend a function down at the point accordingly. On the way to our function, we were stopped at a police barricade at the corner of Bay St and Greenwich Rd and be told that the only way in was to walk.

By this time there was nowhere left to park, and we were forced to drive home. We then had to walk carrying platters of food and bottles and arrived an hour later than planned. If we had the correct information, we could have dropped off our stuff earlier and allowed enough time to walk. Multiple people attending our function were also significantly inconvenienced.

Traffic Committee Meeting 20 February 2024
NEW YEAR'S EVE CELEBRATIONS 2023 AT MANNS POINT, GREENWICH PENINSULA -
BRIEF OF THE EVENT

2. *I wish to complain about the notifications we received from LCC regarding NYE road closures in Greenwich.*

We have had dozens of guests severely inconvenienced and angered by the road being closed at Greenwich Rd near Chisholm St.

We were notified twice in writing by Council that the closures would occur at corner of George and Albert Sts and. a one-way traffic flow would be in place along Manns Ave, George and St Lawrence Sts.

We were hosting a byo party. Our guests were unprepared for the changed closures and were forced walk, carrying all their catering, all the way down to Greenwich Point. I hope you can imagine me how unpleasant a start to their evening this was. Please reassure me that this miscommunication will NEVER happen again.

In the past we have been able to warn guests and make arrangements for food to be delivered earlier and pickups arranged for less mobile guests.

3. *The TMP was circulated around our neighbourhood by the LCC, and we noted in particular that the western side of George Street after the intersection with Manns Avenue was unblocked and open to vehicles. Under the TMP, in order to exit George Street a vehicle was required to go left up St Lawrence Street which had been converted into a northbound one way.*

On this basis we planned a NYE dinner at our house for 18 guests and ensured that there was sufficient parking available around our house at the western end of George Street.

However, a police blockade was erected further up Greenwich Road near the intersection with Chisholm Street at 6pm on the 31st of December with no prior warning or notification. Our guests were informed by the police that they could not proceed further down Greenwich Road into Manns Avenue to turn left at the intersection with George Street which the TMP had marked as unblocked in order to drive to our house. They were told by the police that they had strict instructions to only allow residents to go through to Greenwich Point which contradicted the TMP. Our guests, some of whom were over 70 and were carrying food for the dinner, were compelled to park over a kilometre away from our house and walk. In order to avoid this, I had to drive up to the police blockade and pick them up on a number of occasions.

I would appreciate it if you could please investigate the circumstances which led to the unapproved police blockade contrary to the TMP.

If this is likely to occur in future years, there should be an exemption for residents and their guests. We would be happy to provide the police in advance with a list of our guests.

Discussion

Traffic Committee Meeting 20 February 2024
NEW YEAR'S EVE CELEBRATIONS 2023 AT MANNS POINT, GREENWICH PENINSULA -
BRIEF OF THE EVENT

The New Year's Eve Celebrations at Manns Point, Greenwich had a practice of closing the area just south of Chisholm Road. Following complaints from the residents regarding inconvenience the TMP was reviewed and the road closures were changed. The amended TMP has been in place from December 2020 where the roads were closed at the following locations:

- Gother Avenue at Manns Avenue
- George Street east of Manns Avenue
- Albert Street at George Street

This arrangement worked well with minimal complaints from residents.

Conclusion

The comments from the residents regarding the road closure be noted and NSW Police be advised to Close the roads as per approved TMP by the Traffic Committee and TMP.

OFFICER RECOMMENDATION

That:-

NSW Police provide a response to the road closure implemented in Greenwich Road south of Chisholm Street.

ATTACHMENTS:

There are no supporting documents for this report.

Traffic Committee Meeting 20 February 2024 REGULATORY SIGNAGE AND LINE MARKING

Subject: Regulatory Signage and Line Marking
Record No: SU1326 - 6856/24
Division: Open Space and Infrastructure Division
Author(s): Hasir Subaib

Executive Summary

The purpose of the report is to seek approval for the implementation regulatory signposting and line marking changes at various locations in Lane Cove Council.

Background

These are minor traffic and parking issues forwarded to Council for its consideration and, if appropriate, it will be actioned. The action is typically implementation of regulatory signposting, pavement marking and line marking.

Discussion

The implementation of the signposting and line marking improve compliance with road rules and thereby improve road safety, motor vehicle access to properties and aid the construction of new development by supporting safe use of the adjacent road space. The regulatory signposting and line marking changes implemented since the last Local Traffic Committee meeting are outlined in the Table 1.

No.	Location	Issue	Proposed Changes
01/2024	Kimberley Avenue at Mafeking Ave, Lane Cove	Missing No Stopping sign at the intersection	Installation of new No Stopping Sign (Figure 1)
02/2024	Osborne Road, Osbornes	The approximately 10.5m strip between 14 and 16 Osborne Road in Osborne is too narrow for two cars to park comfortably. When cars do park there, they obstruct access to driveways.	Reduce the length of the Existing 2-hour Parking zone (8am-6pm; Mon-Fri; Permit Holders Excepted; Zone 4) by 1m on either side to allow only one vehicle to park (Figure 2)

Table 1 -Regulatory signposting and line marking changes.

Diagrams for each location showing the regulatory signposting and line marking changes implemented since the last Local Traffic Committee meeting are provided in AT-1.

Conclusion

The implementation of the signposting and line marking improves compliance with road rules and thereby improve road safety and motor vehicle access to properties and aid the construction of new development by supporting the safe use of the adjacent road space.

Council has allocated funding for the implementation of regulatory signposting and line marking in its 'Roads & Traffic Signs' and 'Traffic Facilities – Repair and Maintenance'.

White driveway line marking, and work zone signage are funded through a fee paid by the applicant

**Traffic Committee Meeting 20 February 2024
REGULATORY SIGNAGE AND LINE MARKING**

OFFICER RECOMMENDATION

That Council: -

- Implements the signposting and line marking changes at various locations in the Local Government Area as shown in Figures 1 and 2.

ATTACHMENTS:

There are no supporting documents for this report.



Figure 1: Stopping on Kimberley Avenue

**Traffic Committee Meeting 20 February 2024
REGULATORY SIGNAGE AND LINE MARKING**

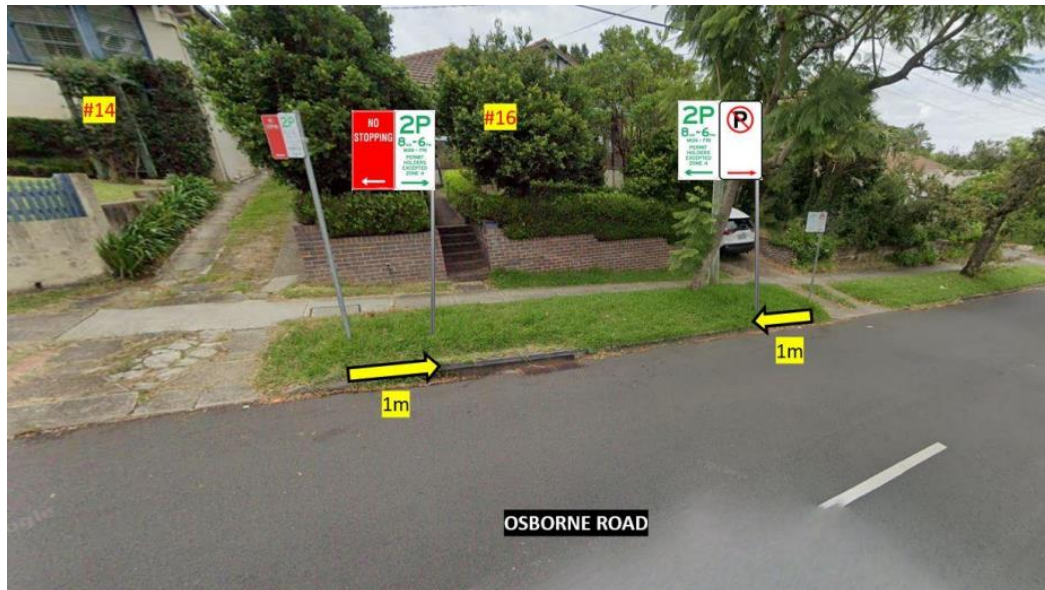


Figure 2: Relocation of Existing Parking Sign

Traffic Committee 20 February 2024
MINUTES

Minutes
Traffic Committee Meeting
20 February 2024, 10:00 AM

All minutes are subject to confirmation at a subsequent meeting and may be amended by resolution at that meeting.



This is page no. 1 of Lane Cove Council's Traffic Committee Meeting Minutes held on 20 February 2024.

**Traffic Committee 20 February 2024
MINUTES**

ATTENDEES

Samantha Morley	Traffic Engineering Officer – Transport for NSW
Samantha Sholkie	Senior Constable - North Shore LAC NSW Police
Sebastian Szewcow	Assets Manager - Lane Cove Council
Sashika Perera	Coordinator Traffic & Transport - Lane Cove Council
Sri Sritharan	Traffic Engineer – Lane Cove Council
Andrew McDonald	Road Safety Officer – Lane Cove Council
Vladimir Kotlyar	Senior Ranger - Lane Cove Council
Jad El Abeid	Ranger - Lane Cove Council
Hasir Suhaib	Traffic Officer - Lane Cove Council

APOLOGIES

Ben Cantor	Busways
Rory Burke	Local Member Representative

DECLARATIONS OF INTEREST

NONE

CONFIRMATION OF MINUTES OF TRAFFIC COMMITTEE - 21 NOVEMBER 2023**DECISION**

That the minutes of the Traffic Committee meeting held on the 21 November 2023 be confirmed and accepted.

This is page no. 2 of Lane Cove Council's Traffic Committee Meeting Minutes held on 20 February 2024.

**Traffic Committee 20 February 2024
MINUTES**

FOR CONSIDERATION BY THE TRAFFIC COMMITTEE AND DELEGATED APPROVAL BY COUNCIL

ITEM 1 - NICHOLSON STREET AND OXLEY STREET, ST LEONARDS - INSTALLATION OF 'GIVE WAY' SIGN AND ASSOCIATED LINE MARKINGS.

Executive Summary

Council is proposing to install 'Give Way' Signs and associated line markings on Nicholson Street at Oxley Street to improve the safety at the intersection.

DISCUSSION

All Traffic Committee voting members supported the recommendation.

COMMITTEE RECOMMENDATION

That Council:-

- Install 'Give Way' signs and associated line markings on Nicholson Street at Oxley Street.

ITEM 2 - BAY STREET AT WHARF, GREENWICH -INSTALLATION OF LOADING ZONE.

Executive Summary

Council is proposing to alter the existing 'No Stopping' zone at the rear of the Greenwich Flying Squadron building / Bay Street Wharf, to 'No Stopping' zone and 'Loading Zone' zone (2pm-10pm; Wednesdays) to facilitate caterers to load and unload food and beverages for the functions of Greenwich Flying Squadron.

DISCUSSION

All Traffic Committee voting members supported the recommendation.

COMMITTEE RECOMMENDATION

That: -

- The existing 'No Stopping' in the bay adjacent to the GFS building be altered to 'No Stopping' and 'Loading' zone (2pm – 10pm; Wednesdays) as per the sketch included in the Agenda.

This is page no. 3 of Lane Cove Council's Traffic Committee Meeting Minutes held on 20 February 2024.

**Traffic Committee 20 February 2024
MINUTES**

ITEM 3 - PROPOSED IMPROVEMENTS AT PARKLANDS AVENUE**Executive Summary**

Council undertook community consultation on proposed improvements on Parklands Avenue. The improvements are proposed due to vehicles illegally undertaking U-turns on Parklands Avenue creating an unsafe environment for motorists and pedestrians alike.

The proposed improvements include a roundabout or pedestrian refuge islands at the Parklands Avenue/Landers Road/Kara Street intersection and a short or long median on Parklands Avenue between Epping Road and Landers Road.

Concept Plans for each of the options are included in **AT-1** to **AT-4** of the Agenda

Consultation indicated the majority of residents (61%) supported the roundabout option and 55% supported the short median up to the driveway of 1A Parklands Avenue.

As such, Council recommends the implementation of a roundabout at the Parklands Avenue/Landers Road/Kara Street intersection and a short median on Parklands Avenue as per the concept plans included in **AT-1** and **AT-3** in the Agenda.

Further to this, considering the key themes of the consultation, the Committee is to discuss marked pedestrian crossings on approaches to the roundabout and a pick up and drop off zone on Parklands Avenue.

DISCUSSION

- The Committee discussed pedestrian safety at the proposed roundabout;
- TfNSW agreed with the installation of marked pedestrian crossings on approaches with high pedestrian demand;
- An amended design of the roundabout with pedestrian crossings is to be submitted to a subsequent Traffic Committee;
- Lighting will be considered as part of the detailed design;
- Consulted residents expressed the desire for a designated pick-up and drop-off zone near the median during morning peak hours;
- Council to investigate the installation of 'No Parking; 7-9am and 4-6pm' on Parklands Avenue with 2P; Resident Parking Permits Exempted' at all other times.
- TfNSW approval needed for Traffic Signals phasing at Epping Road/ Parkland Ave/ Longueville Rd intersection changed for vehicles turning right into Longueville Rd from Epping Rd.

COMMITTEE RECOMMENDATION

That Council:-

- Add the detailed design and construction of the roundabout with marked pedestrian crossings at the Parklands Avenue/Landers Road/Kara Street intersection to Council's Works Program subject to approval of the amended design at a subsequent Traffic Committee;
- Add the detailed design and construction of a short median on Parklands Avenue between Epping Road and 1A Parklands Avenue to Council's Works Program;
- Investigate the installation of 'No Parking; 7-9am and 4-6pm' on Parklands Avenue with 2P; Resident Parking Permits Exempted' at all other times;

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**Traffic Committee 20 February 2024
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- Continue to lobby TfNSW for additional green time for the right from Longueville Road into Lane Cove Town Centre; and
- Notify affected residents of the recommendation.

ITEM 4 - NORTON LANE AT HELEN STREET, LANE COVE - INSTALLATION OF 'GIVE WAY'SIGN AND ASSOCIATED LINE MARKINGS

Executive Summary

Council is proposing to install 'Give Way' Signs and associated line markings on Norton Lane at Helen Street, to improve the safety at the intersection.

DISCUSSION

- All Traffic Committee voting members supported the recommendation.

COMMITTEE RECOMMENDATION

That:-

- 'Give Way' signs and associated line markings be provided in Norton Lane at Helen Street, as per the sketch included in the Agenda.

ITEM 5 - RIVER ROAD WEST BETWEEN MORRICE ST AND AUSTIN STREET, LANE COVE - HIGH NUMBR OF ACCIDENTS FROM 22/12/23 TO DATE

Executive Summary

Council has been receiving report of accidents occurring on a regular basis from a resident living at River Road West and Warraroon Road, Lane Cove. There has been a total of 6 accidents during the period between 22/12/ 2024 and 23/01/2024 (5 weeks), in particular during days of wet weather. The Traffic Committee representatives of Police and Transport of NSW have been informed about these accidents.

As an interim solution, Council installed VMS signs at two locations on the 29/01/2024. One at River Road West at Barina Road for eastbound traffic and other at Austin Street for westbound traffic. The VMS has the message 'PLEASE SLOW DOWN' and 'HIGH CRASHES AREA'. It should be noted that since the installation of these VMS signs on 29/1/2024, there have been no reported accidents.

Council would like to explore other solutions such as installing a large permanent sign (Slow Down, High Accidents), speed camera, Elsholz Median Kerb and a skid resistance surface.

Council seeks assistance from Police and TfNSW to provide a permanent solution to prevent further accidents at this location.

DISCUSSION

- Advisory signage to be considered as an interim solution rather than the VMS;
- TfNSW agreed with all of the above long term measures and that Council can make

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**Traffic Committee 20 February 2024
MINUTES**

- an application for funding under the Safer Roads Program; and
- TfNSW stated that they will make an application for a speed camera with Centre for Road Safety but will depend on the criteria such as number and severity of crashes and traffic volumes.

COMMITTEE RECOMMENDATION

That Council:-

- Submit an application under the Safer Roads Program inclusive of installation of a permanent electronic sign, speed camera, elsholz median kerb and skid resistance surface;
- As an interim solution, install advisory signage indicating the site is a high crash area;
- Request the TfNSW representative to apply to the Centre for Road Safety for the installation of a speed camera.

**ITEM 6 - GREENWICH ROAD BETWEEN WARDROP STREET AND CHISHOLM STREET,
GREENWICH - INSTALLATION OF SPEED CUSHIONS AT THE EXISTING MARKED
PEDESTRIAN CROSSING****Executive Summary**

Council has received complaints from parents and residents regarding the safety at the existing raised marked pedestrian crossing in Greenwich Road. It has been reported that has been numerous 'near misses' between vehicles and pedestrians, adjacent to shops and Greenwich Public School.

Council is proposing to install speed cushions on either side of the raised crossing.

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DISCUSSION

- TfNSW and NSW Police were unaware of locations where speed cushions were used in other Council areas;
- Examples of speed cushions on the approach to crossings or speed calming devices such as roundabouts include:
 - Ninth Ave at Fourth Avenue, Campsie;
 - Eastern Road at Tennyson Avenue, Turrumurra (pedestrian crossing);
 - Eastern Road at Brentwood Avenue, Turrumurra (Roundabout);
 - Junction Road at Grosvenor Street, Wahroonga (Roundabout)
 - Rosenthal Avenue at The Canopy, Lane Cove (Roundabout).
- Photos are included below.
- Raising the existing crossing further was considered however, the crossing height meets the standard as it is a bus route.
- Speed cushions should be placed on both approach and departure lanes, as cars might attempt to circumvent them if they're only on the approach, causing interference with opposing traffic flow.

Brentwood Ave at Eastern Road, Turrumurra**Eastern Road at Tennyson Road North Approach, Turrumurra**

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Eastern Road at Tennison Road South Approach, Turramurra



Junction Road at Grosvenor Street, Wahroonga

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Ninth Ave at Fourth Ave, Campsie



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COMMITTEE RECOMMENDATION

That Council:-

- Install speed cushions on both approaches the crossing as per the sketch provided in the Agenda, and monitor the area.

ITEM 7- NEW YEAR'S EVE CELEBRATIONS 2023 AT MANNS POINT, GREENWICH PENINSULA - BRIEF OF THE EVENT**Executive Summary**

Council has received complaints from residents regarding the road closure for the New Year's Eve Celebrations 2023 at the wrong location by the police. The Council's contractor closed the roads as per the TMP approved by the Traffic Committee, TfNSW and notification to residents. It appears that the NSW Police went to the area and closed Greenwich Road just south of Chisholm Street as this has been the practice few years ago. This has caused some confusion and inconvenience to the residents in Greenwich Peninsula. The Traffic Committee and TMP approved the road closures at the following locations,

- Gother Avenue at Manns Avenue
- George Street east of Manns Avenue
- Albert Street at George Street

Council seeks a response from NSW Police regarding the closure implemented in Greenwich Road south of Chisholm Street.

DISCUSSION

- Council's Senior Ranger confirmed that NSW Police were present on New Years Eve and had closed off Greenwich Road south of Chisholm Street. However, NSW Police rep was not aware of this incident.

COMMITTEE RECOMMENDATION

That:-

- NSW Police provide a response to the incorrect New Years Eve road closure implemented in Greenwich Road south of Chisholm Street.

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**Traffic Committee 20 February 2024
MINUTES**

RESPONSE FROM NSW POLICE TRAFFIC SUPERVISOR

'I was not aware that closures at Bay Road/Greenwich Road were enacted during the evening on 31/12/23.

The Sector Commander was provided a copy of the TMP and a set of instructions.

The closure of Bay Road is left as a contingency for the determination of the Sector Commander. The closures were only to be implemented if required. This is like any other large-scale event where operational reasons may require a closure to be enacted for various reasons.

I understand these closures have caused some confusion and inconvenience on the evening'

Further clarification has been sought from NSW Police to ensure the TMP provided to the Sector Commander is the one that was approved at the November 2023 Traffic Committee.

This matter will be discussed further at the March 2024 Traffic Committee.

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ITEM 8 - REGULATORY SIGNAGE AND LINE MARKING**Executive Summary**

The purpose of the report is to seek approval for the implementation regulatory signposting and line marking changes at various locations in Lane Cove Council.

DISCUSSION

- All Traffic Committee voting members supported the recommendation.

COMMITTEE RECOMMENDATION

That Council: -

- Implement regulatory signposting and line marking changes at various locations in the Local Government Area as shown in Attachments 1 and 2 of the Agenda.

GENERAL BUSINESS ITEMS**Item 9 - Centennial Avenue, Lane Cove**

Installation of Speed Cushions on the approach to a Pedestrian Refuge

A new Pedestrian Refuge is proposed for construction on Centennial Ave, Lane Cove to accommodate increased pedestrian activity in the area. The plan initially included the installation of a pedestrian refuge along with a speed cushion, which was approved by the July 2023 Traffic Committee. However, the final design omits the speed cushion component. Council is seeking comments to TfNSW.

COMMITTEE RECOMMENDATION

That: -

- The amended design plan be approved.
- In line with the recommendation of TfNSW, the site be monitored post implementation of the pedestrian refuge to determine if speed cushions are necessary.

Item 10 - Speeding William Edward Street, Longueville

Council has been advised of speeding along William Edward Street, Longueville by a resident. In response, we have conducted a Traffic Volume and Speed Survey. Our findings indicate that the 85th percentile speed for Northbound traffic is 55.1km/h, while for Southbound traffic it is 56.7km/h.

The resident is very concerned about the high speed near the Shaw Playground. Council is seeking assistance from the police for enforcing speed limits.

COMMITTEE RECOMMENDATION

That Council: -

- Notes the NSW Police will relay the matter to highway patrol and provide feedback accordingly.

This is page no. 12 of Lane Cove Council's Traffic Committee Meeting Minutes held on 20 February 2024.

**Traffic Committee 20 February 2024
MINUTES****Item 11 - Canberra Ave, St Leonards – Loss of Accessibility Parking Space**

It has been determined that due to the construction activity in Newlands Park and anticipated heavy usage of trucks, the existing footpath on the Development side should be removed. Consequently, the accessibility parking space, situated at the location where the new footpath will be constructed, will also be removed.

Council is seeking the approval for the removal of accessible parking and construction of the new foot path on the eastern side of Canberra Ave for the safe access of pedestrians.

COMMITTEE RECOMMENDATION

That: -

- The removal of the parking space proceed, but if there is demand, the space should be relocated to a suitable location.

Item 12 – Longueville Rd, Lane Cove– Proposed Installation of Speed Humps**Background**

In response to concerns regarding drivers disregarding the 40km/h speed limit and failing to consider the high pedestrian activity in the vicinity, a proposal for installing speed humps has been put forward. Funding was provided by TfNSW under the Blackspot Program 2023/2024 to facilitate 40km/h speed limit on Longueville Road between Birdwood Ave and Central Ave. The matter was initially brought to the attention of the May 2023 LTC, proposing the installation of two raised thresholds at the intersections of Birdwood Road and Longueville Road, and Central Road and Longueville Road. Transport for NSW disagreed with the proposed locations for the thresholds, citing standards prohibiting their placement within 50m of signalised intersections.

Council agreed to relocate the thresholds 50m away from the traffic signals. Amended plans were submitted to TfNSW for comment. TfNSW requested installation of pedestrian fencing on either side of the thresholds to ensure pedestrians do not cross at these locations.

However, existing obstructions such as bollards, parking and bus stops naturally prevent pedestrians from crossing at both locations. As such, Council stated that no fencing would be required.

An onsite meeting with the TfNSW representative was conducted to discuss the requirement for fencing on 20/2/24. The TfNSW representative agreed that fencing may not be required however, requested that Council monitor pedestrian usage and safety post implementation of the thresholds. If required, pedestrian fencing can be installed at a later stage.

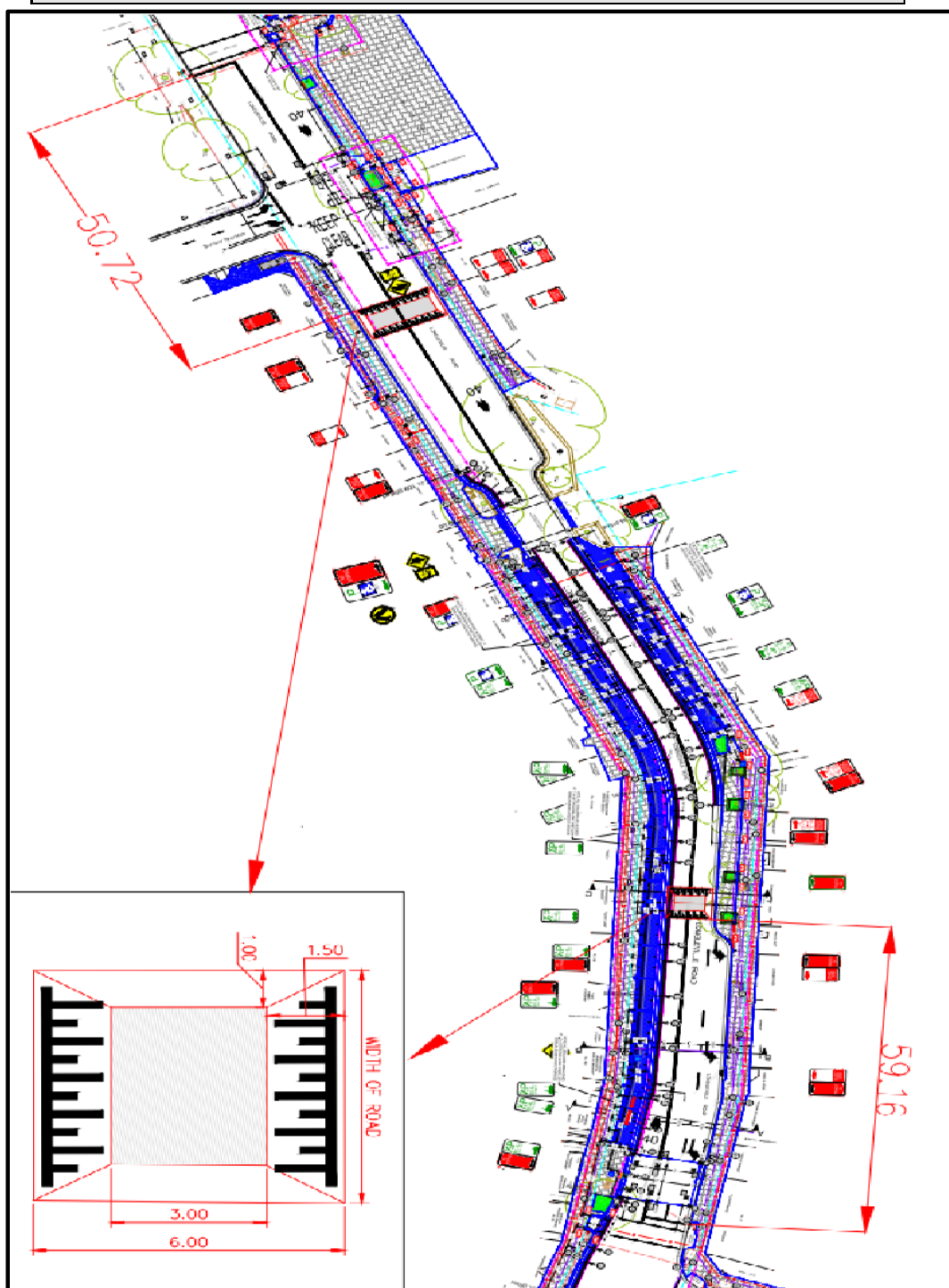
COMMITTEE RECOMMENDATION

That Council: -

- Install the two raised thresholds as per attached plan.
- Monitor pedestrian usage of the raised thresholds for further evaluation and potential adjustments.

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**Traffic Committee 20 February 2024
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CLOSE

The meeting closed at 10.40am.

Confirmed at the Lane Cove Traffic Committee Meeting of 19 March 20, at which meeting the signature herein is subscribed.

CHAIRPERSON

******* END OF MINUTES *******

This is page no. 15 of Lane Cove Council's Traffic Committee Meeting Minutes held on 20 February 2024.

Ordinary Council Meeting 21 March 2024
VARIATION TO VOLUNTARY PLANNING AGREEMENT, 472 - 504 PACIFIC HIGHWAY ST LEONARDS

Subject: Variation to Voluntary Planning Agreement, 472 - 504 Pacific Highway St Leonards
Record No: SU571 - 14271/24
Division: General Managers Unit
Author(s): David Stevens; Craig Wrightson

Executive Summary

Council has made excellent progress by utilising Voluntary Planning Agreements in relation to the four pilot projects (developments) in St Leonards. Council supported the developments to demonstrate best practice "Transit Oriented Development" supported by infrastructure, to revitalise the St Leonards commercial area. It is proposed to vary the agreement with the New Hope Group, the developer of 472 – 520 Pacific Highway, to include "The provision of community infrastructure in the St Leonards Precinct", to enable Council to deliver important community infrastructure and have it operational as the new developments in the precinct come online.

Background

Council at its meeting of 27 October 2014, resolved to enter into a Voluntary planning Agreement (VPA) with the proponents of the Planning Proposal for 472-504 Pacific Hwy, St Leonards, viz:-

"That Council

- 1. Receive and note the report; and*
- 2. Proceed with the Voluntary Planning Agreements in respect of the Planning Proposal at 472 – 520 Pacific Highway, St Leonards as set out in:-*
 - VPA Offer 504 Pacific Highway - The Trust Company Pty Ltd as custodian and agent for Charter Hall Direct Pty Ltd as trustee for the 504 Direct Trust, in combination with 500 Pacific Highway, BMAX Advisory Pty Ltd.*
 - VPA Offer 472 - 486 Pacific Highway- Leighton Properties Pty Ltd, Leighton Contractors Pty Ltd and the Owners of SP73071.*

But noting that any other public infrastructure funding not listed in the "Agreed Public Purposes" should be located within the St Leonards precinct (being the area bounded by Pacific Highway, Greenwich Road, River Road and Lithgow/Oxley Street)."

The VPA was in addition to s7.11 Developer contributions and the contribution could be used for the following purposes:-

- a. Construction of the St Leonards Rail Plaza and Bus Interchange
- b. Tenant Attraction Scheme
- c. Affordable/Key Worker Housing
- d. Enhancement of the public domain for 498 Pacific Highway, St Leonards, Friedlander Place and its surrounds

It also provided that in the event that the St Leonards Rail Plaza and Bus Interchange did not proceed, the funds could be utilised by Council for the provision of public infrastructure in the St Leonards Precinct.

Ordinary Council Meeting 21 March 2024
VARIATION TO VOLUNTARY PLANNING AGREEMENT, 472 - 504 PACIFIC HIGHWAY ST
LEONARDS

Discussion

The Voluntary Planning Agreement for 472-504 Pacific Hwy, St Leonards was one of four agreements in relation to four pilot projects (developments) which Council supported to demonstrate best practice “Transit Oriented Development” supported by infrastructure to revitalise the St Leonards commercial area by delivering new commercial, residential and retail floor space.

Council ultimately completed the Over Rail Plaza Project and also the Friedlander Place project to deliver essential community infrastructure to support the precinct. Council however did not utilise any of the Voluntary Planning Agreement funds for the Friedlander place component.

Council staff have now identified the importance of delivering Early Childhood Education Centres and other infrastructure in the precinct which will also be jointly utilised by the new developments in the St Leonards South precinct. The DCP precinct includes the dedication of two Early Childhood Education Centres (Cold Shell) to Council in two of the developments, however Council currently does not have sufficient funding to fit out the centres. This community infrastructure is important to have operational as the new developments in the precinct come online. It is therefore proposed to vary the VPA by including an additional purpose to which the funds can be utilised “The provision of community infrastructure in the St Leonards Precinct.”

There is currently in excess of \$9 million of funds surplus across the four Voluntary Planning Agreements. It is only proposed to vary the agreement with the developer of 472 – 520 Pacific Highway, as that contribution was the largest at \$21 million. It is estimated that more than \$3,000,000 will still be available for the other purposes under the Voluntary Planning Agreement once the Early Childhood Education Centre fit outs are funded.

Council staff have had discussions with New Hope Group the developer of 472 – 520 Pacific Highway who ultimately paid the Voluntary Planning Agreement funds to Council and they support varying the agreement to include the additional purpose.

In order to achieve this, it is necessary for Council to go through a public notification process.

Community Consultation

Statement of Intent

The consultation is designed to seek the community’s views on including an additional purpose which funds collected from an existing Voluntary Planning Agreement can be utilised. Any comments received will be reviewed and evaluated to determine whether or not to proceed with the change.

Method

Level of Participation	Inform	Consult
Form of Participation	Open	Open
Target Audience	Lane Cove Community and community groups	Lane Cove Community
Proposed Medium	Advertisement and eNewsletter	Public Exhibition, Website Exhibition and Survey
Indicative Timing	Timing of consultation <i>April May 2024 for six weeks</i>	Timing of consultation <i>April May 2024 for six weeks</i>

Conclusion

Ordinary Council Meeting 21 March 2024
VARIATION TO VOLUNTARY PLANNING AGREEMENT, 472 - 504 PACIFIC HIGHWAY ST
LEONARDS

Council has made excellent progress by utilising Voluntary Planning Agreements in relation to the four pilot projects (developments) which Council approved to demonstrate best practice “Transit Oriented Development” supported by infrastructure to revitalise St Leonards. By varying the agreement with the New Hope Group, the developer of 472 – 520 Pacific Highway, to include “The provision of community infrastructure in the St Leonards Precinct”, Council will be able to deliver important community infrastructure and have it operational as the new developments in the precinct come online.

RECOMMENDATION

That Council undertake community consultation to vary the purposes included in the Voluntary Planning Agreement with New Hope Group, the developer of 472 – 520 Pacific Highway to include an additional purpose, “The provision of community infrastructure in the St Leonards Precinct.”

Craig Wrightson
General Manager
General Managers Unit

ATTACHMENTS:

There are no supporting documents for this report.

Subject: Council Policies Review - Part 4
Record No: SU241 - 72554/22
Division: Corporate and Strategy Division
Author(s): Stephen Golding

Executive Summary

Council's Policy Register, located on the website, provides a full list of all policies adopted by Council. To ensure the Register continues to contain useful, relevant and current policies, Council Officers undertake reviews of all policies during the course of a Council term.

The purpose of this report is for Council to review and consider the re-adoption of the following policies as part of the ongoing policy review for the Council Term, which will extend throughout the remainder of this term:

- Use of Public Spaces by Commercial Fitness Groups and Personal Trainers Policy,
- Use of Public Open Space by Commercial Dog Walking Businesses Policy,
- Landscaping, Street Trees and Tree Preservation Policy,
- Notification of Development Applications Policy,
- Waterfront Structures Policy; and
- Car Share Parking Policy.

This is the fourth report in a series of reports to Council with policy review recommendations for adoption.

Background

The purpose of the review is to ensure that all policies are contemporary, compliant with current legislation and/or guidelines issued by State and Federal agencies, are consistent with Council's direction and reflect industry standards.

Council previously reviewed and adopted policies at the July 2017 Ordinary Council meetings.

Discussion

This report is the fourth report in a series of reports which will be presented to Council, over the course of the remaining council term, outlining the results of the review. Due to the sheer number of policies within the Policy Register, the plan is to present the revised policies to the Council gradually over the balance of the Council term, thereby providing sufficient time for the Council to review them, particularly if there are any proposed amendments.

Below is a summary of six (6) policies which have recently been reviewed. None of the policies require more than administrative amendments. *Please note each of the six (6) policies outlined below contain a hyperlink (in the heading) to the current adopted policy version which is also located on Council's website.*

[Use of Public Spaces by Commercial Fitness Groups and Personal Trainers Policy](#)

The purpose of this policy is to establish the circumstances under which Public Open Space under the care, control and management of Council may be used by commercial fitness groups and personal training businesses and the requirements for a permit to be issued.

This policy has been reviewed with administrative changes only that have enhanced the clarity of its content. **(AT-1)**.

Use of Public Open Space by Commercial Dog Walking Businesses Policy

The purpose of this Policy is to regulate the use of Public Open Space under the care, control and management of Council, by commercial dog walking businesses.

This policy has been reviewed with no amendments required. **(AT-2)**.

Landscaping, Street Trees and Tree Preservation Policy

This policy is designed to preserve and enhance the amenity and environmental sustainability of the local area through: the establishment and maintenance of street tree plantings that are sympathetic to the local environment and meet functional requirements; landscaping practices that provide a unifying element which emphasises the landscape character of Lane Cove and prioritise indigenous and native plantings; the preservation of trees and other vegetation, particularly trees of significance; planting and preservation practices that enhance the environmental sustainability of the area including the protection of existing indigenous bushland areas and the provision of wildlife corridors and habitats.

This policy has been reviewed with no amendments required. **(AT-3)**.

The purpose of this policy is to involve residents in the decision-making process when, in Council's opinion, the enjoyment of their property may be detrimentally affected by a proposed development or building after its erection.

This policy has been reviewed with administrative changes to reflect changes in the DA lodgement and approval process, that include the Local Planning Panel and the Sydney North Planning Panel. **(AT-4)**.

Waterfront Structures Policy

This policy contributes to protecting and enhancing the bushland setting of foreshores; and to provide clarity around the circumstances under which existing boatshed facilities on Council land can be retained. This Policy provides information on the approach Council will take to assessing any offer by NSW Maritime for Council to take up a lease of a waterfront structure.

This policy has been reviewed with no amendments required. **(AT-5)**.

Car Share Parking Policy

This policy aims to ensure that Car Share parking in the Lane Cove Local Government Area (LGA) is managed in a fair and equitable manner and aims to provide parking opportunities for Car Share groups, in balance with competing parking demands.

This policy has been reviewed with administrative changes, such as car share spaces within private developments which should be provided in accordance with Council's Development Control Plan (DCP) Part R **(AT-6)**.

Conclusion

The above policy reviews, inclusive of amendments and updates, ensure that the Policy Register is up to date with current practice and relevant legislation. None of the amendments or deletions are such that it is considered necessary to undertake community consultation.

RECOMMENDATION

That Council adopt the reviewed and updated policies.

Steven Kludass
Director - Corporate and Strategy
Corporate and Strategy Division

ATTACHMENTS:

AT-1	View	Draft - Use of public space by commercial fitness groups and personal trainers Policy	6 Pages	Available Electronically
AT-2	View	Draft - Use of public open spaces by commercial dog walking businesses Policy	4 Pages	Available Electronically
AT-3	View	Draft - Policy OSUS-05 Landscaping, street trees and tree preservation	8 Pages	Available Electronically
AT-4	View	Draft - Policy-ES-01 Notification of Development Applications	4 Pages	Available Electronically
AT-5	View	Draft - Policy POL ES-07 Waterfront Structures Policy	4 Pages	Available Electronically
AT-6	View	Draft - Policy OSUS-01 Car Share Parking	4 Pages	Available Electronically

Subject: Lane Cove Men's Shed Relocation
Record No: SU8375 - 13919/24
Division: Community and Culture Division
Author(s): Stephanie Kelly

Executive Summary

The Lane Cove Men's Shed is a non-profit organisation located in the car park of St Columba's Lane Cove Residential Aged Care Centre. It offers a fully equipped workshop where men can share time with each other, work on community projects, pursue their hobbies and interests, and contribute to the community by creating special projects and donated products.

Council resolved at the Council Meeting held on 21 October 2019 to work with the Men's Shed team to identify new premises due to the pending redevelopment of their existing site the St Columba's Lane Cove Residential Aged Care Centre Car Park and support the group's growth. This report describes the efforts with the Men's Shed to find a suitable space and provides an update on the Men's Shed's plans to remain in its current location for the next three years.

Background

The Men's Shed project was launched in late 1996 when Council set up a working committee. In early 1997 the team secured a Federal Government Grant to the Lane Cove Committee to further develop the Project "The Men's Shed for Health & Well Being". The Lane Cove Men's Shed has been located at St Columba's Lane Cove Residential Aged Care Centre Car Park for the past 25 years. The group has helped a wide range of local community groups and Council delivering special projects from bench seats to picture frames for the Gallery and children's toys for those in need.

The group looked at moving to a new location in Lane Cove to expand, attract new members and address a potential challenge if a proposed redevelopment of the Church premises ever occurred.

Council at its Meeting held on 21 October 2019 resolved:-

"That:-

- 1. Council staff meet with representatives from the Lane Cove Men's Shed in order to come to an agreement as to what is required, in regard to a new home for the Lane Cove Men's Shed;*
- 2. Council investigates a suitable location and building type to accommodate the requirements for the Lane Cove Men's Shed;*
- 3. A report come back to Council outlining the:-*
 - a) Requirements needed by the Lane Cove Men's Shed for a new home;*
 - b) Estimated capital and operating budget required for consideration as part of the 2020/2021 budget;*
 - c) Estimated time frame for the new home to be opened and occupied by the Lane Cove Men's Shed; and*
 - d) Options for obtaining grants to assist in funding the facility."*

A further report considered this matter on 19 April 2022, which directed staff to work with the Men's Shed to co-locate the team with the Sydney Library of Things, and the newly established Lane Cove Toy Library. The aim was to encourage joint use of the premises at 47 Burns Bay Road.

Discussion

Over the four-year period, the Council has worked with the Men's Shed Committee members to consider various relocation options. These have included:

Option 1: Old Police Station - 47 Burns Bay Road - 124-square-metre space.

The old Police Station and former Child Care Centre was the primary site identified for the Men's Shed, and works, including achieving a development consent and some repairs, have been carried out at this site in anticipation of the group taking residence there alongside the Sydney Library of Things and the newly established Lane Cove Toy Library.

Option 2: Gallery Lane Cove – 164 Longueville Road - 140 square metres

The opportunity was to enclose part of the car park area under the Gallery and create a purpose-built Shed. The size may vary depending on the requirements set by the Building Code of Australia and Access regulations. It offers an additional program of creative activation to the artist hub already located at this site.

Option 3: Old Centre House 178 Longueville Road. 120 square metres

The Ground Flood of this site was offered to the men's Shed and could have been renovated to create a more significant hall style space in combination with general maintenance to the building.

The Men's Shed have worked closely with Council to explore the options and have maintained reservations about the suitability of a village centre location. Their ideal space would be one where there is better vehicular access and offers a larger space than the existing site at St Columbas.

After various meetings to consider the options, the Men's Shed on 7th March 2024 formally advised Council that they have recently accepted an offer to continue their lease at the St Columba's facility.

As a result, the Men's Shed declined Council's relocation offer and expressed gratitude for the work done in bringing the process to this point. They acknowledge that they may have to move eventually as they will need more space to accommodate additional equipment and a proposed Women's Shed collaboration.

Council had established a Capital Budget to provide new premises of \$300,000, which included a grant of \$30,000 (with Council's contribution being the matching funding) under the NSW Government's Community Building Partnership 2022. Despite the project not proceeding at this time, the grant funds have been expended on the planning, approvals, and initial works on the premises at 47 Burns Bay Road and therefore cannot be reallocated.

It's worth noting that although the Men's Shed did not proceed with relocation at this time, they are still interested in working with the Council on projects that promote community and culture in the Lane Cove area.

Conclusion

The current relocation of the Lane Cove Men's Shed project can now be closed. Council will continue to work with the Men's Shed on community projects.

RECOMMENDATION

That Council receive and note this report.

Stephanie Kelly
Director - Community and Culture
Community and Culture Division

ATTACHMENTS:

There are no supporting documents for this report.

<p style="text-align: center;">Ordinary Council Meeting 21 March 2024 APPOINTMENT OF COMMUNITY MEMBERS TO YOUTH ADVISORY GROUP</p>
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Subject: Appointment of Community Members to Youth Advisory Group
Record No: SU119 - 11194/24
Division: Community and Culture Division
Author(s): Briony Moore

Executive Summary

Council received a report at the June 2023 Ordinary Council Meeting on draft and amended Charters for the following Committees – the Youth Advisory Group; the Theatre Space Planning Reference Group; the Age-friendly Lane Cove Advisory Committee; the Access and Inclusion Committee and the Public Art Advisory Committee.

These Committees, except for the Access and Inclusion Committee, required Council to advertise for members.

This report presents the nominations for the Youth Advisory Group for endorsement by Council.

Background

Council advertised for members of the Youth Advisory Group via the Have Your Say page on Council's website opening December 3, 2023 and closing February 18, 2024.

Council undertook extensive promotion to recruit suitably qualified young people. This promotion included:

- Flyers in lifts, on noticeboards, at libraries, at Synergy Youth Centre and in the Civic Centre
- Promoted extensively on Council social media
- Information sent to St Leonard's TAFE, Macquarie University, and local schools
- Circulated to members of Lower North Shore Youth Interagency and Lower North Shore Child and Families Interagency

Four nominations were received.

Discussion

Council's Selection Committee has reviewed the nominations and recommends that the following nominees be appointed to the Youth Advisory Group:

- Alex Vaccher
- Jacinta Mitchell
- Ryley Nolan

The fourth nominee, is not recommended for appointment to the Youth Advisory Group, as they do not meet the eligibility criteria.

It is further recommended that Council readvertise the vacancies for the Youth Advisory Group to fill vacant positions. A campaign will be run during Youth Week in April 2024.

The Youth Advisory Group Charter specifies a minimum of 7 members, with a quorum of four as this target has not been reached it is recommended that the quorum is set at 50% of the membership and the minimum membership no longer applies. This will enable the work of the Advisory Committee to commence immediately.

Conclusion

Council's Selection Committee has assessed the nominations for the Youth Advisory Group and, considering the skills, experience, and interest of the nominees, recommends that the persons nominated for the Youth Advisory Group be endorsed.

Further that Council readvertises for the Youth Advisory Group to fill vacancies.

RECOMMENDATION

That Council:

1. Endorse the following nominees for the Youth Advisory Group: Alex Vaccher, Jacinta Mitchell, and Ryley Nolan;
2. Notify all the applicants of Council's decision.
3. Amend the Charter for the Youth Advisory Committee removing the minimum number of members and fixing the quorum at 50% of current membership.
4. Commence Youth Advisory Group meetings; and
5. Call for further nominations for the Youth Advisory Group.

Stephanie Kelly
Director - Community and Culture
Community and Culture Division

ATTACHMENTS:

There are no supporting documents for this report.

<p style="text-align: center;">Ordinary Council Meeting 21 March 2024 TERMS OF REFERENCE FOR A REVIEW OF THE COUNCIL FINANCIAL MODEL IN NSW BY IPART</p>
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Subject: Terms of Reference for a Review of the Council Financial Model in NSW by IPART
Record No: SU914 - 13664/24
Division: Corporate and Strategy Division
Author(s): Don Johnston

Executive Summary

The Independent Pricing and Regulatory Tribunal (IPART) has received draft Terms of Reference (ToR) from the NSW Government to investigate and report on the financial model for NSW councils.

The draft ToR enable IPART to review Councillor and community visibility over the financial and operational performance of their councils, whether current budget and financial processes deliver value for money and whether the current funding model will sustainably support the needs of communities.

IPART sought feedback on the ToR which closes on 15 March 2024. Due to Council's Meeting cycle it was not possible to obtain Council's endorsement prior to submission. If Council wishes to make changes an update to Council's submission can be lodged. Council staff have reviewed the draft ToR and provided a response to IPART and now seek Council's endorsement of the response.

Background

In its final Report on the rate peg methodology, IPART introduced a new methodology for calculating the annual rate peg, but also identified that:

"Councils can face significant and often different challenges in managing their revenues and costs to meet their community's needs and ensure their financial sustainability. The recent COVID-19 pandemic, economic volatility, bushfires, droughts and floods, and growing climate and cyber security threats, have increased these challenges."

IPART recommended that the NSW Government commission an independent review of the financial model for councils in NSW.

The NSW Government has referred a draft ToR for the 'investigation of council financial model in NSW' to IPART and directed IPART to consult on the draft terms of reference.

This report outlines Council's submission for Council's endorsement.

Discussion

One of the recommendations arising from the IPART final report on the Review of the Rate Peg was:

That the NSW Government consider commissioning an independent review of the financial model for councils in NSW including the broader issues raised in this report.

Section 9.3 of the report outlined measures which may be of benefit to the local government framework including:

Ordinary Council Meeting 21 March 2024
TERMS OF REFERENCE FOR A REVIEW OF THE COUNCIL FINANCIAL MODEL IN NSW BY
IPART

- Better targeting eligibility criteria for rates exemptions. This would help to ensure ratepayers do not subsidise the costs of providing council services to properties where it is not justified on efficiency and equity grounds.
- Allowing councils to use the Capital Improved Value method to set the variable component of rates to ensure they can set equitable and efficient rates for all residential and business ratepayers, regardless of their property type.
- Ensuring that statutory charges reflect the efficient costs incurred by councils in providing statutory services, so councils do not need to use rates income to cover the costs of providing these services.
- Developing a mechanism to enable councils found to have insufficient base rates income to achieve financial sustainability.
- Supporting councils to serve their communities more effectively to build community trust in councils. This could include improvements in how councils undertake and implement their integrated planning and reporting.
- Alternative funding mechanisms, such as targeted grants, should be considered to support councils to provide essential social services to disadvantaged or vulnerable communities, with special attention to the unique challenges faced by rural and regional areas.
- A comprehensive state-wide evaluation of existing pensioner concessions should be conducted, along with the exploration of additional initiatives to enhance support for vulnerable ratepayers. Clear communication and proactive promotion of available assistance options offered by councils are essential.
- Methods to increase the confidence ratepayers have in the rating system should be explored, which could involve introducing additional constraints (i.e. conditions) on the rate peg.

The draft ToR **(AT-1)** do not address any of the matters raised by IPART in their final report on the Review of the Rate Peg. Instead, they appear to primarily focus on the performance of councils and the need for councils to improve and/or undertake more reporting and compliance activities, as opposed to examining the underlying adequacy of the funding models that councils are compelled to comply with. Many matters are focused on processes or capabilities without asking the fundamental question as to whether rating structures and other revenue streams are equitable or adequately fund councils.

Addressing the ToR in their current state would require significant data gathering and reporting overhead for councils during the IPART review and any findings would not address the issues facing the existing council financial model as outlined by IPART. In fact, any findings from the review could likely lead to increased reporting and compliance obligations on councils and would require significant resources to satisfy. This would actually increase pressure on council budgets and not address fundamental shortcomings and inequities in the current council financial model.

Council's submission **(AT-2)** seeks a significant revision to the ToR so the review is focused on addressing the issues with the existing council financial model as identified by IPART when recommending this review.

Conclusion

The draft Terms of reference provided to IPART by the NSW Government enabling an investigation and report on the financial model for councils in NSW do not address the issues with the existing council financial model as identified by IPART when recommending this review. Council's submission seeks changes to the ToR to focus on addressing the issues rather than potentially impose increased reporting and compliance obligations on councils and would require significant resources to satisfy.

RECOMMENDATION

That Council endorse the attached submission that has been lodged with IPART on the NSW Government's draft Terms of Reference for an 'investigation of council financial model in NSW'.

Steven Kludass
Director - Corporate and Strategy
Corporate and Strategy Division

ATTACHMENTS:

- AT-1** [View](#) Draft Terms of Reference for NSW council financial model review January 2024
- AT-2** [View](#) Council submission - Terms of Reference - Investigation of council financial model

The Hon Chris Minns MP
Premier of New South Wales



Ref: A5922499

Carmel Donnelly PSM
Chair
IPART
PO Box K35
HAYMARKET POST SHOP
NSW 1240

Re: Referral to commence review of the financial modelling of councils

Dear Ms Donnelly,

I refer the financial modelling of councils to IPART under section 12A of the *Independent Pricing and Regulatory Tribunal Act 1992* (the Act).

Enclosed are a draft terms of reference as provided to me by the Minister for Local Government. I understand that IPART will consult on the draft terms of reference in line with the requirements of the Act.

I look forward to hearing about the next steps and outcomes of this work.

Sincerely,


Chris Minns MP
Premier of New South Wales

CC: The Hon. Ron Hoenig MP, Minister for Local Government

11 / JAN / 2024

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DRAFT TERMS OF REFERENCE

Investigation of council financial model in NSW

I, the Hon. Christopher John Minns MP, Premier, under section 12A of the *Independent Pricing and Regulatory Tribunal Act 1992* (NSW), request the Independent Pricing and Regulatory Tribunal (IPART) to investigate and report on the financial model for councils in NSW.

The task

IPART should review and recommend improvements on the following matters:

- 1. The visibility of councillors and the community over the financial and operational performance of their councils**
 - Are the mechanisms for reporting on council performance clear and understood. Does the accounting code for local government provide meaningful financial information to enable councillors to understand and influence the financial and budget performance of their council. Is there a need to update the performance indicators to make them more useful for 'real time' monitoring.
 - Are councillors receiving timely and appropriate information to enable decisions on allocation of public funds in an efficient and cost effective way.
 - Are there benefits to moving to dedicated budget or expenditure review committee models to ensure budget decisions are understood by councillors and the communities they serve?
- 2. Whether the current budget and financial processes used by councils are delivering value-for-money for ratepayers and residents**
 - Is the Integrated Planning and Reporting process, currently used by councils to make budget decisions, effective in allowing councillors to engage with the community on the challenges in setting a budget and meeting service level expectations
 - How well Councils are setting service delivery standards that match revenue, managing their expenses within allocated budgets, and what opportunities exist for improvement in efficiency, service quality and sustainability.
 - How to visibly boost elected councillor accountability for council budgets and expenditure to the community
- 3. Whether the current funding model will sustainably support the needs of communities**
 - How do councils balance cash flow to manage the different (and sometimes uncertain), timeframes for revenue and grants money (including Financial Assistance Grants), coming into council
 - How effective are councils in identifying and using other revenue sources beyond grants and rates to support the needs of communities and sustainably provide services required to be delivered by councils.
 - Identify measures to put downward pressure on rates through other 'own source' revenue or closer scrutiny of expenditure.
 - Consider the needs of diverse communities and councils and protect the interests of current and future ratepayers from unnecessary impact on their cost of living

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4. **Whether councils (both councillors and staff) have the financial capacity and capability to meet current and future needs of communities.**
 - Are councils equipped with the right internal capabilities to deliver on the services which their community requires?
 - Has the Audit Mandate been successful in providing a consistent view on the accounting and risk management practices of councils?
 - Are there opportunities to look at long term expenditure and service delivery improvements by insourcing services? Where outsourcing models have been used, do they provide an efficient and effective means of meeting community needs?
 - What examples of best practice capability building and innovation could be implemented more widely?
5. **How can better planning and reporting systems improve long term budget performance, transparency and accountability to the community?**
 - How effective councils are in managing their assets and planning for future growth and renewal of assets.
 - Whether current community engagement allows for effective long-range planning and sustainable funding.
 - Whether the current framework of reporting and compliance is appropriate and effective.
6. **Any other matters IPART considers relevant.**

The review process and timeline

IPART is required to consult publicly as part of this review, including publishing a Draft Report for comment and undertaking a public hearing prior to finalising its Final Report. IPART may undertake other methods, including targeted consultation, that it considers appropriate.

IPART will provide the final report to the Minister administering the Independent Pricing and Regulatory Tribunal Act 1992 (IPART Act) and the Minister for Local Government within 12 months of receiving the final terms of reference.

The Minister administering the IPART Act will table the final report in each House of Parliament and forward a copy to the Parliamentary Librarian in accordance with section 19 of the IPART Act. Once the final report has been tabled in Parliament or earlier if requested by the Minister administering the IPART Act, IPART will publish a copy of the report on its website.

The Hon. Christopher John Minns MP
Premier

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IPART investigation of the council financial model in NSW

Lane Cove Council Submission on the Draft Terms of Reference

Council supports the work IPART is doing on the review of the rating methodology, and in considering industry feedback on the rating methodology review and welcomes the opportunity to comment on the draft Terms of Reference proposed by the NSW Government in relation to the council financial model in NSW.

The draft Terms of Reference as they stand represent a missed opportunity to address the matters raised by the Independent Pricing and Regulatory Tribunal (IPART) in its final report on the rate peg methodology. Instead, they primarily focus on the performance of councils and the need for councils to improve and/or undertake more reporting and compliance activities, as opposed to examining the underlying adequacy of the funding models that councils are compelled to comply with. Many matters are focused on processes or capabilities without asking the fundamental question as to whether rating structures and other revenue streams are equitable or adequately fund councils.

The recommendation arising from IPART's final report on the Review of the Rate Peg was:

That the NSW Government consider commissioning an independent review of the financial model for councils in NSW including the broader issues raised in this report.

That report identified that:

Councils can face significant and often different challenges in managing their revenues and costs to meet their community's needs and ensure their financial sustainability. The recent COVID-19 pandemic, economic volatility, bushfires, droughts and floods, and growing climate and cyber security threats, have increased these challenges.

Section 9.3 of the report outlined measures which may be of benefit to the local government framework, which Council would support exploration of, including:

- Better targeting eligibility criteria for rates exemptions.
- Allowing councils to use the Capital Improved Value method to set the variable component of rates to ensure they can set equitable and efficient rates for all residential and business ratepayers, regardless of their property type.
- Ensuring that statutory charges reflect the efficient costs incurred by councils in providing statutory services, so councils do not need to use rates income to cover the costs of providing these services.
- Developing a mechanism to enable councils found to have insufficient base rates income to achieve financial sustainability.
- Supporting councils to serve their communities more effectively to build community trust in councils. This could include improvements in how councils undertake and implement their integrated planning and reporting.



- Alternative funding mechanisms, such as targeted grants, should be considered to support councils to provide essential social services to disadvantaged or vulnerable communities, with special attention to the unique challenges faced by rural and regional areas.
- A comprehensive state-wide evaluation of existing pensioner concessions should be conducted, along with the exploration of additional initiatives to enhance support for vulnerable ratepayers. Clear communication and proactive promotion of available assistance options offered by councils are essential.
- Methods to increase the confidence ratepayers have in the rating system should be explored, which could involve introducing additional constraints (i.e. conditions) on the rate peg

The draft Terms of Reference for the “Investigation of council financial model in NSW” do not address any of these issues, do not examine any structural deficiencies in the funding models that councils are compelled to comply with, and do not provide any opportunity to comment on emerging issues such as the impact of ‘build to rent’ on ratepayer equity.

In this regard, the current rating legislation as it relates to ‘build to rent’ developments in NSW does not allow councils to maintain average rates per capita funding in order to service the new population. Build to rent housing is large-scale, purpose-built rental housing that is held in single ownership, rather than being sold individually via strata subdivision. As the land is not subdivided, the rating system continues to utilise the unimproved capital value (the land value). Residential multi-unit developments typically are strata titled and the strata plan is used by councils for rating purposes. Each individual unit within the strata plan is rated separately, resulting in the council receiving at least minimum rates for each strata unit. As an example, an existing build to rent development in the Lane Cove LGA consisting of 327 apartments pays \$47,000 in Council Rates. The equivalent 327 strata titled residential apartments would attract approximately \$370,000 if minimum rates were levied. This presents an inequity for existing ratepayers, who will effectively be subsidising these developments and will almost certainly present an unsustainable financial position for councils to service the growth in population.

The draft Terms of Reference instead focus on the adequacy of existing Integrated Planning and Reporting processes, the capability of council staff and councillors, and propose increased reporting and compliance frameworks to be applied to councils. While the matters raised provide an important opportunity to comment on industry-wide issues, they do not align with the issues raised by IPART and as such do not assist councils in addressing financial sustainability challenges. In fact, any findings from the review could likely lead to increased reporting and compliance obligations on councils and would require significant resources to satisfy. This would actually increase pressure on council budgets and not address fundamental shortcomings and inequities in the current council financial model.

Council’s comments on the matters outlined in the draft Terms of Reference are provided below. Having noted that, Council seeks a broadening of the Terms of Reference so that the review can also focus on addressing the issues existing with council financial models as originally identified by IPART, including:

- Ensuring that statutory charges reflect the efficient costs incurred by councils in providing statutory services, so councils do not need to use rates income to cover the costs of providing these services. Current statutory charges are wholly inadequate in



compensating councils for the real and reasonable costs of providing services such as Stormwater Management, Development Approval fees and compliance activities.

- Compensating councils for cost shifting from other levels of Government, including administrative overhead in providing services for and excessive reporting to other levels of Government.
- Better targeting eligibility criteria for rates exemptions.
- Alternative funding mechanisms, such as targeted grants, to support councils to provide essential social services to disadvantaged or vulnerable communities.
- Allowing councils to use the Capital Improved Value method to set the variable component of rates to ensure they can set equitable and efficient rates for all residential and business ratepayers, regardless of their property type.
- An evaluation of existing pensioner concessions and also an examination of the adequacy of compensation provided to councils for the existing pensioner concessions; and also
- A mechanism to deal with the rating inequity arising from build to rent developments.

Council provides the following comments on the Terms of Reference.

IPART should review and recommend improvement on the following matters:

1. *The visibility of councillors and the community over the financial and operational performance of their councils.*
 - *Are the mechanisms for reporting on Council performance clear and understood? Does the accounting code for local government provide meaningful financial information to enable Councillors to understand and influence the financial and budget performance of their Council? Is there a need to update the performance indicators to make them more useful for 'real time' monitoring?*
 - *Are Councillors receiving timely and appropriate information to enable decisions on allocation of public funds in an efficient and cost-effective way?*
 - *Are there benefits to moving to a dedicated budget or expenditure review committee model to ensure budget decisions are understood by Councillors and the communities they serve?*

Council supports this matter. The Quarterly Budget Review Statements have been in place since 2010. A review of their effectiveness in this context would be worthwhile. Further, the accounting code for local government can be too complex for all Council stakeholders to understand. This may limit community visibility of Council decisions, and Council would welcome its review. Council would also support a review of Annual Report and End-of-Term Report requirements.

2. *Whether the current budget and financial processes used by councils delivering value-for- money for ratepayers and residents.*
 - *Is the integrated planning and reporting process currently used by councils to make budget decisions, effective in allowing councillors to engage with the community on the challenges of setting a budget and meeting service level expectations?*



- *How well is council setting service delivery standards that match revenue, and managing their expenses within allocated budgets? What opportunities exist for improvement in efficiency, service quality, and sustainability?*
- *How can councillor accountability and expenditure be visibly boosted to the community?*

Council supports this, especially a review of the Integrated Planning and Reporting process. The IP&R process is time-consuming for Councils, often resulting in limited community feedback which may be a reflection on the current requirements.

3. *Whether the current funding model will sustainably support the needs of communities.*
 - *How do councils balance cash flow to manage the different (and sometimes uncertain) timeframes for revenue and grants money (including Financial Assistance Grants) coming into council?*
 - *How effective are councils in identifying and using other revenue sources beyond grants and rates to support the needs of communities and sustainably provide services required to be delivered by councils?*
 - *Identify measures to put downward pressure on rates through other 'own source' revenue or closer scrutiny of expenditure.*
 - *Consider the needs of diverse communities and councils and protect the interests of current and future ratepayers from unnecessary impact on their cost of living.*

Council supports this and would welcome the learnings from the review. In this regard Council suggests that the Terms of Reference be expanded to include the matters identified in the final report on the IPART review of the rate peg methodology which could positively contribute to the financial sustainability of councils.

4. *Whether councils (both councillors and staff) have the financial capacity and capability to meet current and future needs of communities.*
 - *Are councils equipped with the right internal capabilities to deliver on the services which their community requires?*
 - *Has the Audit Mandate been successful in providing a consistent view on the accounting and risk management practices of councils?*
 - *Are there opportunities to look at long-term expenditure and service delivery improvements by insourcing services? Where outsourcing models have been used, do they provide an efficient and effective means of meeting community needs?*
 - *What examples of best practice capability building and innovation could be implemented more widely?*

Council supports this review.

5. *How can better planning and reporting systems improve long-term budget performance, transparency and accountability to the community?*
 - a. *How effective are Councils in managing their assets and planning for future growth and renewal of assets?*
 - b. *Does current community engagement allows for effective long-range planning and sustainable funding?*
 - c. *Is the current framework of reporting and compliance appropriate and effective?*



Council support this review, and would welcome a review of Resourcing Strategy requirements and its effectiveness.

6. *Any other matters IPART considers relevant.*

If the Terms of Reference are not formally expanded to include the matters raised above, Council is hopeful that IPART considers the matters raised in its final report on the rate peg methodology as relevant to this review.

Subject: Wadangarri Park - Winner of the 2023 Place Leaders Asia Pacific Award.
Record No: SU7134 - 14002/24
Division: General Managers Unit
Author(s): David Stevens

Executive Summary

Council was recently recognised for its excellence in delivering Wadangarri Park by winning the 2023 Place Leaders Asia Pacific Award for 'Place Governance'. The Place Governance Award recognises Council's role in inspiring others to action through exemplary leadership and vision.

The Place Leaders Asia Pacific Awards Program recognises physical projects, place processes and leadership across six categories which highlight the achievements of Place Leaders in delivering successful place outcomes that enrich the life and wellbeing of all communities. It is recommended the report be received and noted.

Background

Established in 2004, Place Leaders was founded by the leaders of large public sector agencies across Australia who were planning and developing major urban land projects and renewal precincts. They seek to improve the quality of place outcomes through sharing expertise, learning from best practice, thought leadership, research, celebrating excellence and product development.

Place Leaders Asia Pacific is a member organisation for the promotion of leadership amongst place planners, managers, shapers and makers working in the Asia-Pacific region. Place Leaders connect and cultivate relationships between leaders across all tiers of government, industry, academia and arts to drive the collective conversations that no one sector can have alone.

The concept of a public open space park constructed on a bridge over the rail corridor was first conceived by Council staff as part of the 2006 St Leonards Strategy, which was a joint strategy prepared by Lane Cove, North Sydney and Willoughby Councils. The strategy established a public domain vision for the St Leonards Commercial Core precinct that would create an identifiable 'sense of place' for workers and residents alike. This included the development of a new community focal point for St Leonards, a new Bus Rail Interchange and Plaza to be constructed over the rail corridor (an Australian first).

Council has been pursuing delivery of this project since 2011 when the NSW Government first expressed interest in the proposal. Initially, progress in gaining NSW Government support was slow, however Council ultimately obtained permission to construct an over rail bridge to accommodate the park in late 2020 with the project commencing in late 2021. The completed Wadangarri Park delivers significant social and economic benefits by activating the precinct, improving connectivity and access, commuter safety and convenience, and providing much needed public open space in this part of St Leonards to compliment the new (Council) Library and surrounding developments.

Discussion

Council was the winner of the Place Governance category which recognises a specific model that has advanced excellence in the delivery and/ or management of holistic place outcomes.

The criteria included:

- Vision - Inspiring others to action through exemplary leadership and vision.
- Integrated Decision Making - The outcome displays high levels of collaboration and fostered new partnerships amongst stakeholders towards a co[1]ordinated shared vision of implementation.
- Inclusiveness - A diverse range of stakeholders were involved.
- Innovation - New and original ways of thinking and doing were applied.
- Resilience - The outcome displays strategies and mechanisms that support resilience to change.

Council's Project Team consisted of Sebastian Stivala (Director – Major Projects) and Simone Bordin (Projects Officer) to deliver Wadanggari Park in collaboration with their design, construction, and consulting partners, namely: Aurecon; Arencos; Arcadia; GHD Engineering; Landscape Solutions; Sydney Trains; and, Transport Asset Holding Entity (TAHE).

Wadanggari Park is a focal point linking; St Leonards Station, the Forum and the upcoming Crow Nest Metro Light-Rail via the revitalised commercial retail precinct and beyond through Friedlander Place. Importantly, the Park aligns with the NSW Government's [St Leonards and Crows Nest Plan](#). With the suburb of St Leonards falling within three different local government areas, this project has provided infrastructure to support all three areas.

The project was the centrepiece of Council's strategy to demonstrate best practice "Transit Oriented Development" supported by infrastructure to revitalise the St Leonards commercial area..

Conclusion

Council staff, and in particular the Wadanggari Park Project Team, is very proud to table this Report at the March 2024 Meeting to showcase an outstanding achievement in place making for the Lane Cove LGA and its community.

RECOMMENDATION

That the report be received and noted.

Craig Wrightson
General Manager
General Managers Unit

ATTACHMENTS:

There are no supporting documents for this report.

Subject: Lane Cove Public School - Netball Multi-Purpose Court and Lighting.
Record No: SU3206 - 14000/24
Division: Open Space and Infrastructure Division
Author(s): Ted Webster

Executive Summary

This report provides an overview of the partnership between Council, the Department of Education and the Lane Cove Public School in existing basketball court at the school so Netball and other sports could resume nighttime training. The lighting is complete and ready for use by the community. It is recommended the report be received and noted.

Background

On the 21st of January 2020, the Lane Cove Public School unfortunately endured a fire in the main hall of the complex which led to the eventual total demolition of the structure which was replaced by a synthetic court surface of approximately 540 square metres for multiple uses.

The decision was made to replace the main hall in the location of the two existing multi-use courts which had lighting allowing for night training.

To address the impact of this, Council approached the Department of Education under the [Share Our Space - School Infrastructure NSW program](#) offering to pay for new lights on the existing basketball court to allow Netball to recommence night training due to the strong participation and the need for training until 8:00pm to accommodate the number of participants. Council received a letter of support from both the Lane Cove P & C as well as the Lane Cove Netball club in support of the proposal.

Part of the planning process involved approaching the residents of the neighbouring properties to inform them of the plans to install lighting. Once this process was completed, the Department of Education approved the installation of the lights.

Discussion

Council worked with the Department of Education and the local sporting groups to devise a design for the lighting utilising energy efficient LED lighting that would sufficiently meet the needs for night time training.

The Department of Education managed the project, funding the upgrade of the court service with multi-sport markings, and obtaining quotes and providing project management for the lighting, which was recently completed. The court is now ready to be used up until 8pm in time for the 2024 winter sports season.

As part of the partnership, Council will enter into an agreement with the Department of Education for Council to manage a booking system for after school hours use of the court and lights by the community.

Ordinary Council Meeting 21 March 2024
LANE COVE PUBLIC SCHOOL - NETBALL MULTI-PURPOSE COURT AND LIGHTING.



Nearmap© image showing the main hall of the school still intact as delineated by the red square.



Nearmap© image showing the new court with lights



Figure 1 - Images of new light poles and fittings at Lane Cove Public School



Figure 2 - Images of new poles and fittings at Lane Cove Public School

Conclusion

The lighting is complete and ready for use by the community. With Council providing funding and working in partnership with the Department of Education, extended access to a netball and basketball court training facility for use by the Lane Cove Community has been reintroduced at the Lane Cove Public School.

RECOMMENDATION

That the report be received and noted.

Martin Terescenko
Director - Open Space and Infrastructure
Open Space and Infrastructure Division

ATTACHMENTS:

There are no supporting documents for this report.

Subject: Recent Legislative Reforms - Social and Affordable Housing
Record No: SU8556 - 12520/24
Division: Planning and Sustainability Division
Author(s): Mark Brisby; Craig Wrightson

Executive Summary

Further to the report to the February Council meeting regarding the New South Wales Planning Reforms this report provides a more detailed overview of the social and affordable housing legislative reforms which came into effect on 14 December 2023, and are applicable across all local government areas.

The revised State Environmental Planning Policy (Housing) 2021 (Housing SEPP) now authorises an additional 30% allowance in building height and floor space ratio (FSR) for developments integrating at least 10% of their floor area designated for affordable housing. The height bonuses only apply if they are residential flat buildings and/or shop top housing. It is recommended the report be received and noted.

Background

Within the ambit of the National Housing Accord, New South Wales commits to delivering roughly 377,000 new dwellings by 2029, including approximately 15,800 units dedicated to social and affordable housing. The reform initiatives, initially disclosed in June 2023, aim to mitigate the housing crisis by augmenting the stock of social and affordable housing for low-income households and essential workers.

The legislative revisions, enacted on 14 December 2023, include:-

- Environmental Planning and Assessment Amendment (Housing) Regulation 2023 - The object of this regulation is to amend the Environmental Planning and Assessment Regulation 2021 because of amendments to State Environmental Planning Policy (Housing) 2021.
- State Environmental Planning Policy Amendment (Housing) 2023 - Includes a number of changes, primarily to State Environmental Planning Policy (Housing) 2021, that will have implications for development in the Lane Cove Local Government Area (LGA).

Discussion

The legislative changes include a number of consequential changes to the NSW Planning system which directly affect the Lane Cove LGA.

Repeal of State Environmental Planning Policy No 65 Design Quality of Residential Apartment Development (SEPP 65).

SEPP 65 is replaced with a new Chapter 4 in State Environmental Planning Policy (Housing) 2021 which will have minimal impact as the old provisions are being transferred to Chapter 4 of the new SEPP.

Amendments to State Environmental Planning Policy (Planning Systems) 2021

New approval pathways for affordable housing which bypass local government have been created, including:

- A new State Significant Development (SSD) pathway for in-fill affordable housing development where the part of the development that is residential development has a capital investment value of more than \$75 million.
- A new SSD pathway for housing development carried out by public authorities (including the Aboriginal Housing Office and Land and Housing Corporation) where the development has a capital investment value of more than \$30 million, or will result in more than 75 dwellings.

Amendments to State Environmental Planning Policy (Housing) 2021

The Housing SEPP was created to consolidate all planning policies which relate to residential development into the one SEPP. The following amendments have been made.

New provisions

Chapter 2, Part 2, Division 1 provides new in-fill affordable housing provisions that include incentives for developments that include at least 10% of gross floor area as affordable housing. These provisions apply if:

- The development includes residential development and is permitted under an environmental planning instrument.
- The affordable housing component is at least 10% of the gross floor area and managed by a community housing provider for a period of at least 15 years.
- The land is within an accessible area, which includes land within 800m walking distance of a ferry wharf or 400m walking distance of a bus stop serviced at least hourly.

The bonus provisions work by applying the maximum permissible FSR for the land plus an additional FSR and building height of up to 30% of the maximum permissible. The amount of the bonus is proportionate to the amount of affordable housing provided within a development. For example, for a development to gain 30% additional FSR, the minimum affordable housing component needs to be 15% of the gross floor area. For a development to gain 20% additional FSR, the minimum affordable housing component would need to be 10% of the gross floor area.

It is important to note that while the FSR and building height bonuses are designed to work in tandem, only residential flat buildings or shop top housing can utilise both bonuses together. Height bonuses do not apply to any other type of development.

The NSW Government has prepared the In-fill Affordable Housing Practice Note and Planning Circular PS 23-003 to guide consent authorities and applicants on the application of the in-fill affordable housing FSR and height bonuses.

The in-fill affordable housing provisions include non-discretionary development standards relating to lot size, landscaped area and deep soil zones, solar access, car parking and for developments not subject to the Apartment Design Guide, minimum floor areas. If a development complies with a non-discretionary development standard, the consent authority is not able to require compliance with a more onerous standard (including a provision in a local environmental plan or development control plan).

In St Leonards South, the in-fill affordable housing 30% FSR bonus will apply in addition to the FSR incentive allowed under the incentive clauses contained within Council's Local Environmental Plan. This is undesirable given the extent of the Master Planning work undertaken in the precinct.

The in-fill affordable housing FSR bonuses will apply to the vast majority of residential zoned land in Lane Cove LGA given the proportion of land within 800m walking distance of a ferry wharf or 400m walking distance of a bus stop serviced at least hourly. Height bonuses would only apply to residential flat buildings and shop top housing. It is unclear at this stage what the likely take up of the in-fill affordable housing provisions would be in the Lane Cove LGA.

Self-assessment for government housing agencies

Chapter 2, Part 2, Division 6, provides that the Land and Housing Corporation, Aboriginal Housing Office and Landcom are now able to self-assess social and affordable housing developments that provide up to 75 homes, including buildings up to 11 metres in height and with a FSR of 0.65:1 where the land use is permissible. Provisions exist specifying matters that the various agencies must consider as part of the self-assessment. The authority is required to give written notice of the intention to carry out the development to council and neighbours and consider any responses received. It is not considered that this will have a significant impact in the Lane Cove Local Government Area.

Design of residential apartment development

A new Chapter 4 Design of residential apartment development effectively replaces SEPP 65. Similar to SEPP 65, the provisions state that development consent must not be granted to residential apartment development, unless the consent authority has considered the quality of the design of the development (evaluated in accordance with the design principles for residential apartment development), the Apartment Design Guide and any advice received from a design review panel. This change is not considered to have any detrimental impact on the assessment of residential apartments generally.

Seniors housing

Changes to Schedule 4 to update accessibility and usability standards for independent living units to reflect industry best practice.

Boarding houses

The FSR bonus for boarding houses has been increased from 25% to 30% to align with the FSR bonus allowed under the in-fill affordable housing provisions.

Conclusion

In conclusion, the recent social and affordable housing reforms introduced by the New South Wales Government are a key strategy to tackle the housing crisis by increasing housing options for low-income households and essential workers. The reforms aim to encourage developers to include affordable housing components and streamline approval processes.

Ongoing monitoring and evaluation are essential to assess the reforms' effectiveness and identify unforeseen outcomes and areas for improvement. Prioritising affordable housing initiatives will assist in establishing a sustainable housing ecosystem.

RECOMMENDATION

That the report be received and noted.

Mark Brisby
Director - Planning and Sustainability
Planning and Sustainability Division

Craig Wrightson
General Manager
General Managers Unit

ATTACHMENTS:

There are no supporting documents for this report.

<p>Ordinary Council Meeting 21 March 2024 COUNCIL SNAPSHOT - FEBRUARY 2024</p>
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Subject: Council Snapshot - February 2024
Record No: SU220 - 12284/24
Division: General Managers Unit
Author(s): Craig Wrightson

Attached for the information of Councillors is a review of Council's recent activities. This report provides a summary of the operations of each Division for February 2024 at **AT-1**.

Included at **AT-2** is Council's Resolution Tracker showing the progress of Council's resolutions.

RECOMMENDATION

That the report be received and noted.

Craig Wrightson
General Manager
General Managers Unit

ATTACHMENTS:

AT-1	View	Council Snapshot February 2024	43 Pages	Available Electronically
AT-2	View	Resolution Tracker Report for 21 March 2024 Council Meeting	53 Pages	Available Electronically

Ordinary Council Meeting 21 March 2024
QUESTIONS WITH NOTICE - PARKING IN STREETS IN THE AREA BETWEEN PACIFIC HIGHWAY AND KIMBERLEY AVENUE.

Subject: Questions with Notice - Parking in streets in the area between Pacific Highway and Kimberley Avenue.
Record No: SU5917 - 14418/24
Division: Lane Cove Council
Author(s): Councillor Merri Southwood

Background

Several of the streets in the area between Pacific Highway and Kimberley Avenue are narrow with parking permitted on both sides of the road.

In some cases, vehicles are parked close to intersections, leaving drivers with poor line of sight when passing through an intersection or when seeking to turn left or right into a cross street.

Whilst cars may be parked at a legal distance from intersections, the narrow roads mean that drivers turning into cross streets will be forced to the wrong side of double or undivided lines when negotiating a turn. At times, this may result in potentially dangerous encounters with oncoming traffic.

Some intersections do not appear to identify, through the use of Stop signs, which intersections have right of way.

Question

Has this area been the subject of a traffic study in recent years?

If yes, did the study address the matters raised above?

What is the process required to be undertaken to initiate a Council traffic study to address the matters raised above?

Craig Wrightson
General Manager
General Managers Unit

ATTACHMENTS:

There are no supporting documents for this report.

Ordinary Council Meeting 21 March 2024
QUESTIONS WITH NOTICE - RECORDING OF COMPLAINTS IN COUNCIL SNAPSHOT

Subject: Questions with Notice - Recording of Complaints in Council Snapshot
Record No: SU1646 - 14415/24
Division: Lane Cove Council
Author(s): Councillor Merri Southwood

Background

Council receives complaints from residents and non-residents around a range of issues. Some complaints may relate to matters that are easily addressed and others may be more complex.

The monthly Council Snapshot includes a report titled *Complaints*.

This report lists relatively low numbers of complaints eg-

Business Paper 22 February 2024

4 for the months of December 2023 and January 2024

Business Paper 7 December 2023

4 for the month of November 2023

Questions

1. Is there a publicly accessible record of the numbers of items of correspondence identified as a “complaint” or lodged on Council’s Customer Feedback or Complaint Form?
2. Clarification is requested as to the criteria applied in respect of the complaints listed as *Complaints* in the Council Snapshot.

Craig Wrightson
General Manager
General Managers Unit

ATTACHMENTS:

There are no supporting documents for this report.

Ordinary Council Meeting 21 March 2024
QUESTIONS WITH NOTICE - COMMUNITY SAFE SHARPS DISPOSAL AND LANE COVE
POOL TEMPERATURE

Subject: Questions with Notice - Community Safe Sharps Disposal and Lane Cove Pool Temperature
Record No: SU7621 - 14420/24
Division: Lane Cove Council
Author(s): Councillor Bridget Kennedy

Questions

Community Safe Sharps Disposal - Can Staff please provide an update on where in the Lane Cove LGA Sharps can be safely disposed of and what action is being taken to ensure our community is aware of the facilities provided locally?

Lane Cove Pool Temperature – Staff have approached Blue Fit re the possibility of publicly displaying the daily pool temperatures of the outdoor pool. Can we please have an update on when it is proposed to have this actioned by BlueFit staff.

Craig Wrightson
General Manager
General Managers Unit

ATTACHMENTS:

There are no supporting documents for this report.

Ordinary Council Meeting 21 March 2024
QUESTIONS WITH NOTICE - BOB CAMPBELL OVAL

Subject: Questions with Notice - Bob Campbell Oval
Record No: SU5606 - 14491/24
Division: Lane Cove Council
Author(s): Councillor Merri Southwood

Background and Questions

1. In the February 2024 meeting of Council a resolution was passed to authorise the General Manager to negotiate a contract for works at Bob Campbell Oval. These work include the addition of an off-leash dog area to the north of the site adjacent to C2 Environmental Conservation land and the relocation of the northern playground to the southern end of the reserve.

Question

Will the AECOM REF dated 16 January 2024 and the Part 5 Assessment dated 15 February 2024 be reviewed in the light of these changes?

2. The SUP up St Vincents Road connecting the Gore Creek Reserve to Gore Street was included as Item 6 in the Master Plan adopted by Council on 23 February 2023.

It was not included in the Detailed Design Plans prepared for tender.

The REF states that *Lane Cove Council will also undertake works to upgrade St Vincents Road, with inclusions for overflow parallel parking and to extend the new shared pathway to Gore Street; however, these works are not included in this REF as they will be undertaken under as exempt development as per the provisions of State Environmental Planning Policy (Transport and Infrastructure) 2021 (Transport and Infrastructure SEPP).* (REF p i)

Question

When will this portion of the SUP be delivered?

3. Council's 2020 Project Nomination for the Bob Campbell Oval grant under the Precinct Support Scheme included the SUP from Gore Creek Reserve to Greenwich Road in the BCO project. Council estimated the total project cost (excluding car park and playground) at \$3,623, 023 (incl GST)

The SUP was included in the calculation of total project costs in the assessment of the STM tender for a synthetic ground and other works on 9 August 2021.

Total project costs of the synthetic ground and other works (excluding carpark and playground) was estimated at \$3,292, 657.

Council estimated that it would need to contribute \$1,640, 894 from Section 7.11 funds to complete the BCO project.

In November 2021 Council constructed a portion of the SUP included in the BCO Project Nomination, namely the portion from Greenwich Road to the corner of St Vincents Road and Gore Street.

Question

Is delivery of the SUP from Greenwich Road to Gore Creek Reserve included in Council's calculation of the second master plan tender costs outlined in *Project Costs* in the agenda for the 22 February 2024 meeting?

Craig Wrightson
General Manager
General Managers Unit

ATTACHMENTS:

There are no supporting documents for this report.