



Urban Planning Committee

Agenda: *Urban Planning Committee*

Date: *Monday, 25 August 2008*

Time: *6.00pm*

Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Delegated Authority (“D” Items):

- To require such investigations, reports or actions as considered necessary in respect of matters contained with the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of Minutes of its Meeting.
- Any other matter falling within the responsibility of the Urban Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed below:

Recommendation only to the Full Council (“R” Items):

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic matters, such as:-
 - Town Planning Objectives; and
 - major planning initiatives.
- Matters not within the specified functions of the Committee.
- Matters requiring supplementary votes to Budget.
- Urban Design Plans and Guidelines.
- Local Environment Plans.
- Residential and Commercial Development Control Plans.
- Rezoning applications.
- Heritage Conservation Controls.
- Traffic Management and Planning (Policy) and Approvals.
- Commercial Centres Beautification Plans of Management.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters reserved by individual Councillors, in accordance with any Council policy on "safeguards" and substantive changes.

Committee Membership:

7 Councillors

Quorum:

The quorum for a committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

21 August 2008

To: His Worship The Mayor, Councillor Geoff Rundle, ex-officio
Councillors John Comino (Chair)
 Claudia Cullen (Deputy Chair)
 Christopher Dawson
 Wilhelmina Gardner
 Keri Huxley
 Julian Martin
 David Shoebridge

Dear Councillors

Urban Planning Committee Meeting – 25 August 2008

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Urban Planning Committee** to be held in the **Committee Room, 536 New South Head Road, Double Bay, on Monday 25 August 2008 at 6.00pm.**

Gary James
General Manager

Additional Information Relating to Committee Matters

Site Inspection

Other Matters

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 11 August 2008	1
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Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	Car Volume Pressures – Cross-City Tunnel – 583.G	2
R2	William Street Paddington – Expansion of Permissible Land Uses – 1064.G	5

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 11 August 2008**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 11 August 2008 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

Recommendation:

That the Minutes of the Urban Planning Committee Meeting of 11 August 2008 be taken as read and confirmed.

Les Windle
Manager - Governance

Item No: R1 Recommendation to Council
Subject: Car Volume Pressures - Cross-City Tunnel
Author: Lorna Oliver, Traffic and Transport Planner
File No: 583.G
Reason for Report: To report on the traffic impacts of the Cross-City Tunnel

Recommendation:

That the information be noted.

Background:

At the Urban Planning Committee meeting held on 29 May 2006, it was resolved as follows:

“B. That Council’s Traffic & Transport Section continue to monitor the traffic impacts of the Tunnel and that a further report be submitted to the Urban Planning Committee once tolling arrangements have been finalised and traffic patterns have stabilised.”

As a part of the conditions of the DA consent for the Cross-City Tunnel (CCT), the Roads and Traffic Authority (RTA) was required to prepare reports on the traffic impacts of the tunnel at eighteen months and then at seven years to assess the requirement for traffic management works in key identified local areas.

The CCT has experienced low utilisation rates since it opened in August 2005 and, as a result, a number of options were trialled in an attempt to increase patronage, including a toll-free period and reduced tolling arrangements. The utilisation rates did not improve and the CCT went into receivership in December 2006 and was purchased in June 2007 by a consortium led by ABN AMRO and Leighton Contractors.

The RTA prepared a report on the impacts of the CCT for the eighteen month review of the consent conditions, which was expected to be released in September 2007. Whilst this report has been submitted by the RTA to the Department of Planning, the Department has not yet approved the public release of this report.

Council has, however, obtained the traffic data contained in the report from the RTA’s Motorway and Tollways Manager. This data provides bus and car travel times before and after the opening of the CCT.

Additionally, we have conducted traffic counts in a number of locations throughout the Municipality, primarily throughout Paddington, to assess the impact of traffic using the Tunnel.

Analysis of the RTA assessment of the traffic impacts and of Council’s own data is detailed below.

RTA Assessment of Traffic Impacts

Intersections

The analysis of the data contained in the RTA report shows that, while delays in most areas have reduced, there was an increased average intersection delay of between 10 and 18 seconds at the Ocean Street and New South Head Road intersection between November 2002 and March 2007. Conversely, delays at the intersection of McLachlan and Craighend Streets have reduced in the same period.

Car Travel Times for vehicles not using the CCT

Analysis of car travel times, for vehicles not using the CCT, was undertaken on four different routes during November 2004 and March 2007 and the average trip times on both these dates were compared. Of these, two relate to the Woollahra LGA, specifically:

- Route 2 – Rozelle to Double Bay ; and
- Route 3 – Bondi to Harbour Bridge via Oxford Street.

The morning peak data was collected from 6:30am to 10:00am, midday data from 11:00am to 2:00pm and the afternoon peak data was collected from 3:30pm to 7:00pm. For each route, travel times were measured in both directions on at least five separate days.

For cars travelling from Rozelle to Double Bay not using the CCT, trip times improved by 23% – 33% depending on the time of day the trip was undertaken. Vehicles travelling in the reverse direction, not using the tunnel, (ie Double Bay to Rozelle) fared less well with average trip times varying between 8% longer during the AM peak and 14% shorter during the PM peak.

Vehicles travelling between Bondi and the Harbour Bridge, not using the tunnel, experienced a wider variation in average trip times. These ranged from a 21% longer trip during the PM peak and a 21% faster trip in the middle of the day.

Overall, the car trip times relevant to the Woollahra LGA decreased slightly and it would appear that the CCT has not had a consistent impact.

Bus Travel Times

Bus travel times between April 2003 and March 2007 were also analysed and compared on four different routes. Of the four routes, two are of interest to residents of Woollahra. These are:

- Route 3 (from the intersection of New South Head Road and Ocean Street to Phillip Street at Bridge Street – 324, 325, 326 and L24); and
- Route 5 (Oxford Street services – 373, 377, 380, 392, 396 and 399).

On weekdays, the morning peak data was collected from 6:00am to 10:00am, midday data from 11:00am to 2:00pm and the afternoon peak data was collected from 4:00pm to 7:00pm. On Saturdays, data was collected between 10:00am and 3:00pm.

Outbound services, from the intersection of New South Head Road and Ocean Street to Phillip Street at Bridge Street, experienced improvements of 8% to 13% depending on the time of day and day of the week. Average trips improved on weekdays by 12% and on Saturdays by 8%.

Inbound services, from the intersection of New South Head Road and Ocean Street to Phillip Street at Bridge Street, had changes ranging from a delay of 10% to an improvement of 8%. As the only delays were the AM peak (10%) and Saturday services (1%), the average impacts on the inbound services were negligible at an average weekday improvement of 1% and an average Saturday deterioration of 1%.

Inbound Oxford Street services ranged from delays of 13% to improvements of 19% with an average weekday delay of 2% and an average Saturday improvement of 12%.

Outbound Oxford Street services ranged between delays of 10% in the morning peak to improvements of 14% during midday and the afternoon peak. The average weekday trips improved by 6% and the average Saturday trips improved by 11%.

Overall, bus times in Woollahra have experienced improvement over the survey period.

Traffic Count data obtained by Council

Council has conducted traffic counts, independent of the RTA, in order to assess the impact of the CCT. We conducted counts over a two year period at 21 locations identified as the streets most likely to be impacted from the traffic changes occurring due to the CCT. The counts were conducted, prior to the opening of the CCT, during all three weeks of the Toll-Free Period, during the initial operation of the CCT and after traffic patterns settled.

Generally, Council's data and the RTA's data are consistent in that traffic in the Woollahra LGA has not increased significantly as a result of the CCT. Traffic volumes in some streets have increased since the opening of the CCT whilst volumes in other streets have decreased in the same time period. Overall, traffic volumes in the surveyed area show an average increase of less than 1% between 2005 and 2007. In comparison, the figure used when forecasting expected traffic growth in the Sydney Metropolitan area is 2% per year. For the period 2005 to 2007, the expected traffic growth would be in the order of 4% whereas the data collected by Council suggests an average growth of less than 1%.

Both the RTA and Council's data support the conclusion that the negative impacts on Woollahra, envisaged prior to the opening of the tunnel, have not occurred.

Conclusion:

The data supplied by the RTA, which is confirmed by Council's data, indicates that traffic in the Woollahra LGA has not increased significantly as a result of the CCT. Whilst volumes in some streets have increased since the opening of the CCT, these increases are not considered to be significant.

Overall, the car trip times relevant to the Woollahra LGA decreased slightly and average bus times in Woollahra have experienced improvement over the survey period.

The CCT has experienced low-levels of usage and impacts in Woollahra have been milder than expected. The next review of the impacts of the CCT as required by the conditions of consent is the seven year review. This is due to occur in 2012.

Lorna Oliver
Traffic and Transport Planner

Warwick Hatton
Director Technical Services

Annexures: Nil

Item No: R2 Recommendation to Council
Subject: **William Street Paddington - Expansion of Permissible Land Uses**
Author: Chris Bluett - Manager Strategic Planning
File No: 1064.G
Reason for Report: To obtain clarification about a decision of the Council made on 10 June 2008

Recommendation

- A. That draft local environmental plans be prepared for two options incorporating the matters deferred from Draft Woollahra LEP 1995 (Amendment 60) as follows:
- Option 1 - the draft local environmental plan attached as annexure 3 to the report to the Urban Planning Committee on 26 May 2008, including the words, "the upper floor may only be used for residential purposes".
- Option 2 - the draft local environmental plan attached as annexure 3 to the report to the Urban Planning Committee on 26 May 2008, excluding the words, "the upper floor may only be used for residential purposes" and subject to that plan applying only to Nos.32, 34, 36, 40, 50, 52, 54, 64, 70, 76, 78, 80, 84 and Nos. 3, 5, 9, 11, 15, 17, 19, 21, 23, 53, 57 and 59 William Street.
- B. That a draft development control plan be prepared to amend the Paddington Heritage Conservation Area DCP based on the proposed provisions contained in annexure 5 of the report to the Urban Planning Committee meeting on 26 May 2008.
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Background

The Urban Planning Committee has considered several reports on the subject of additional permissible uses for properties in William Street Paddington. The latest report was presented to the Committee on 26 May 2008 (**annexure 1**). Subsequently, the Council resolved on 10 June 2008 in the following terms:

- A. That draft local environmental plans be prepared for two options incorporating the matters deferred from Draft Woollahra LEP 1995 (Amendment 60) as follows:
- Option 1 - the draft Local Environmental Plan attached as annexure 3 to the report to the Urban Planning Committee on 26 May 2008, including the words, "the upper floor may only be used for residential purposes".
- Option 2 - the draft Local Environmental Plan attached as annexure 3 to the report to the Urban Planning Committee on 26 May 2008, excluding the words, "the upper floor may only be used for residential purposes" and subject to that plan applying only to those properties in William Street which have non-residential uses already operating. The land to which this plan applies is to be particularised in the draft plan.
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- B. That a draft development control plan be prepared to amend the Paddington Heritage Conservation Area DCP based on the proposed provisions contained in annexure 5 of the report to the Urban Planning Committee meeting on 26 May 2008.

Properties to which the optional LEPs apply

Option 1

We understand that option 1 of the Council's decision precisely matches the draft LEP example provided in annexure 3 of the report to the Urban Planning Committee meeting on 26 May 2008. The draft LEP is now provided in **annexure 1** of this report.

Option 2

Option 2 would produce a draft LEP which allows the listed non-residential uses to occupy, with consent, only the ground floor of a building. This is the same as option 1. However, option 2 would further restrict the additional uses to properties "which have non-residential uses already operating".

The term "already operating" needs to be clarified. If it is the Council's intention under option 2 to restrict the additional use provisions to those properties occupied by illegal uses at a particular date, then the properties need to be listed in a decision of the Council and transferred into a draft LEP. In forming its decision, the Council should be mindful that further illegal uses have commenced in William Street since the matter was originally reported in late 2005 as part of the neighbourhood centres study. More importantly, the Council should be aware that illegal uses have started since property owners were advised by letter on 31 August 2006 and in a meeting on 13 September 2006 not to commence new businesses.

The following table shows the status of properties over the last three years.

William Street Paddington Land Uses Residential Zoned Properties			
Street Number	October 2005 (1)	March 2006 (2)	15 August 2008
Oxford Street to Underwood Street, north western side			
12	Residence	Residence	Residence
14	Residence	Residence	Residence
16	Residence	Residence	Residence
18	Residence	Residence	Residence
20 2 shops	Fashion	Fashion	Fashion, fashion
22	Residence	Residence	Residence
24	Residence	Residence	Residence
26	Residence (flats)	Residence (flats)	Residence (flats)
32	Fashion	Fashion	Fashion
34	Residence	Residence	Hair/beauty
36	Residence	Fashion	Hairdresser
38	Residence	Residence	Residence
40	Residence	Residence	Fashion
42	Residence	Residence	Residence
Underwood Street to Hopetoun Street, north western side			
48	Residence	Residence	Residence
50	Residence	Fashion	Fashion
52	Residence	Fashion	Fashion
54	Residence	Consultancy	Residence/consultancy
56	Residence	Residence	Residence
58 shop	Shoemaker	Shoemaker	Shoemaker
60	Residence	Residence	Residence
62	Residence	Residence	Residence
64	Residence	Residence	Fashion

William Street Paddington Land Uses Residential Zoned Properties			
Street Number	October 2005 (1)	March 2006 (2)	15 August 2008
66	Residence	Residence	Residence
68	Residence	Residence	Residence
70	Residence	Residence	Jewellery
72	Residence	Jewellery	Residence
74	Residence	Residence	Residence
76	Residence	Residence	Fashion
78	Residence	Residence	Fashion
80	Residence	Residence	Fashion
82	Residence	Residence	Residence
84	Residence	Shoes	Florist
86 shop	Beauty	Beauty	Beauty
88 shop	Fashion	Fashion	Fashion
90 shop	Shoes	Shoes	Shoes
92 shop	Fashion	Fashion	Fashion
94 shop	Not recorded	Not recorded	Art Gallery
Victoria Street to Underwood Street, south eastern side			
3	Residence	Shoes	Fashion
5	Fashion	Vacant	Fashion
7	Residence	Residence	Residence
9	Beauty	Beauty	Beauty
11	Fashion	Fashion	Fashion
13	Residence	Residence	Residence
15	Fashion	Fashion	Shoes
17	Residence	Fashion	Fashion
19	Residence	Residence	Home loans and fashion
21	Residence	Fashion	Fashion
23	Residence	Fashion	Fashion
25 shop	Hair	Hair	Hair
27 shop	Jewellery	Jewellery	Fashion
29 shop	Menswear	Menswear	Fashion
31	Residence	Vacant	Garage sale
33 shop	Fashion	Fashion	Fashion
35 shop	Fashion	Fashion	Fashion
37 shop	Jewellery	Fashion	Fashion
39 shop	Shoes	Shoes	Shoes and fashion
41 shop	Fashion	Fashion	Fashion
43 shop	Fashion	Fashion	Fashion
Underwood Street to Dudley Street, south eastern side			
45 (3)	Fashion (3)	Residence	Residence
47 shop (3)	Residence (3)	Fashion	Fashion
49	Residence	Residence	Residence
51	Residence	Residence	Residence
53	Residence	Studio	Artist's studio
55	Gallery	Residence	Residence
57	Residence	Residence	Interior decorator
59	Residence	Fashion	Fashion
61	Residence	Residence	Residence
63	Residence	Residence	Residence

Notes

Survey presentation to Strategic Planning Working Party dated 20 October 2005

Listed in report to Urban Planning Committee on 13 March 2006 and referred to in part 1 of the Council's decision of 27 March 2006 to prepare a draft LEP.

No.45 and 47 have probably been recorded incorrectly in October 2005 and March 2006 because 47 is a shop front and was probably trading as a fashion shop at the time of the first survey. In 2005, No.45 should read 'residence', and No.47 should read 'fashion'.

Properties identified as “shop” have been specifically designed as a shop rather than a residence or have been substantially altered to include a shopfront. The additional use provisions of clause 30 of Woollahra LEP 1995 apply in these circumstances where legal works have taken place.

If the Council wishes to use the most recent land use survey from 15 August 2008 as a means of identifying the properties to which the additional land use provisions apply it should note that:

- further commencement of illegal uses in residential properties, including a change of use from one illegal use to another, would generate action by Council’s Compliance Section, and
- five current illegal uses would not be permissible under the proposed LEP amendment and would need to cease.

Based on the land use survey from 15 August 2008, the option 2 LEP would apply to Nos.32, 34, 36, 40, 50, 52, 54, 64, 70, 76, 78, 80, 84 and Nos. 3, 5, 9, 11, 15, 17, 19, 21, 23, 53, 57 and 59 William Street.

Conclusion

The Council’s decision of 26 May 2008 requires amendment to confirm the properties to which the additional land use provisions under option 2 should apply. A recommendation has been prepared to that effect.

Chris Bluett
Manager Strategic Planning

Allan Coker
Director Planning and Development

ANNEXURES

1. Report to Urban Planning Committee on 26 May 2008 (including annexures).