

Gateway review justification

Edgecliff Land Reservations



1.0 Background

The purpose of this document is to support Woollahra Council staff's request for a review of the Gateway determination that the planning proposal to remove land acquisition reservations in Edgecliff (PP-2021-6740) should not proceed.

The planning proposal was submitted to the Department of Planning and Environment (Department) on 5 November 2021 for a Gateway determination to proceed to public exhibition.

On 10 June 2022, Council received a Gateway determination from the Department that the planning proposal should not proceed.

The planning proposal seeks to remove twelve subject sites from the Land Reservation Acquisition Map of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014). The subject sites are located on New South Head Road and Glenmore Road, Edgecliff.

Removing the redundant land reservations will give Council and the community greater certainty about the intended future use of the land and consequently enable Council to invest in long-term placemaking and provision of active transport infrastructure along the corridor. It will also safeguard buildings of statutory heritage significance on the affected land from future demolition.

2.0 Key issues raised in Gateway Determination and Council staff response

The Gateway determination issued by the Department identifies four reasons as to why the planning proposal should not proceed.

The below table outlines the issues raised in the Gateway determination and Council staff's justification in response.

Issue raised in Gateway determination	Woollahra Council staff justification
2.1 Transport for NSW (TfNSW), the authority of the State that is the relevant acquisition authority for the subject land reservations pursuant to clause 5.1 of the Woollahra LEP 2014, does not support the planning proposal as the reservations are required to be retained for future public and active transport purposes.	<p>The land reservations in Edgecliff were identified for road widening purposes as part of the 1958 Road Alignment project. This project was superseded by the Cross City Tunnel project which was completed in 2005, eradicating intentions to direct traffic through Paddington which would have been partly facilitated by the New South Head Road widening. Yet these reservations were not removed at that time.</p> <p>Prior to submitting the planning proposal for Gateway determination, Council staff consulted with TfNSW on multiple occasions seeking to understand the future public and active transport plans which form the basis of their position to retain the land reservations.</p> <p>However, TfNSW have not been able to provide Council with any draft or adopted plans or strategies indicating that the reserved land is required for any future purpose. Similarly, no information has been provided as to why TfNSW are still supporting a decision from some 60+ years ago to introduce reservations to facilitate a project that has already been delivered.</p> <p>In 2019, TfNSW briefed Council on its <i>Road Network Plan 47 Darlinghurst to Bondi</i> (RNP 47) which provides an indicative strategic vision for the road network, including New South Head Road, over the next 20 years.</p>

	<p>RNP 47 does not identify any major upgrades to transport infrastructure within or in close proximity of the Darlinghurst to Bondi corridor.</p> <p>It is noted that RNP 47 is an internal planning document produced by TfNSW and is not publicly available. However, Council staff have been provided a designated copy of the plan and are satisfied that the objectives of this planning proposal support the strategic vision and objectives set out in RNP 47 and would not preclude the realisation of any strategies identified in the plan.</p> <p>If there are any future active or public transport plans for the corridor, TfNSW as the state authority would have followed best transport planning practice and included those plans in RNP 47.</p> <p>At the time the planning proposal was prepared, TfNSW advised Council that there has been no further progression of any opportunities identified in RNP 47.</p> <p>Council staff request the Independent Planning Commission (IPC) reviews the Gateway determination on the basis that there is no evidence to demonstrate that the reserved land is needed for future corridor improvements or to justify TfNSW's refusal to remove the affectation.</p>
<p>2.2 New South Head Road and the subject reserved land have been identified by Transport for NSW as part of an important public transport corridor between Darlinghurst and Bondi. The planning proposal does not safeguard opportunities for future public and active transport improvements.</p>	<p>Council staff agree that New South Head Road, Edgecliff is an important public movement corridor, being one of the LGAs two primary arterial routes. Enabling efficient movement along this corridor is a primary infrastructure priority for Council.</p> <p>One of the objectives of the planning proposal is to enable Council to confidently invest in the long-term placemaking of Edgecliff, which falls within the Darlinghurst to Bondi corridor.</p> <p>Removal of the land reservations will enable Council to progress plans for active transport and public domain improvements identified in plans including the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy, Draft Edgecliff Commercial Centre Public Domain Plan, and Draft Active Transport Plan.</p> <p>Importantly, the <i>Draft Active Transport Plan</i> identifies the Edgecliff corridor as the number one priority project for walking infrastructure (out of 21) and the number one priority project for cycling infrastructure (out of 30).</p> <p>Extracts from Council's plans are provided at Appendix 1 to demonstrate the priority of this corridor in Woollahra's current integrated land use and transport planning priorities.</p> <p>If TfNSW have plans for the corridor, Council staff welcome the opportunity to work together to deliver integrated active and public transport upgrades and public domain improvements for our community.</p> <p>However, as discussed above TfNSW has not been forthcoming with any plans indicating that the land currently reserved for acquisition is required to deliver any future public and active transport improvements.</p> <p>The land reservations are a hangover from a historical road widening project and it has not been made apparent why this land would be needed to facilitate future public or active transport infrastructure improvements.</p> <p>The other critical objective sought to be achieved by the planning proposal is the protection of buildings of heritage significance from</p>

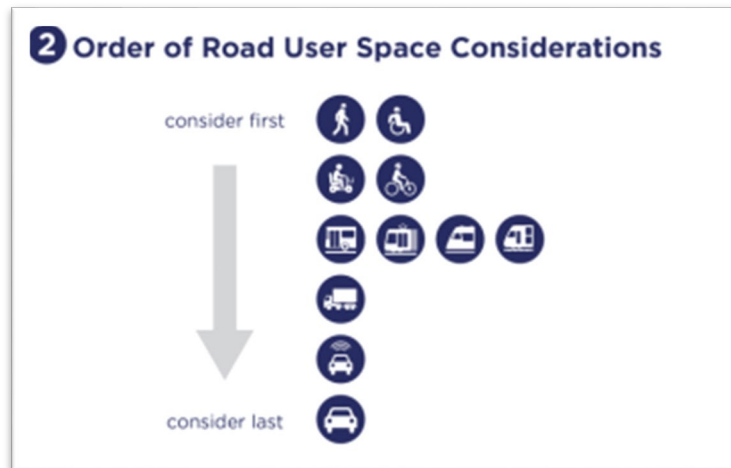
	<p>future demolition. Out of the twelve parcels of land currently reserved for acquisition:</p> <ul style="list-style-type: none"> • one parcel is a listed local heritage item • two parcels contain a proposed local heritage item, the planning proposal for which was on public exhibition from 6 April 2022 to 20 May 2022 • three parcels are currently under investigation for local heritage significance and potential heritage listing. <p>If the road reservations were to be enacted by TfNSW, then these locally important heritage buildings would be subject to demolition.</p> <p>Council staff are reluctant to independently progress any improvement works when TfNSW has clearly indicated there is a risk that any upgrades may be removed in the future to deliver future transport plans.</p> <p>Retaining the land reservations does not safeguard opportunities for upgrades in the future. Instead, the reservations create uncertainty about the intended future land use and risk sterilising this section of New South Head Road from any improvements, whether delivered by public or private agents, until the affectation is removed.</p> <p>Furthermore, the progression of the planning proposal is required to achieve the critical outcome of protecting buildings of heritage significance.</p>
<p>2.3 The planning proposal is inconsistent with the relevant aims, objectives, or actions of the following Priorities in the Eastern City District Plan:</p> <p>(a) Planning Priority E1: Planning for a city supported by infrastructure; and</p> <p>(b) Planning Priority E10: Delivering integrated land use and transport planning and a 30-minute city.</p>	<p>The Gateway determination does not provide any explanation to substantiate the view that the planning proposal is inconsistent with the identified elements of the Eastern City District Plan. The omission of strategic justification to support this determination suggests a perverse interpretation of the Eastern District Plan's Planning Priorities to refuse the Gateway determination.</p> <p>Council staff are of the opinion that the planning proposal supports the vision of the Eastern City District Plan as discussed below.</p> <p>The planning proposal demonstrates clear consistency with the following elements of Planning Priority E1:</p> <ul style="list-style-type: none"> • <i>Objective 3 – Infrastructure adapts to meet future needs</i> • <i>Objective 4 – Infrastructure use is optimised</i> • <i>Action 1 – Prioritise infrastructure investment to support the vision of A Metropolis of Three Cities</i> • <i>Action 3 – Sequence infrastructure provision using a place-based approach.</i> <p>The planning proposal is consistent with the following elements of Planning Priority E10:</p> <ul style="list-style-type: none"> • <i>Objective 14 – A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities</i> • <i>Action 33 – Integrated land use and transport plans to deliver the 30-minute city.</i> <p>Removing the reservations will help safeguard plans for future active transport and public domain infrastructure investments through Council's proposed plans for the corridor.</p> <p>These plans seek to adapt to future growth in the area by providing infrastructure to support diverse transport usage, including a new cycleway along New South Head Road (from City of Sydney Boundary to Edgecliff Station, connecting through to Double Bay & Woollahra), pedestrian infrastructure, and urban greening.</p>

These infrastructure investments will increase the accessibility of Edgecliff Train Station to surrounding residents and facilitate a greater proportion of trips by walking and cycling, reducing carbon emissions.

The growth in residential and employment opportunities proposed in the *Draft Edgecliff Commercial Centre Planning & Urban Design Strategy* increases the need for safe and efficient active transport options along New South Head Road. It is important that this future growth aligns with active transport infrastructure suited to the corridor's proximity to the Edgecliff train station and key local centre, and the Harbour CBD. Upgrading pathways and providing safe cycling lanes will cater for the future needs of residents and workers to access new employment opportunities in the Edgecliff Commercial Centre.

Retaining the reservations is committing to a future dominated by vehicular transport instead of pursuing an opportunity to provide active transport to respond to the future densification of residential and commercial land uses.

Importantly, inaction on this matter would be inconsistent with the TfNSW Road Allocation Policy (see extract below) which outlines that walking and cycling should be prioritised over vehicular transport modes.



Despite Woollahra's inner-urban character and prime harbourside location, the walking mode share (17%) is below the Greater Sydney average (18%) and the neighbouring LGAs of Waverley (37%) and the City of Sydney (57%), where much greater numbers of residents choose to walk. This suggests Woollahra's walking existing infrastructure is not attractive enough to encourage residents to walk for local journey purposes.

Improving active transport is a priority in Council's infrastructure agenda which will continue to be impeded if the land reservations along New South Head Road are retained.

2.4 The planning proposal is inconsistent with section 9.1 Ministerial Direction 5.2 Reserving Land for Public Purposes as Transport for NSW, the relevant public authority, has not agreed or provided approval to

Under Schedule 2 of the planning proposal report, it is acknowledged that the planning proposal is inconsistent with this Ministerial Direction as TfNSW, as the relevant public authority, has not provided approval for the removal of the land acquisition reservations.

However, Council staff are of the opinion that the planning proposal satisfies objective (b) of the Ministerial Direction:

facilitate the removal of the reservations.

To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition.

As Council staff have highlighted repeatedly above, TfNSW have not provided any documentation or plans to substantiate the claim that the land is needed for future transport improvements. We ask the IPC to consider this lack of transparency in its review of the Gateway determination.

3.0 Conclusion

Council staff request a review of the Gateway determination made by the Department of Planning and Environment for the planning proposal to remove land reservations affecting 12 properties along New South Head Road, Edgecliff.

Retention of the land reservations would inhibit the progression of identified strategic land use and transport priorities including the delivery of active transport and public domain infrastructure along the corridor and the protection of buildings of heritage significance.

This report provides strong evidence to substantiate Council's request for the Independent Planning Commission to review the Gateway determination made by the NSW Department of Planning and Environment.

Appendix 1

Demonstration of Council's active transport and public domain improvement plans are provided below.

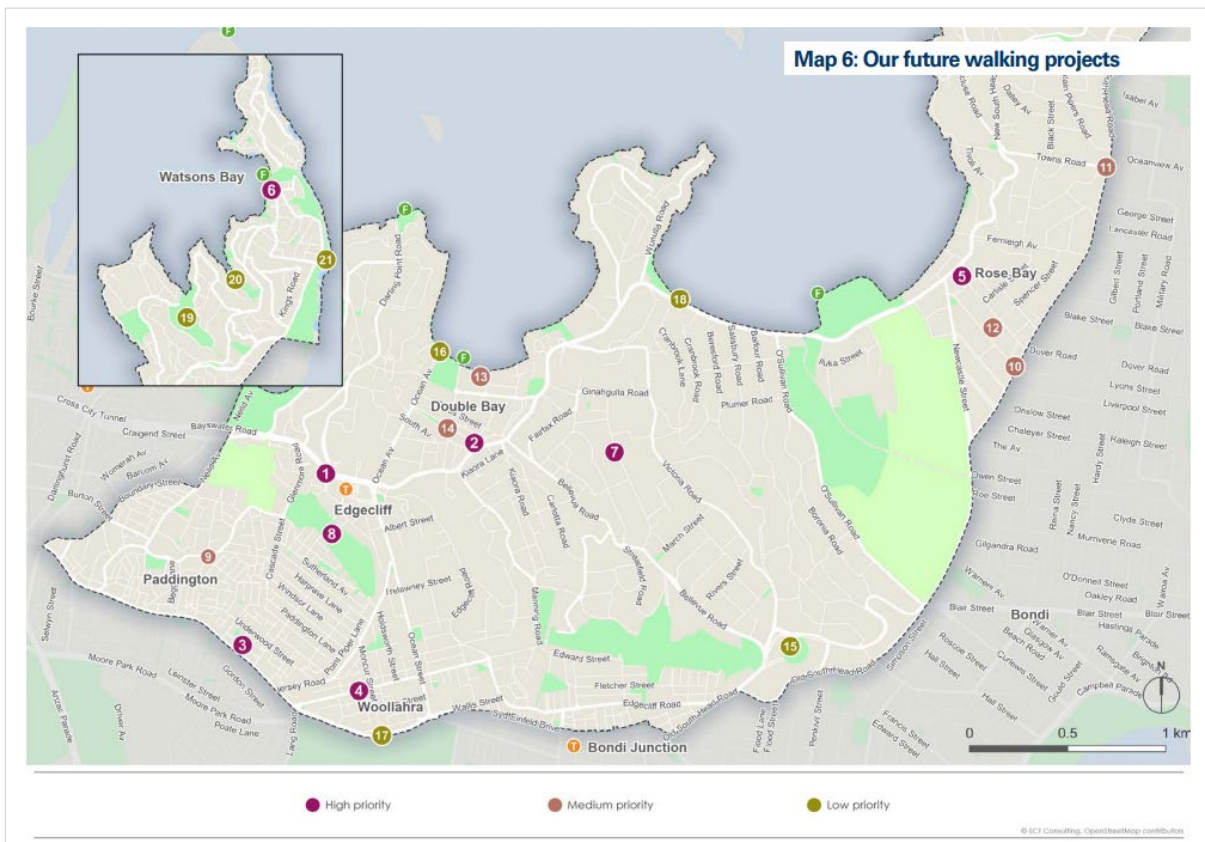


Figure 1: Upgrading walking infrastructure in the Edgecliff Corridor is the number one priority for Council's future walking projects (Source: Draft Woollahra Active Transport Plan 2022)



Figure 2: Upgrading cycling infrastructure in the Edgecliff Corridor is the number one priority for Council's future cycling projects (Source: Draft Woollahra Active Transport Plan 2022)

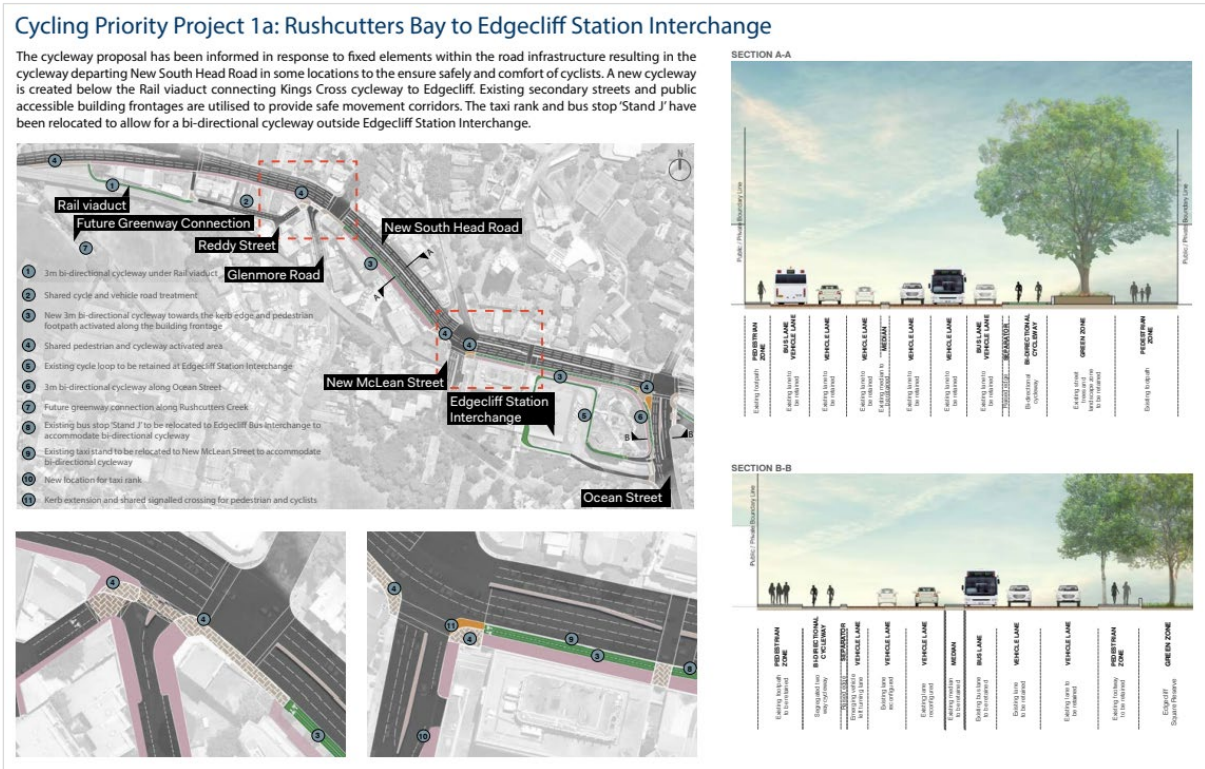


Figure 3: Summary of the high priority cycling project along the Edgecliff corridor where the land reservations currently apply (Source: Draft Woollahra Active Transport Plan 2022)

3.2 Mixed Use and Paddington Gateway Precincts

Desired future character of the precincts

These precincts include a range of retail, non-residential and residential developments. The Mixed Use Precinct provides access to residential areas and the Mona Road Heritage Conservation Area (HCA) while the Paddington Gateway Precinct marks the entry to the Paddington HCA via Glenmore Road. The precincts are expected to serve the needs of current and future residents and workers by providing a safe, activated and accessible public domain.

The key design principles to enhance the public domain in these precincts are to:

- Provide activation nodes to enhance the precinct's vibrancy. New South Head Road constrains pedestrian amenity due to the heavy vehicular traffic and consequential noise. Narrow footways on the northern side of the road also constrain the opportunities for outdoor dining. However, residential streets intersecting New South Head Road, as well as linear and pocket parks in the precinct (supported by landscape buffers), offer opportunities to provide outdoor dining.
- Enhance the landscape character of the precinct through additional street trees, footway and furniture upgrade, public art and/or lighting features.
- Upgrade the existing linear park on the southern frontage of the New South Head Road between New McLean Street and Glenmore Road to provide opportunities for a range of pedestrian oriented activities in combination with potential outdoor dining spots.
- Investigate opportunities for a cycleway on New South Head Road.
- Use way-finding elements to enhance the precinct's legibility.
- Enhance the gateway character of Glenmore Road to the Paddington HCA through footway upgrade, public art, special lighting features and wayfinding elements.



Figure 9. Public domain concept plan - Mixed Use Precinct

Figure 4: Structure plan for public domain improvements along the subject section of the Edgecliff Corridor (Source: Draft Edgecliff Commercial Centre Public Domain Plan)

Mixed Use Precinct - Site specific projects

2 Streetscape upgrade

The existing footway on the north side of New South Head Road is inactive, with low quality paving and no street trees.

There are also currently inconsistent awning patterns in this section. As the footway is currently narrow along this stretch of the road, the existing or potential future awnings may conflict with street trees. The existing planter boxes further reduce space for walking. Due to the existing insufficient deep soil in this section, these planter boxes are required for the growth of street trees.

A majority of the sites on the north side of New South Head Road are identified for potential redevelopment in the ECC Strategy. This provides opportunities to enhance the public domain character, including facade activation.

Opportunities and recommendations

- Opportunity for footway upgrades.
- Opportunity for signage and wayfinding upgrades.
- Opportunity for urban greening through low-height shrubs to minimise conflict with the existing/future awnings.
- Opportunity to upgrade the existing planter boxes.
- Investigate opportunities for a new awning strategy to ensure consistent awning patterns along the road.
- Investigate opportunities to widen the existing footway.
- Investigate innovative solutions to accommodate additional street trees despite the limited space for deep soil landscaped area.
- Investigate opportunities for collaboration with future development applicants to fund public infrastructure.



Figure 11. Aerial image and street views of the north side of New South Head Road, Edgecliff (Source: Google Maps 2020 modified by Council staff)



Concept image of a planter box as a public art element (Source: Sean Martindale 2011)



Concept image of a linear planter box for areas where mature trees cannot be planted (Source: Yard Couture 2021)



Concept image of footway integrated with street trees (Source: The Echo 2021)

Figure 5: Example of streetscape upgrades currently inhibited by the land reservations on New South Head Road, Edgecliff (Source: Draft Edgecliff Commercial Centre Public Domain Plan)

6 Linear park

The existing character of the linear park along the southern side of New South Head Road provides minimal urban furniture and the existing benches are outdated. The existing planter boxes constrain the area for pedestrian activities.

Further, the linear park does not incorporate facilities for a potential active transport upgrades.

It is noted that the contributory character of the existing building at the intersection of Glenmore Road also constrains the continuity of the linear park.

The existing electricity boxes have negative impacts on the public domain character.

Opportunities and recommendations

- Opportunity to replace the existing planter boxes with at grade landscape strips combined with large canopy trees to increase space for pedestrian activities and active transport.
- Opportunity to create spaces for passive recreation (such as spaces to have lunch) and pedestrian-scale lighting.
- Opportunity for urban furniture with inclusive seating for all ages and abilities.
- Opportunity for additional canopy trees to increase shading.
- Investigate opportunities for improved storm-water management and Water Sensitive Urban Design (WSUD) through pervious paving and deep soil landscape area.
- Investigate opportunities for active street frontages with outdoor seating as part of future development in this area.
- Investigate opportunities for a cycleway on New South Head Road. *Note: Opportunities for active transport improvements will be refined as the concepts in the ongoing Active Transport Plan are progressed.*
- Investigate opportunities for collaboration with future development applicants to fund public infrastructure.



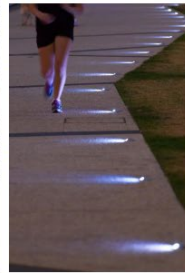
Figure 18. Aerial image and street view of the south side of New South Head Road (Source: Google Maps 2020 modified by Council staff)



Concept image of outdoor seating (Source: jgg889 2013 via Flickr)



Concept image of planter boxes as seating areas (Source: X Craft 2021)



Concept image of outdoor lighting (Source: Lighting Options Australia 2021)

24

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Draft Edgecliff Commercial Centre Public Domain Plan



Figure 20. Before and after views of the potential linear park along 161-177 New South Head Road, Edgecliff

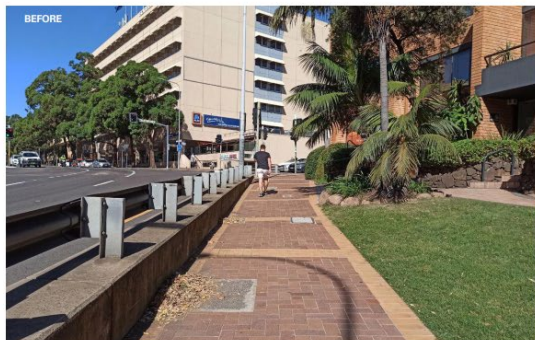


Figure 19. Before and after views of the potential linear park along the south side of New South Head Road.



Figure 6 & 7: Example of active transport and public infrastructure upgrades currently inhibited by the land reservations on New South Head Road, Edgecliff (Source: Draft Edgecliff Commercial Centre Public Domain Plan)