Summary of Actions Arising (SOA) 2022 Willoughby Bay Precinct

This document is North Sydney Council's response to actions arising from Precinct Committee Minutes. On receipt of the minutes, actions are numbered and allocated to relevant Council Officers for response.

To effectively manage and provide clarity, all actions are allocated a status when reporting to Precinct Committees in response to their minutes. There are three categories:

- Awaiting Response action allotted to Council Officer response awaited.
- Open/Ongoing action allocated to Council Officer, initial response provided. Matter ongoing and further response/update to be provided at later date.
- **Closed for Council** Council either completed related works/tasks or has taken all reasonable steps within its power to resolve issue (for example when matter is beyond its jurisdiction). If the Precinct Committee feels Council can take further steps, they can request Council reopen action.

Questions or concerns re content of this document should be directed precincts@northsydney.nsw.gov.au

Month	Item	Actions	Council's Reply	Status
December	BAFM	Draft DCP Amendment - Car Parking Rates - MOTION: Precinct supports the DCP Amendment - Car Parking Rates and requests that it apply the High Accessibility Area car parking rates to any land in Neutral Bay and Cremorne having a Category 3 Public Transport Accessibility Level and which is rezoned to permit a maximum building height greater than that shown on the current (i.e. as at today's date) NSLEP 2013 Height of Buildings maps. Precinct suggests an exemption should apply to land that has an existing supermarket, in which case the current maximum parking rate of 4 spaces / 100 m2 GFA should apply for a supermarket use. Motion Carried: 15 in favour, 1 abstention, 0 against	Council's Strategic Planner has advised that the Precinct Committee's motion is noted. However, as Council has already endorsed the proposal for exhibition as prepared, based on the premise that it would apply to areas zoned B4 and R4 within 400m of heavy rail and metro stations, any expansion of this area would require a resolution from Council supporting the expansion of the area to apply to Cremorne and Neutral Bay. The results of the public exhibition will be presented to Council in the form of a post exhibition report by mid-2023. Council will consider all submissions made in respect to the Car Parking Rate DCP amendment at this meeting and consider whether the area identified should be expanded.	Closed for Council

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	GB	Concerning 5 Ryries Parade - A resident expressed concern about the disharmonious and unattractive built form of the first-floor addition at 5 Ryries Parade and enquires whether it is in compliance with the DA and Council building regulations generally.	Item allocated to Council's Senior Assessment Officer.	Awaiting Response
	GB	Soft plastics collections - Precinct members discussed the loss of the option for soft plastics recycling through Coles and Woolworths. Precinct asks if Council's Director OSE can advise if Council is aware of any local steps taken or imminent to fill this gap and enable residents to recycle soft plastics so they do not aggravate bulk to landfill.	Item allocated to Council's Waste Management Coordinator.	Awaiting Response
November	GB	Building Concerns at 16 Davidson Parade Cremorne - A Precinct resident has highlighted the following concerns with building construction currently underway at the rear of her property but still on her land: • Workmen working outside of work hours • Scaffolding constructed on resident's property • Building debris falling on resident's property. The resident has complained to Council but is yet to hear back from Council. Precinct asks Council if they have recorded the resident's complaint and what their follow up has been?	UPDATE (8 December 2022) Council's Team Leader Building Compliance has advised that according to Council's record, the matters regarding work occurring out of hours and building debris falling onto a customer's property have been recorded and previously investigated. The customer has been contacted regarding Council's investigation. In addition, Council's Rangers will be asked to monitor the site more frequently to ensure that works do not occur outside of permitted construction hours without an appropriate permit. The matter regarding "scaffolding constructed on resident's property" is a new matter, and this will be recorded for investigation. This matter has been	Closed for Council

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			forwarded to a compliance officer for further investigation.	
			The customer is encouraged to contact Council's Team Leader - Building Compliance on 9936 8100, to discuss any concerns they may have with the investigation or development at 16 Davidson Parade.	
October		Draft Amendment to North Sydney Development Control Plan 2013 St Leonards/Crows Nest Planning Area - MOTION: Precinct supports Council's Draft Amendment to NSDCP 2013 - St Leonards/Crows Nest Planning Area.	Motion and voting breakdown noted by Council's Strategic Planner - Urban Design.	Closed for Council
		DA92/21/4, 12-14 Waters Road Neutral Bay, Plans (amended) - Precinct Chair to put in an objection to the amended plans of 12-14 Waters Road, Neutral Bay.	Comments noted by Council's Senior Assessment Officer.	Closed for Council
		Planning Proposal 4/22: Prohibition of Residential Flat Buildings in the R3 Medium Density Residential Zone - MOTION: Precinct supports Planning Proposal 4/22 and is seeking to preserve the character of the streets in and around the R3 Zone.	Council's Executive Strategic Planner has advised that Precinct Committee's motion will be treated as submission.	Closed for Council
	GB.1	WH Brothers Park - A resident whose property backs onto the northern boundary of Brothers Park has requested Precinct ask Council to remove a pine tree from Brothers Park because soil is being washed from the base of the tree into the back yard of the resident's property. RL to liaise with Council staff as the embankment will need to be replanted to be stabilised and to maintain privacy if the tree is removed.	Council's Urban Forest Supervisor has advised that the tree was inspected by staff and informed that the tree is in good health and condition and doesn't warrant removal. The tree is stabilising the soil, and its removal will only disturb the soil leaving it susceptible to erosion. Council's Parks team is happy to provide further tree planting in the location if requested.	Closed for Council

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	GB.2	Brothers Parks entrance - Precinct requests Council upgrade the pedestrian entry to Brothers Park as it is currently a trip hazard and not safe for wheelchairs or walkers. Precinct also requests Council inspect the timber fence adjacent to the entry to the park. Timber sections have rotted and are not safe.	Council's Manager Parks & Reserves has advised that staff will look at getting a concrete pad on the entry to the park. The fence will be added to the replacement list for this year. Timeframe pending contractor and materials availability.	Closed for Council
		 DA326/16/4, 15 Richmond Avenue, Cremorne: This part-constructed property is now for sale. Precinct requests Council to advise whether: Development approval has been given for the construction of two swimming pools as is being advertised. Council's financial position with respect to payment for loss of street trees and damage to Council property (footpath etc) is protected in the event of the sale of the property. 	Comments noted by Council's Senior Assessment Officer. The Precinct Committee's submission was also received via Council's Applications Tracking site.	Closed for Council
		No. 1 Wonga Road - A boat trailer has been there for a long time. Precinct asks Council to arrange for a Ranger to inspect and commence impounding action. Precinct further asks Council what the current situation regarding boat trailers is and what is the current modus operandi for Rangers when complaints are lodged.	Council's Manager Ranger & Parking Services has advised that currently Rangers check and mark all boats on the entire local government area on the first weekend of every month. Rangers revisit all boat trailers marked (at the first weekend) on the second month (i.e. 30 or 31 days later). If the boats have been moved, its chalked again. If not moved, Council will write to the registered owner asking them to move it, then Rangers revisit on the first weekend of the third month (i.e. 60 or 62 days later) and if it is still identified by Rangers as unmoved Council will impound it.	Closed for Council

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			Complaints received of unmoved boat trailers will be addressed on the first weekend of the next month. This legislation is a very labour intensive reminder service that at the moment has no means of cost recovery for Council. There are no fines for exceeding the time limit and the costs for impound are borne by Council if the boat is not claimed.	
		45 Wonga Road - A sinkhole has appeared. Can Council ask Sydney Water to repair	Council's Works Manager (and Council's Assets Manager) has advised that Sydney Water is already aware of the matter and have placed cones around the sink hole which is adjacent to their sewer pit. This is a Sydney Water asset. Council staff have submitted an online customer request that they undertake repairs urgently. UPDATE (29 December 2022) Council undertook an investigation which identified that there was a defect in the adjacent sewer manhole which was the cause of the sink hole. This information has been provided to Sydney Water. The restoration of this sink hole has also been referred to Sydney Water for their action.	Closed for Council
		139 Young Street - There is an abandoned car. Can Council arrange for a Ranger to inspect.	UPDATE (28 December 2022) Council's Manager Ranger & Parking Services has advised that the car is being processed in accordance with the new legislation. It has been fined and will be removed if the owners do not remove it.	Closed for Council

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		143 Young Street - Footpath blocked by vegetation. Can Council please trim or ask property owner to trim.	Council's Tree Preservation Officer has advised that Council has advised (via letter) the owners of this property that plants are obstructing the footpath. Letter was sent on 28 October 2022. Staff will check for compliance if Council has not head back from the owner.	Closed for Council
		Feeding of native birds including magpies - A Precinct member has received a flyer from the Bushland Management Coordinator requesting that local residents stop feeding the birds and other wildlife and contact Council if those responsible are known to you, "so that more targeted education can be undertaken." Precinct members feel the "dob in your neighbour" approach will upset residents. Local distribution of a leaflet explaining why it is best not to feed birds and wildlife would be more appropriate.	Council's Bushland Management Co-ordinator has advised that the letter does explain the harm that feeding wildlife causes. This letter has been used numerous times over several years and this is the first and only complaint received to-date. Staff will review the wording used and update its contents as needed.	Closed for Council
September	No act	ions arising requiring Council's response		,
August		MOTION: Precinct supports the Wollstonecraft Motion - on 11 August 2022 Report by JH, Chair of Wollstonecraft Precinct Motion resolved unanimously by Wollstonecraft Precinct on the Weighting (Importance) of Precinct Submissions.	Council's Manager Corporate Planning & Engagement has advised that the Precinct Committee's suggestion can be explored via the finalisation of the Implementation Plan from the Precinct System Review, noting that this can be part of Workshop 1) Amended Policy, Code and Guidelines. For more information refer to the memorandum dated 17 August 2022 and the pending review of Council's Community Engagement Protocol.	Closed for Council
			UPDATE (11 October 2022) Council at its meeting held 10 October 2022 considered a	

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			related Notice of Motion and resolved: 1.THAT in its consultative process with the community, including consideration of submissions from Precincts, on Council policy proposals, Council ensure, when voting from the community is requested, Council recognises the number of individual votes for and against the proposal, rather than consider that an individual organisation's majority vote be counted as a block of one vote for or against the proposal. 2.THAT at community group meetings where a consultation is requested by Council, it is made explicitly clear, through a prepared standard statement (agreed to by Council) read in the meeting, the individual vote numbers will be recorded in the consultation report to Council. 3.THAT for the purpose of transparency and to ensure the absence of 'branch stacking', the names and addresses of individual voters will be included in the report to Council on the voting outcome of the consultation. 4. THAT when voting is counted at Council, any individual person's vote is only counted once, whether it be as an individual or part of a group. 5. THAT the principle of "one person, one value, one vote" is included in the review of the Community Engagement Protocol.	
		DA 206/22, 25 Montague Road, Cremorne - MOTION: Precinct is of the view that the scale of the additional storey of this DA (lodged 13 July 2022) is visually obtrusive and a crude departure from the existing heritage streetscape. This is not in accordance with the provisions of the DCP. Precinct feels these concerns could be addressed if the scale were to be reduced and a more light-handed approach to the design adopted.	Noted by Council's Senior Assessment Officer.	Closed for Council

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		Young Street/Grasmere Road Roundabout - Precinct asks the Director Engineering & Property Services how he is going with the reinstatement of the roundabout. DM said he would ask TfNSW to provide a design for a roundabout which is acceptable (Precinct Minutes 9 June 2022).	Council's Director of Engineering & Property Services has advised that Council awaits a response from TfNSW on what they suggest is a suitable design to reinstate the roundabout.	Open/Ongoing
			UPDATE (11 October 2022) Council's A/Manager Traffic & Transport Operations has advised that TfNSW has provided Council with the design parameters (not a finished design) for reinstating the roundabout. The parameters are what Council is already aware of. Council will now have to apply the parameters to the intersection in a detail design to establish impacts on parking (parking loss) - the cycleway reconfiguration - pedestrian access - bus access and overall cost. This process will take at least 6-8 weeks as Councils Traffic & Transport Operations Department is currently short staffed.	
July	GB	Hiatus Between Meetings of Reference Groups - Sustainable Transport Reference Group last met in May 2021. The April meeting was cancelled and no meeting is scheduled until November this year.	Council's Manager Council & Committee Services has advised that the April 2022 meeting was cancelled due to staff shortages affecting preparation of the agenda and conduct of the meeting. The Precinct Committee will be advised in due course of any additional meeting dates. The next scheduled meeting is 21 November 2022.	Closed for Council
June		Banning right turn from Winnie Street - Proposal from TfNSW to permanently ban right turn with "Buses Excepted" from Winnie Street onto Military Road Cremorne, from Tuesday 12 July. Any questions, contact TfNSW: projects@transport.nsw.gov.au or	Council's Director Engineering & Property Services has advised that due to feedback from Council and the Community, TfNSW informed Council on 9 July 2022 that the project is now on hold.	Closed for Council

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		Transport.nsw.gov.au. A show of hands indicated Precinct was strongly opposed to the proposal.	UPDATE (14 July 2022) Based on the community feedback provided to TfNSW, the existing AM and PM No Right turn ban from Winnie Street at Military Road will remain in place until further consultation and investigations to improve safety and efficiency at the intersection is carried out in the coming months.	
		Flood Study - Precinct Chair raised two questions on the Flood Study on behalf of a Precinct member who was unable to attend: 1. With increased revenue from the special rates variation will there be a program to treat second echelon capacity/overland flow issues? DM said it was not related to the SRV anymore, it will be related to additional funding Council can get from the government. 2. When could this program occur? Answer: 2023/24 financial year.	Council's Engineering Project Manager has advised that: 1. Once the Floodplain Risk Management Study & Plan are adopted by Council, State Government funding is available for the design and construction of the flood mitigation works included in the plan. Other improvement works will be undertaken using the Council's Capital works program. 2. Depending on funding availability investigation and design works can commence in the 2023/24 Financial year.	Closed for Council
		Planning Proposal: Woolworths, 1-7 Rangers Road, Neutral Bay - MOTION: That the Precinct objects to Council supporting Planning Proposal 6/22, 1-7 Rangers Road, Neutral Bay for the following reasons: 1. Its principal argument is the Military Road Corridor Planning Study which has been rescinded by Council. 2. The proposed Height Limit is grossly excessive - 40 metres will accommodate 12 storeys which will be overbearing and cause significant overshadowing.	Council's Team Leader - Strategic Planning has advised that the Precinct Committee's feedback is noted, and that the applicant has been advised that Council will not support a site-specific planning proposal unless it is consistent with an endorsed planning study. This Planning Proposal will be referred to the North Sydney Local Planning Panel (for advice) prior to being formally considered by Council. The approximate timeframe for this is August/September 2022.	Closed for Council

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	4.	The large number of car parking spaces will result in unacceptable traffic impacts on the local road network, especially the Wycombe Road and Military Road intersection. There is inadequate public benefit being offered both the 65 public car parking spaces and the publicly accessible square provide commercial benefits to the development, not public benefits. Approval of this Planning Proposal would set an undesirable precedent.	UPDATE (7 September 2022) Council's Team Leader - Strategic Planning has advised that this matter will be considered by North Sydney Local Planning Panel (NSLPP) on 14 September 2022. All those that have made a submission (including Precinct Committees) will be notified of this via email. Further information on NSLPP, including agendas and minutes are available on Council's website. Note: this PP that had been lodged with Council and at this stage of the assessment process is not formally on public exhibition. Public exhibition requires Gateway determination from the State Government. Refer to Council's website regarding process and status 1 UPDATE (4 October 2022) At its meeting of 14 September 2022, NSLPP recommended: The Panel urges the Council to finalise its strategy and plans [in relation to the Neutral Bay Centre Military Road Planning Study] as a matter of priority for all stakeholders, including the community. The Panel recognises the importance of strategic planning to guide change and future development having regard to providing certainty on a comprehensive basis, to deliver improved built form outcomes, function, and accessibility for the centre as whole. The Panel considers the planning proposal does not demonstrate either site specific or strategic merit to justify a spot rezoning for this site in	

¹ https://www.northsydney.nsw.gov.au/Building Development/LEP_DCP/Planning_Proposals/Status_Progress

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			isolation, given its location within the Neutral Bay Town Centre.	
			The NSLPP minutes are available on Council's website.	
			UPDATE (11 October 2022) At its meeting of 10 October 2022, Council considered an assessment report of Planning Proposal 6/22 at 1-7 Rangers Road and 50 Yeo Street, Neutral Bay, which seeks to amend North Sydney Local Environmental Plan 2013, following its review by the North Sydney Local Planning Panel on 14 September 2022. At the time of compiling this SOA the minutes of the Council meeting are yet to be published however the report recommended:	
			1. THAT the Planning Proposal (PP6/22) not be supported to proceed to a Gateway Determination. 2. THAT Council notifies the applicant of Council's determination in accordance with clause 10A of the Environmental Planning and Assessment Regulation 2000. 3. THAT Council advise the Department of Planning and Environment of its decision and be provided with a copy of this report and its resolution in support of Council's decision. 4. THAT the applicant be invited to comment on the future revised Military Road Corridor Planning Study. The minutes will be published on Council's website.	
May		Illegal Dumping in Wonga Road - A Precinct resident has reported a pile of builder's rubbish on the western footpath, a little to the south of 2 Wonga Road. The	Council's Supervisor - Street Cleaners has advised that no rubbish could be found when visiting the area on 6 June 2022. The Precinct Committee is requested to provide further information regarding this illegal dumping.	Closed for Council

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		rubbish has been there a while. Could Council please remove.	UPDATE (9 June 2022) The Precinct Committee has advised that the rubbish was removed prior to 6 June 2022.	
		School Buses Blocking Primrose Park - On 2 May 2022, around 5pm there were three school buses blocking all traffic in Young Street parking lot, opposite Primrose Park. It was traffic chaos. Can Council advise on what it can do to address the issue of buses blocking traffic in Young Street particularly in the peak hour of a weekday.	Council's A/Manager Traffic &Transport Operations has advised that such matters should be reported to Council's Rangers at the time of the occurrence for an initial investigation. Referred to Council's Manager Ranger & Parking Services for monitoring of location.	Closed for Council
		WH Brothers Park - A Precinct resident has raised the issue of pruning by Council to retain views. It was noted that owners of neighbouring properties may have concerns about loss of privacy if vegetation is overpruned.	Council's Manager Parks & Reserves has advised that residents can apply to Council for selective pruning of vegetation for views. These applications are assessed by Council officers and items like privacy considered. Cosmetic Pruning of Trees	Closed for Council
April		Land slippage at 17 Richmond Avenue, Cremorne - Precinct would like to know who gave the engineering advice and who is paying for the removal of these perfectly healthy trees and rectification works and planting of replacement trees and whether Council can recover costs from the developer? Precinct endorses Precinct Chair's correspondence to Council of 25 March 2022 and has asked Cr Bourke to follow up.	Council's Manager Corporate Planning & Engagement has advised that response has been provided via Memorandum dated 5 May 2022, to the Precinct Committee's email of 25 March 2022. Delay was in part due to a receipt of a related Notice of Motion presented to the April Council meeting. UPDATE (29 June 2022) A related Notice of Motion 24/22 was tabled at the 26 April 2022 Council meeting:	Closed for Council
			THAT Council strengthen the processes surrounding the	

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			protection of mature trees on Council land when adjacent private land is being developed and further report be presented to Council as to how this can be achieved.	
			A response to the Notice of Motion was considered at the Council meeting of 27 June 2022 (Item 8.13), whereby Council resolved to receive the report.	
		Young Street Plaza - It has been suggested that the partial closure of Young Street may be an item on the agenda at the next Council Meeting. Precinct requests Council reinstate Young Street as a proper thoroughfare.	Council's Director Engineering & Property Services has advised that the matter was considered at the Council meeting of 26 April 2022, in which the Council resolved that the Young Street Plaza be removed/Young Street be re-opened.	Closed for Council
			1. THAT Council reject all tenders for Tender 34/2021 for Young Street Plaza Construction. 2. THAT all Councillors be provided with the Funding Deed and any other correspondence/information. 3. THAT the Mayor meet with Transport for NSW to discuss alternate options within the Military Road corridor including alternative options for Young Street. 4. THAT Young Street be reopened and that the funding for the reopening be sourced from either the existing Transport for NSW funding which funded the temporary closure of Young Street in the first place or from the existing Engineering Budget. 5. THAT the Confidential Report relating to matters specified in Section 10A(2)(d) be treated as confidential and remain confidential until Council determines otherwise.	
/larch	GB	THAT future Precinct meetings commence with Acknowledgement of Country	Council's Community Engagement advises that Council's <u>Aboriginal & Torres Strait Islander Protocols (2021)</u>	Closed for Council

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			provides suggested wording for the an Acknowledgment of Country. Below is an extract from page 18 of the Protocols:	
			The wording for an Acknowledgement of Country is not prescriptive and can take many different forms at the discretion of the speaker. However, for those looking for guidance, the following wording is considered appropriate:	
			"I would like to Acknowledge the Aboriginal traditional custodians of this land. I would also like to pay respect to Elders both past and present, the spirits and ancestors, and extend that respect to other Aboriginal people present."	
	GB	 THAT the Precinct opposes the approval of Planning Proposal 2/22, 12-14 Waters Road, Neutral Bay for the following reasons: Its principal argument is the Military Road Corridor Planning Study which has been rescinded by Council. There has already been a substantial breach of the Height Limit incorporated in the approved development, DA 92/21. The proposed Height Limit is out of character with its environs and is excessive. 	Council's Strategic Planner has advised that the Precinct Committee's opposition is noted. The Planning Proposal has not yet been formally exhibited and as such this cannot be treated as a submission. Should this Planning Proposal proceed to public exhibition, the Precinct Committee can make a formal submission using the Online DA/PP Submission Form. Note: if/when the Planning Proposal is exhibited, following "Gateway Determination" by the NSW Government, all Precinct Committees will be advised.	Closed for Council
		 4. A significant proportion of the non-residential space is proposed to be underground. 5. There is inadequate public benefit being offered in the Voluntary Planning Agreement. 	UPDATE (7 May 2022) Council's Community Engagement Coordinator notes that this matter was also discussed at the Willoughby Bay	

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		6. Approval of this Planning Proposal would set an undesirable precedent	Precinct Committee meeting held 14 April 2022: At Precinct's 10 March 2022 meeting, Precinct passed a Motion opposing the approval of this Planning Proposal. Since our meeting that Proposal has been referred and considered by the North Sydney Local Planning Panel with a report from Council's Strategic Planner recommending that the Proposal not proceed to Gateway Determination. The Strategic Planner's report quoted the reasons given in Precinct's Motion. Precinct Chair addressed the North Sydney Local Planning Panel at its meeting on 13 April 2022, reiterating the same reasons for opposing the Planning Proposal. MOTION: THAT Precinct thanks Council for the Strategic Planner's report and authorises Precinct Chair to write to each of the Councillors advising Precinct requests they not support the Planning Proposal proceeding to Gateway.	
	GB	Precinct asks Council in the wake of the recent wild weather to please clear bushes which have spread completely across the footpath at 47 Wonga Road and at 38 Brightmore Street there is a tree overhanging the footpath and completely blocking it.	Council's Parks & Gardens Supervisor has advised that a maintenance team will attend to the site to prune the vegetation and clear the footpath. Works will be completed by 15 April 2022.	Closed for Council
	GB	Precinct would like the reinstatement of the roundabout at Young Street and Grasmere Road and removal of the speed bumps. This being the safest possible solution to a traffic problem that has been created since the removal of the roundabout	Council's A/Manager Traffic & Transport Operations has advised that the changes made to this intersection were part of the cycleway and it was to improve safety of cyclists. Cyclists are very vulnerable road users especially when it comes to intersections and roundabouts. Research shows often cyclists are involved in serious	Closed for Council

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			crashes at roundabouts whether it be involving other cars or single vehicles. TfNSW guidelines and approvals where needed to install the cycleway, so therefore changes to this intersection would not be approved.	
			An investigation was conducted of crashes at this intersection, and it showed that over the past five years of data there have been no vehicle crashes at this intersection. Therefore, the justification of changing to a roundabout on safety grounds is not warranted.	
			The speed bumps will not be removed as they force vehicles to go slower and improve safety for vulnerable road users.	
February	No actions arising requiring Council's response			