

NEUTRAL PRECINCT MINUTES
Tuesday 14 March 2023, commenced at 7:00 pm

Mayor Zoe Baker

GC welcomed the Mayor to the meeting.

The Mayor began by acknowledging the Traditional Owners of the land on which we were meeting, then spoke to the following issues:

1. Neutral Bay Town Centre Planning

Council repealed the initial study because it would have changed the building height and scale of the Neutral Bay Village and has commenced round 2 of the Military Road Corridor Planning Study. Council has undertaken to institute a more considered study of the town centre that does not include huge height increases but responds to the huge development pressure in Neutral Bay and Cremorne, and moves away from using terminology like “corridor”.

Consultation has commenced with a ‘Pop Up’ community awareness information session in the Grosvenor Street Car Park and will continue with more detailed consultation.

The Neutral Bay and Cremorne Progress Association (NBCPA) has asked Council to set up a community advisory group to the Planning Study similar to ‘Lane Cove Alive’ group which informed the Lane Cove Canopy project. As a result of discussions between the Mayor and Council’s Director of City Strategy, a Mayoral motion will be put to the next meeting of Council to allow this to happen.

2. The Mayor’s background

The Mayor grew up in this area and now chooses to live here to give her own child the same childhood that she enjoyed.

Her mother was a North Sydney Councillor and a keen advocate for a community friendly built environment which she passed on to the Mayor and her sister.

A key influence to stand for election as a councillor was seeing that the 2008 Local Environment Plan (LEP) did not provide sufficient benefits to the existing population let alone the future.

The Mayor was a councillor initially for the Wollstonecraft Ward and now for the St Leonards Ward. As a councillor the major challenge has been how to deliver new embellished spaces to suit the community in the context of huge State Government infrastructure in the LGA.

3. Planning Proposal for Woolworths Rangers Road - impact on the community

Council has taken a strong position in line with community expectations and refused the first planning proposal. Council staff are now looking at the second proposal.

The challenge is to provide sufficient public benefit and have a development that does not swamp the local roads and keeps the height down. The site is impacted by traffic from a number of nearby schools and an increase of residents in the area in the last 5 years.

Another challenge is that Council is also being required, by the State Government, meet higher and higher residential density targets.

4. Heritage Review of the LGA

A significant issue for Neutral Bay and Cremorne is that currently the eastern side of the Warringah Freeway does not have the same heritage or conservation cover as the Western side. The current system to protect heritage in the area is imperfect and can only be addressed as and when a property comes under threat of development. Council has been issuing Interim Heritage Orders (IHOs) to manage the issue.

Planning controls are needed to protect the character of the area so Council has resolved to undertake a whole of Local Government Area (LGA) heritage review. The review will address whether there are additional conservation areas that need to be created. At the same time changes to Council's Development Control Plan (DCP) can be made to improve heritage protections.

5. Open Space Strategy

The last Open Space Strategy was introduced in 2009, which did not really address the open space to meet needs at that time. Development in the LGA since then has made the situation worse.

Council will promote the undertaking of a new open space strategy in the next financial year. Hopefully the work will be funded from Voluntary Planning Agreements that local developers enter into with Council as a requirement of approval to a Development application.

A community discussion is needed to inform development of the strategy and the Mayor encouraged everyone to have their say.

6. Development in the R3 – Residential Flat Zones

Council has unanimously resolved to amend the North Sydney Local Environmental Plan 2013 to prohibit residential flat buildings in the R3 Medium Density Residential zone.

7. 12-14 Waters Road Neutral Bay development

The developer is seeking an uplift in building height from the current code limit of 16 meters to 22 meters. Council has rejected the proposal and is holding the line on heights in the area.

8. North Sydney Olympic Pool

The Council is \$30m in debt and engaged Price Waterhouse Coopers to undertake a review of the current Pool contract and advise what is needed to take the project forward.

\$3M from Council's open space budget was redirected by the previous Council towards meeting the Pool project costs.

The 22 findings in the Report are being implemented by Council's General Manager. Due to confidentiality restrictions the Report can only be publicly released at the end of the Project.

9. Council's General Manager

Therese Manns is the new General Manager. She has a good financial background and has been recruited to put community to the centre of all decisions made by Council.

Ms Manns was most recently the General Manager, Randwick Council and has held positions at other Councils including Broken Hill.

The GM has spoken to all Council staff members and recommended a new organisation structure which Council has endorsed.

The new structure reduces from 6 to 3 the number of Directors and recruitment is underway to fill new/vacant positions.

The Mayor is optimistic about the General Manager's vision which is an organisation that has the right staff to determine the issues necessary for the Council and encouraged the Precinct to invite Ms Manns to a future meeting.

10. Western Harbour Tunnel (WHT) and Warringah Freeway Upgrade (WFU) Project

The whole Council is opposed to the project.

Construction methodology for the WHT has recently changed and gives North Sydney Council the opportunity to claw back some of the worst elements such as the placement of pollution stacks, impact on Berry Street and traffic movement in the area. The Council will advocate to the new State Government after the March election to re-locate the stacks to the Artarmon industrial area

Questions and Answers

Q: What is Councils response to the removal of the Angophora trees in Alfred Street?

A: The 2 for 1 replacement of trees is part of the conditions of consent placed on the project contractors by Transport for NSW (TfNSW), without consultation with Council.

The net loss of space from the development makes it difficult for the Council to find space to accommodate the additional tree canopy. There has been a loss of 13-1500 mature trees and added to the significant loss on private land in the LGA over the last 20 years and Council is committed to put in all the 2x trees.

Council has 2 fulltime staff whose job it is to liaise and clarify with the Contractors / TfNSW on WH&WFU issues. The staff have non-disclosure agreements and are prevented from sharing information with the elected councillors and the community.

Q: With the increase in cars from new multi- storied apartments will Council undertake a traffic study to inform future developments?

A: The Environmental Impact Study (EIS) for the WH&WFU Project is based on 2016 traffic studies. Travel patterns have changed and we already have highly congested roads

The Neutral Bay Town Centre Planning Study will include a traffic study to look at what additional development will do to the current congestion.

Some developments such as the expansion of the Redlands School campus, where there was no request for set-down pick-up on their own campus have impacted traffic movement.

The population has doubled and on-street parking is a challenge. It can be addressed by a suite of policies but will never be perfect.

Q: What can we do to halt inappropriate development?

A: Council has been lobbying the local state member of parliament and the Minister for Planning to stop the Gateway Review for planning which allows the proponent of a development to appeal a Council decision. The simple quick fix is to have that decision back with a Council.

The community needs to keep the pressure on Local and State Governments to look at zoning, and for a heritage review. A review is particularly needed in the area south from Military Road down to Kurraba Road. In the interim the feasible thing is the Councils proposed heritage review. The Development Control Plan (DCP) also needs to be reviewed to include scale and protection of character.

Q: Who sets the population density targets?

A: The current targets are set in the District North Plan by the State Government with no real consultation. The Local Environment Plan (LEP) responds to these targets.

The North Sydney LEP meets and exceeds its targets but there is a layer of the Gateway Review process and State Significant Developments applied by the Minister for Planning that over-rides the LEP and the targets.

Spot re-zoning gives huge profits to developers without significant benefit to the community. Planning changes as mentioned above are key.

Community action can make the difference. For example the first Woolworths Rangers Road planning proposal where Council backed the community. We need to take heart from these wins.

Q: Does it help to vote for the Teals/Independents in the coming State election?

A: My personal view is that we are being taken for granted at the State and federal levels. It is important to shake up the Parties. The best thing would be a strong Cross Bench to take community views to the Governments. I am a great believer in public participation and collaborative action can make a difference.

Q: Was Woolworths signalling an ambit claim in the first planning proposal?

A: Woolworths is under pressure because of the move out of Grosvenor Street. It is a nice case study of community action making a difference and community action with the Council.

Q: Why did Council vote to open the Young Street Plaza to traffic again and is giving money back to the State Government ?

A: The decision was in response to community concern on the north side of Military Road. It is not the right site for a centre of Neutral Bay, the right site is the Grosvenor Street car park where Council has control of the land, it's a north facing open space and where the community centre is located.

The money was allocated to Council as part of the B-Line Bus upgrade project. Council is negotiating with the Department of Transport for a one lane in from Military Road to Young Street and to provide an extended pathway.

Coles is preparing a development for the Grosvenor Street site currently leased to Woolworths. Coles are not going for a planning proposal (PP) but will put in a development application (DA) to be considered under the LEP. This is similar to the development of the Crows Nest Willoughby Road Coles which has an activated plaza and a new supermarket with housing above within the Councils controls.

Q: Will Council consider putting a pedestrian walkway above Military Road?

A: Yes. The community should participate in consultation for the Neutral Bay Town Centre and bring ideas forward. It would need to be a negotiation with Transport for NSW.

Q: The current LEP provides for development targets in North Sydney LGA. Is there pressure to increase heights in Neutral Bay?

A: No. Increased density needs to be supported by improved public transport.

In order to deliver new open space you need to have a major increase in heights to get sufficient voluntary planning agreements. The question is how much are we prepared to wear greater heights and I don't think that has the support in Neutral Bay. It is different in St Leonards / Crows Nest because they have the public transport infrastructure.

The Neutral Bay Planning Study needs to start with what is that we want and then discuss how we can deliver it. There is also an issue regarding communal space that needs to be included.

Q: Is the Bayer Building coming down?

A: It is in the 3rd iteration of planning and in the Gateway process. Council and the community are resisting.

Q: What is the level of commercial requirements for Neutral Bay?

A: It varies, dependent on the zone and is set out in the District North Plan. Most is located in St Leonards and Crows Nest. The large scale is centred in the North Sydney CBD and St Leonards and both are to be delivered around the Metro.

Q: How realistic is it for Council to require developers to come back if the height is above the LEP?

A: It would be fantastic. In the structure of the Environmental Assessment Act you can vary development standards. It is supposed to be 10% but it is always more. There is an appeals function.

There needs to be true reform of the Planning System. We need the local members of Parliament to push for the changes. The Council and the community also need to be part of the push for change.

Q: The North Sydney Pool will cost an increasing amount. Will this impact funding the Neutral Bay Town Centre Planning Study?

A: The Study is funded. Council has tasked the General Manager with advising how Council can sustainably fund the pool. We will need to prioritise some projects out over 5-6 years beyond what was initially planned.

I am opposed to the sale of assets but we may need to talk to the community about this.

Q: What are the elected members of Council views on the development of 1 Hayes Street Neutral Bay?

A: It is the Local Planning Panel that makes the decisions. My personal view is it should be a lower scale and reflective of the area. Elected officials cannot get involved in decisions, however, I will put a Mayoral motion to Council that Council's solicitors not enter into any agreement 'behind closed doors' and that the community can talk to the Commission.

The Chair of the Design Excellence Panel was at the meeting and advised that the Panel looked at this proposal last week. The Panel recommended the site stay at 3 levels with a possible extra level at the top set back.

Q: Can we do the same with the development on the Corner of Military Road and Wycombe Road (DA404/22) where the developers have now gone to the Land & Environment Court seeking to exceed the building height limit?

A: I will undertake to look at this and come back to the Precinct with an answer.

Q: Why wasn't the heritage house(s) preserved on the Landsdowne Gardens Aged Care development in Wycombe Road?

A: Council argued strongly about the heritage on the site. The Sydney North Planning Panel made the decision to allow the development.

GC thanked the Mayor for attending and the meeting gave a resounding show of thanks.

An intermission was called and 29 of the 45 people present left the meeting.

MEETING

1. Apologies – nil

2. Business from minutes of meeting held on 14 February 2023:

- i. Following review, the minutes were moved as correct by EC and seconded by GC.

3. Update Planning Proposal 1/23 : 1-7 Rangers Road & 50 Yeo Street (Woolworths)

MTJ from the Neutral Bay and Cremorne Progress Association provided the following update:

Over 200 submissions on the first Planning Proposal (PP) were made to the Council and the Department of Planning.

The Association would like to see the second Planning Proposal modified and has encouraged Council to put in place a Site Specific Control Plan for reasonable floor to floor heights which would bring the visual bulk, facing Yeo Street, down by 2 storeys to 20.7 metres with additional height to accommodate where a lift for example would pop up. This is generous when compared with the Muse Apartment building next door which is 19.1 metres.

The Association members would also like to see ground level setbacks in Rangers Road for pedestrian amenity and have recommended the 2 story retail block along the site boundary with 185 Military Road be deleted from the plan. Also recommended is having the open space area dedicated to Council to maintain and to give Council control over what happens to that area in the future to protect open space.

The PP is asking for 88 car spaces over Council's code which will impact the traffic in Yeo Street.

Following PP approval Woolworths will need to submit a DA which will go to community consultation.

On the question of truck access to the loading dock and the number of car parking spaces we won't know until the DA is submitted.

Submissions to the Council are encouraged and are useful to the Council Those who haven't already done so were encouraged to put in a submission opposing the heights requested by Woolworths and the proposed additional 88 car spaces.

See the Associations handout at Attachment A to the minutes for details on making submissions to the Council.

4. Update: Planning Proposal 12-14 Waters Road, Neutral Bay

MJT also provided an update of this proposal.

The building height sought is excessive and will set a precedent for height in the town centre (mixed use) zone and will have an impact on traffic.

There is a cumulative impact on traffic from all the proposed developments. The NB&C PA would like to see a Transport Management and Accessibility Plan (TMAP) developed for the area before rezoning decisions are made.

See the Associations handout at Attachment A to the minutes for details on making submissions to the Department of Planning and the Council.

5. Update Warringah Freeway Upgrade

GC advised that the Upgrade was moving along at full speed. Work is continuing at night and some residents are participating in a sleep study being conducted by the project contractors. This involves wearing an eye mask with blue tooth connection to an APP with white noise. Informal feedback is that it is useless and doesn't remove the constant jack hammer noise and vibrations from disturbing sleep.

There will be community information sessions to talk about amelioration of the area. The precinct will advise members of dates/time for the sessions.

The Precinct has recommended greening on the ramps and structures similar to those in Rozelle on their ventilation stacks.

Traffic movements have been badly impacted in the last couple of weeks with no access at times.

6. Discussion: Merger of Neutral, Hayes & Kurraba Precincts?

Discussion points:

- A great idea to give residents in the inactive precincts a feeling that they have a voice.
- We would like to keep the name Neutral if a merger is endorsed by Council.

MOTION: That the Neutral Precinct:

- 1. Supports the merger of Hayes and Kurraba Precincts with Neutral Precinct; and**
- 2. The name Neutral Precinct is retained.**

VOTE: Unanimous (16)

7. Development Applications

DA 404/2022: 165 - 173 Military Road Neutral Bay. Construction of a 6-storey mixed-use residential and commercial development with a total of 21 units comprising 15 x 2 bed and 6 x 3 bed units plus three levels of basement parking for 25 vehicles. Rejected by the Council, The developer has appealed to the Land and Environment Court.

8. Upcoming meetings

- i. Neutral Precinct – 11 April 2023 www.neutralprecinct.com
- ii. Council – 27 March www.northsydney.nsw.gov.au

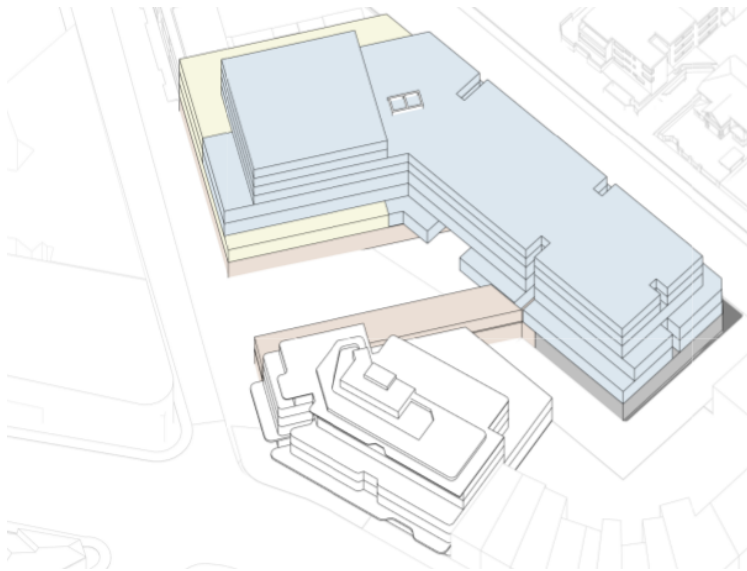
Meeting ended at 9:40pm

ATTACHMENT A

Neutral Bay & Cremorne Progress Association

Neutral Bay Village 8 March 2023 update

Woolworths 1-7 Rangers Road – proposed increase in maximum building height



North Sydney Council's Director City Strategy advises that a report from the Strategic Planner should go to the Local Planning Panel for advice in April and be considered at a Council Meeting in May.

NBCPA believes the Department of Planning's Sydney North Planning Panel will likely support Woolworths second proposal given its remarks when the first proposal was rejected. If it is going to go ahead, we want the best outcome for the community.

The Association has asked Council to work towards ensuring the maximum building height is no higher than

needed for the 6 and 8 storeys Woolworths say they want. The building should follow the gradient of the land, floor-to-floor heights should not be greater than industry standard, and setbacks should be utilised to eliminate unacceptable overshadowing of Yeo Street residences. The Association does not support 88 additional car spaces and wants the public open space designed for maximum pedestrian connectivity now and in the future.

Council has been receiving submissions from the public. NBCPA encourages community members who haven't already done so to put in a submission opposing the heights requested by Woolworths and the proposed additional 88 car spaces and supporting the submission by NBCPA.

Please send a submission to General Manager: council@northsydney.nsw.gov.au

Pienza Apartments, 12-14 Waters Road – proposed additional storey



Developer, Central Element, has an approved DA for a five storey building and has commenced construction.

They would like to add an additional storey containing six 3-bedroom apartments. Three bedroom apartments in the development are selling for around \$5 million each.

Left
Pienza Apartments
View from Grosvenor St
12-14 Waters Road Planning Proposal – NOW ON EXHIBITION
The Department of Planning has

given Gateway Approval to Central Element's proposal to increase the maximum building height, saying the proposal has "strategic merit".

The proposal is now on public exhibition. NBCPA encourages community members to put in a submission objecting to:

- The proposed maximum building height of 22 metres plus an additional 2 metres for rooftop facilities is excessive. The extra height will detract from the village feel of Neutral Bay and set a poor precedent.
- An adhoc rezoning that will result in a poor outcome for the community, particularly with respect to the cumulative additional traffic on the local road network. A Transport Management and Accessibility Plan should be completed before rezonings are approved.
- Incorporation of a significant area of underground commercial floorspace when an objective of the proposal is to provide "high quality commercial floorspace".

Please make a submission through the Department of Planning's Planning Portal. Submissions close 22 March 2023.

<https://pp.planningportal.nsw.gov.au/ppr/under-exhibition/planning-proposal-12-14-waters-road-neutral-bay>

12-14 Waters Road Amending DA – now with Council

Although the rezoning has not been finalised, Central Element has submitted an amending DA for a six storey building (DA 42/23).

The Association is opposed to the amending DA on the basis of excessive height and setting a precedent. **Submissions can be sent to the General Manager:** council@northsydney.nsw.gov.au

Voluntary Planning Agreement – now with Council

Central Element is offering \$1.9 million towards public domain upgrades in Neutral Bay village. If the rezoning goes through, it would be sensible for Council to accept this money although it is only a fraction of the profit the developer will make. The draft agreement is currently on exhibition at:

<https://yoursay.northsydney.nsw.gov.au/draft-vpa-12-14-waters-road-neutral-bay>

Neutral Bay Town Centre Planning Study

The Combined Precincts Committee passed the following motion by Brightmore Precinct, Neutral Precinct and Willoughby Bay Precinct:

Motion: That Council establish a formal body, to be modelled on Lane Cove Alive comprising community representatives to work in association with Council to drive the plan for Neutral Bay Village.

Lane Cove Alive was a Leadership Board charged with being the catalyst for the successful revitalisation of Lane Cove. Neutral Bay Alive would work with Council and urban designers to set the framework for Neutral Bay Village to become an environmentally sustainable, commercially successful, active and sociable place, and provide an implementation strategy. An objective is to avoid a repeat of the criticisms of the former Military Road Corridor Planning Study project. It is important that the community embrace the new vision for Neutral Bay. Lane Cove Alive (Canopy project) is an example of how a community can be more involved in the decision-making process.

North Sydney Council's Director City Strategy has advised he will discuss the Neutral Bay Alive proposal with the Mayor.

To join the Association's email list, please email: [nbandcprogressassoc@gmail](mailto:nbandcprogressassoc@gmail.com)