

Summary of Actions Arising (SOA) Brightmore Precinct 2023

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 is ongoing and further response/update is to be provided at a 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 to precincts@northsydney.nsw.gov.au

Month	Item	Actions	Council's Reply	Status
December	7A	Planted tree on Military Road - Newly-planted tree at 320 Military Road. Action for Council: monitor and prune if new growth obscures view of approaching buses. (TfNSW bus stop id: 209058 Military Road opposite Holt Avenue)	Council's Manager Parks & Reserves has advised that all Council's trees are monitored and maintained on an 18-month cyclical. These trees will be subject to the same schedule.	Closed for Council
	7B	Truck access to new Coles in Grosvenor Street, Neutral Bay - Precinct member had advised that the whole of Ernest St, Ben Boyd Rd, Belgrave St, Gerard St, Macpherson St and Ourimbah Rd route has a 10-tonne load limit. Those trucks would be prohibited and certainly should not be encouraged to use the route. The limit is in place due to the steep and winding geometry of the route particularly at intersections. e.g. Ernest / Ben Boyd, Belgrave / Young, Gerard / Macpherson, Macpherson / Ourimbah, Ourimbah / Cowles. Action for Council: Please advise if this is the case or are any exemptions permitted?	Council's Manager Traffic & Transport Operations has advised that the Gross Load Limit 10 tonne restriction is long standing and limits access for any vehicles over 10 Tonne past the sign. It is noted that there is an exemption for buses provided on the sign. A 'No Trucks 10 Tonne and Over' restriction such provided on Belgrave Street at Young Street prohibits drivers of vehicles over 10 Tonne from passing the sign unless they have a destination within the restricted area. The enforcement of load limits is the responsibility of the NSW Police Service. Incidents of vehicles over the	Closed for Council

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			load limit travelling within restricted areas can be referred to NSW Traffic Police by contacting them on 02 9956 3199.	
	8B	North Sydney Community Awards - Motion was proposed and passed UNANIMOUSLY: That Brightmore Precinct nominate Fiona Gracie in the Category "Community Builder" for her work establishing the Cremorne Conservation Group and her pivotal and ceaseless role in attempting to preserve the houses and character of Parraween Street and to gain State Heritage listing for the Hayden Orpheum Picture Palace.	Council's Acting Community Arts Officer has advised that the nomination has been received and will be assessed for the committee in due course.	Closed for Council
	8G	Large shed in Cammeray Park - A member queried what the huge shed-like structure is in Cammeray Park, saying it looked like a large carpark for buses.	Council's Public Projects Interface Manager has advised that it is a temporary pedestrian access bridge that straddles the construction site driveway. It is made of scaffolding which has been wrapped in a weatherproof fabric. As it is over 6 m tall it looks quite bulky. The stairs are accessed by workers via a locked turnstile adjacent to the Active Transport link/ path in the park. The bus layover at the northern end of the site is not covered.	Closed for Council
November		Local environmental Plans - Residents expressed concerns that developers are by-passing Local Environmental Plans and Development Control Plans to achieve larger developments than allowed by current controls. The Precinct want Council to be more involved and more vocal in the assessment to ensure compliance with community expectations.	Council's Director Community, Planning and Environment has advised that all development applications (DAs) are assessed against the controls contained in the North Sydney Local Environmental Plans (LEP) and Development Control Plans (DCP). In doing so, however, it is acknowledged that LEP and in particular DCP controls, are varied from time to time.	Closed for Council

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		<p>The following Motion was proposed and passed unanimously : 'The Precinct concerned that the current LEP and DCP are being by-passed by developers and calls on Council to be more involved and vocal in assessment of applications.'</p>	<p>Such variations are not taken lightly and are carefully assessed. This occurs regularly across NSW and such flexibility is a fundamental characteristic of the NSW Planning system (contained in both the Environmental Planning and Assessment Act as well as the LEP). Appeal rights for applicants are also fundamental. Both of these characteristics are important and influence the manner in which DAs are assessed. Council's approach to the assessment of DAs is tempered by the Land and Environment Court's approach to approvals. The litigious nature of the process over the last few years, has caused an enormous drain on resources and represents an extremely expensive process for Council to sustain. The Precinct Committee should also be aware that many of the more contentious or significant applications are determined by independent Panels being the Local Planning Panel or the Sydney North Planning Panel.</p> <p>Council staff deal with between 150-200 development applications at any one time and do their very best within an increasingly constrained development assessment system.</p> <p>In terms of Planning Proposals, Council has a track record of attempting to manage and control requests for variations to the LEP controls, by preparing consultative planning studies that manage change. Examples of this include the various studies</p>	

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			conducted in St Leonards and Crows Nest (prior to the "2036 Plan"), the Neutral Bay Town Centre Planning Study and the Civic Precinct Planning Study. Again, the Precinct should be aware that even Planning Proposals effectively have appeal rights, with the State Government appointed Planning Panel having an increasingly "amber light" approach to such proposals.	
October	5	121, 123 & 125 Holt Avenue Cremorne Heritage Listing Planning Proposal PP 5/23 - There is to be a Land and Environment Court inspection to be held on 27 October from 9.30 AM. Residents are urged to attend to show your support for the preservation of the 3 remaining houses. Residents are urged to make a submission by 17 October 2023 to North Sydney Council supporting the Heritage Listing of the surviving houses. The following Motion was proposed and passed unanimously: <i>'The Precinct supports the preservation of the three Federation houses in Holt Avenue and supports the Planning Proposal to list 121, 123 & 125 Holt Avenue as local heritage items.'</i>	UPDATE (16 January 2024) Council's Acting Manager Strategic Planning has advised that Council is seeking further input from a Heritage specialist in relation to the heritage values of the remaining dwellings (No's 121 & 123) that formed part of the draft listing described as the Holt Avenue group. Upon receipt of this, the outcome of the public exhibition will be reported to Council. It is intended to report this matter to Council's meeting of either 26 February or 11 March 2024.	Closed for Council
	GB	Street Trees - A resident advised that a number of street trees had been removed from Illiliwa Street Cremorne and asked whether Council had plans to replace these trees.	UPDATE (17 January 2024) Council's Manager Parks & Reserves has advised that all trees except the tree removed last week at No27 had public notices advising the trees would be replaced. The tree at No27 was removed due to safety concerns and will be replaced over the 2024 Tree Planting Season. Council will be using Water Gums	Closed for Council

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			with one to be planted at No 32 this season and 1 at No 27 next season.	
September		<p>Difficulty of parking on local streets - An ongoing and ever-increasing for Brightmore residents, much of it due to Redlands' students and staff parking. Visiting delivery vehicles and trades people, often with heavy equipment and tools, are forced to park across or in residents' driveways.</p> <p>Suggested that Council's Manager Ranger and Parking Services. be invited to the October Brightmore meeting.</p>	<p>Council's A/Manager Ranger & Parking Services has advised that:</p> <ol style="list-style-type: none"> 1. it is an offence on any road in the State of New South Wales under Rule 198 of the Road Rules 2014 to obstruct access to a driveway, even your own driveway. 2. Council cannot give a permit for a variation to this State Legislated rule, weather it is school holidays or not. <p>However, that said [points 1 & 2] it should be noted that; A driver may stop, [not park] a vehicle on or across a driveway for the purpose of loading or unloading, as long as;</p> <ol style="list-style-type: none"> (a) they do not obstruct pedestrian access, (b) they are not stopped for more than 2 minutes & (3) they are not at any time more than 3 meters from that vehicle. <p>Council Ranger & Parking Services Officers regularly patrol this area to ensure time parking restrictions are enforced and regular turnover of vehicles is promoted through compliance, where time limits apply. Officers have also investigated and regulated various mobility permit breaches in the area, to also free up precious</p>	Closed for Council

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			<p>parking spaces that should not be otherwise occupied for long periods.</p> <p>The invitation to attend the October meeting is noted, unfortunately, staff are unable to attend on such short notice.</p>	
August	6i	<p>DA 224/23 - 246-254 Military Road Neutral Bay NSW 2089</p> <p>- Demolition of existing structures and construction of a six-storey mixed-use development comprising a retail/commercial use at basement/ground floor and boarding house accommodation, with roof-top communal living spaces, and associated works.</p> <p>The Site is zoned MU1 Mixed Use and Boarding Houses are a permitted use in the zone.</p> <p>Construction of a 6-storey mixed-use development comprising:</p> <ul style="list-style-type: none"> • 'Short Stay' boarding house with 78 self-contained boarding rooms which include kitchenette and bathroom facilities (the size of these rooms varies between 15m² - 49m²), and some with balconies/terraces; and • Basement with parking, plant and services and functions/event area linked to the ground floor commercial tenancies; • Ground floor commercial space/food and drink premises with frontage to Military Road and lobby to upper floor accommodation, carparking, services and loading; 	This application has been withdrawn.	Closed for Council

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		<ul style="list-style-type: none"> • Roof top communal outdoor space (105m2) and multiple internal communal common areas and communal laundries • 3 car spaces which includes 1 disabled parking bay; 48 bicycle spaces; 11 motorbike spaces <p>Brightmore Precinct has not yet received notification for this DA from Council and at the time of the meeting it had only been briefly assessed.</p> <p>The following Motion was proposed, and passed unanimously: <i>That Brightmore Precinct Committee assess the DA and put in a submission if the closing date is before Brightmore's next meeting on 13 September.</i></p>		
	8	<p>Draft Options for New Precinct Logo: preliminary feedback/discussion - For use on all promotional materials including individual Precinct meeting flyers, to build brand awareness. The 6 Logo Concepts and 3 Versions were discussed. None of the logo concepts were overwhelmingly supported, and those who voted did so really just to choose something.</p> <ol style="list-style-type: none"> i. (a) "North Sydney Precincts" as the preferred Version - simpler, "System" seemed superfluous ii. The most preferred Concept Option was Option 2 (10 out of 20 votes) because it was simpler, followed by Option 4 with only 1 vote. 9 attendees abstained, not liking any of the options. iii. The least preferred Options were Option 5 (a squid), and Option 6 (Coronavirus). iv. Everyone concurred with the following points from other Precinct meetings 	Council's Manager Corporate Planning & Engagement has advised that the Precinct Committee's feedback was included in the collated feedback presented to the Combined Precincts Committee held on 15 August 2023.	Closed for Council

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		<ul style="list-style-type: none"> - A monochrome version of the logo options needs to be provided - All proposed logos need to be considered in their smallest representation. - Design features/text when featured in small formats (eg A5 Precinct flyer) may not be distinct enough or legible enough in a reduced size format. - Need to consider if colours will "bleed" when printed. - Some text may be superfluous eg 'system' <p>v. Additionally, the need to consider a logo to be "reversed out".</p>		
July	7i	<p>Young Street and Grosvenor Street Intersection: Cycling and Walking Upgrades - Council is consulting on the final concept design for Young Street and Grosvenor Street Cycling & Walking Upgrades and seeking feedback from the community which will inform the final concept design. LS & MTJ attended the on-site walkthrough with Council staff on 12 July. The designs include:</p> <ul style="list-style-type: none"> • cycleway extension along Young Street connecting to the Neutral Bay town centre and bicycle crossing at Grosvenor Street. • replacement of the existing roundabout at Young Street and Grosvenor Street with a four-way intersection. • improved pedestrian amenity with new pedestrian crossing, kerb extensions and pram ramps. • enhancement of existing verges and streetscape with new garden beds. <p>The following MOTIONS were proposed and passed UNANIMOUSLY: <i>Brightmore Precinct objects to the removal</i></p>	<p>Council's Sustainable Transport Project Coordinator has advised that the Precinct Committee's comments will be treated as a submission; the Precinct Committee's objection to the roundabout removal is noted; Council will investigate a pedestrian crossing on the eastern side of Young Street and Grosvenor Street; and a response has been provided to the following:</p> <p>a) Warrant Counts - TfNSW have clarified that the requirement for pedestrians warrants to install crossings only applies to State roads. Excessive requirements for a pedestrian and vehicle traffic made it difficult to install crossings on local streets. This clarification enables councils to build walkable neighbourhoods rather than waiting for traffic to overwhelm a local street. For more</p>	Closed for Council

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		<p><i>of the roundabout at Young Street and Grosvenor Street and requests that Council investigate a pedestrian crossing on the eastern side of Young Street and Grosvenor Street.</i></p> <p>Actions for Council:</p> <ul style="list-style-type: none"> a) Could Council please provide the pedestrian Warrant Counts for both sides of Grosvenor Street? b) The position of the proposed <i>Stop/Give Way/Yield</i> line west-bound from Grosvenor at Young Street means that the first stopped vehicle will obstruct the crossing for pedestrians, making it less safe than currently. How can this be resolved? c) Has the swept-path analysis shown that large 17-metre semi-trailers are able to turn from Young Street into Grosvenor Street, given that all roads at the intersection have been narrowed by kerb-buildouts? Especially with the vehicles stopped at the <i>Stop/Give Way/Yield</i> line west-bound from Grosvenor at Young? d) Are the sight lines adequate for east-bound vehicles from Grosvenor at Young Street? 	<p>information about where warrants apply, please see Supplement to Australian Standard AS 1742.10-2009, Manual of Uniform Traffic Control Devices - Part 10: Pedestrian control and protection Version 3.1.</p> <p>Although not required, Council undertook traffic and pedestrian surveys as part of the investigation for the site and these counts will be included in the report to Council.</p> <ul style="list-style-type: none"> b) proposed Stop/Give Way/Yield line west-bound from Grosvenor at Young Street - as outlined at the Precinct meeting, the pedestrian crossing treatment has been designed to prioritise pedestrian and cyclist movement/desire lines. Setting back the crossing, tends to result in pedestrians crossing the road to the side of the crossing. This treatment type is outlined in the Cycleway Design Toolbox. These concerns will be considered and addressed in the post-consultation report to council. c) swept-path analysis - the proposed design allows for truck turning movements in accordance with the swept path analysis undertaken. 	

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			d) sight lines at Grosvenor at Young Street - the proposed designs meet current standards for road design, which considers appropriate sight lines at intersections. The proposal reduces the size of the intersection and provides a give-way line in a position that allows adequate sightlines at the intersection.	
June	7a	<p>DA 147/23, Military Road Cremorne - Replacement of existing static advertisement display with new double-sided digital advertisement display affixed to an existing bus shelter (identified as 'Hampden') within the road reserve adjacent to 221 Military Road Cremorne.</p> <p>Comments from Attendees:</p> <ul style="list-style-type: none"> • These new digital advertising panels were replacing panels on existing shelters • Objected to the proliferation of visual pollution <p>Attendees were urged to lodge personal submissions by the closing date of 23 June.</p>	Council's Executive Assessment Planner notes the Precinct Committee's objection regarding DA 147/23 - Military Road Cremorne and will consider it as a submission.	Closed for Council
	7b	<p>DA 229/21/2, 4 Macpherson Street, Cremorne - Section 4.55(2) Modification Application to reduce total number of apartments from 11 to 7, replace car lift with ramp and external changes and changes to various conditions of consent. Lodged: 23/05/2023</p>	Council's Team Leader Assessments notes the Precinct Committee's comments regarding DA 229/21/2.	Closed for Council
May	4(v)	<p>DA for Advertising Panels: DA 102/23, 306 Military Road, Cremorne - CP015: Installation and operation of a freestanding advertisement structure for the purposes of Council communication and third-party advertising.</p>	Council's Executive Assessment Planner notes the Precinct Committee's comments regarding DA 102/23 and will treat it as a submission.	Closed for Council

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		<p>Council is proposing to install communication panels across the LGA at 13 sites, one of which is at 306 Military Rd, Cremorne, north of McDonalds' exit near Sushi Train. The front of the structure will have 3rd Party Advertising Content, an active display area 1.53 m2, and is 930mm wide & 1650 mm high. The rear of the structure will have Wayfinding/Community Content, an active display area 0.27 m2, and is 390 mm wide & 690 mm high.</p> <p>Comments: There was a mixed response from attendees, some opposing it due to visual pollution and narrowing of pedestrian access. Attendees were urged to lodge personal submissions by the closing date of 19 May.</p>	<p>Council has engaged external independent planning consultants to undertake an assessment of the proposed advertising panel in accordance with State Environmental Planning Policies. The signage proposals have been prepared following a Council tender process for Advertising on Selected Council Infrastructure which concluded in February 2022. The assessment of advertising structures against planning controls, including consideration of submissions, will be addressed at a later date by the North Sydney Local Planning Panel, who operates independent of North Sydney Council. The concerns expressed in the submissions received in response to the formal public consultation process will be considered both by the independent planning consultant and the Planning Panel at that time. Those submitters to the proposal(s) will also be able to address the Local Planning Panel before they are determined.</p>	
	6	<p>DA60/20/3, 4 Illiliwa Street, Cremorne - Resident attended the meeting and complained about the cost (\$1,000) of submitting the above DA which was to remove windows that were not visible to any neighbours, caused no overshadowing nor overlooking.</p>	<p>Council's Assessment Planner notes the Precinct Committee's comments regarding DA60/20/3.</p>	Closed for Council
April	1	<p>124 Benelong Rd, Cremorne: Land and Environment Court Appeal AP 323/21 - construction of 20 room boarding house Appeals - Demolition of dwelling house and construction of twenty (20) room boarding house including manager's residence and associated works. Lodged:</p>	<p>Council's Manager Development Services has advised that the issue of the direction of planning appeals is somewhat vexed as the elected Council has little direct control over the DA process and subsequent appeals lodged. The actual process of appeals is in-</p>	Closed for Council

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		<p>08/03/2023 Listed for a conciliation conference under section 34 of the Land and Environment Court Act on 11 August 2023. The conciliation conference will commence at 9.30am at 124 Benelong Road, Cremorne, at which time up to 6 objectors will be permitted to give oral evidence about the substance of their objections. Anyone who lodged a submission with Council should have been notified by the lawyers acting for Council, Sparke Helmore Lawyers, and if they would like to give oral evidence about the substance of their objections at the hearing on 11 August 2023, they should contact Mia Stamenkovski at Sparke Helmore Lawyers (Mia.Stamenkovski@sparke.com.au) by no later than 1 July.</p> <p>Comments from Attendees:</p> <ul style="list-style-type: none"> • There were 81 submissions made to Council, all of them opposing the DA • The developer can submit amended plans at the Conciliation Meeting • If the matter is referred back to Council after the Conciliation Meeting, it is likely to go to the Land and Environment Court. <p>The following MOTIONS were proposed, and passed UNANIMOUSLY:</p> <ul style="list-style-type: none"> • That the Precinct authorises the office bearers to write to the Mayor requesting that she put a motion to Council instructing that the appeal cannot be settled by Council Officers, and any proposed settlement must go before Council. • If any amended settlement plans are submitted, residents and those who lodged submissions are re-notified. 	<p>accordance with rules and practice directions of the Land and Environment Court of NSW. These issues have been covered factually in the report of the Council Solicitor that was on Council's agenda of 28 November 2022;</p> <p>https://www.northsydney.nsw.gov.au/ecm/download/document-10173139</p> <p>Historically the Court has always expected that matters be settled by mediation and not proceed to hearing unless there were unresolved determinative issues. In some cases, interested parties can seek to join the proceedings but there is limited opportunity in the local development appeal matters that the Council is normally involved in. Information regarding the Court's procedures etc can be found on its website:</p> <p>https://www.lec.nsw.gov.au/coming-to-court.html</p> <p>As noted in the Council solicitors report, the primary role of the expert, whether those engaged by the applicant, or the Council is to the Court. Wherever possible we advertise amended plans submitted through the conciliation process and take additional submissions on board as we move forward. It is not the intent of Council to lock submitters out of conciliation, but it tends to be an outcome of the court's process.</p> <p>This matter is again topical, with a further report to</p>	

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		<p>Action for Council:</p> <ul style="list-style-type: none"> • Do Council Officers have to declare at the Conciliation Meeting that they have no authority to settle? • Could Council's Manager Planning and Development Services, attend a Precinct Meeting to explain the conciliation process, as there is some confusion in the community? 	<p>Council around the appeal process to be presented to Council shortly. What is required in my opinion is reform to the legislation and practice directions of the Court which dictate the management and direction of appeals so that greater regard is given to submitters and their concerns. From Council's point of view, active engagement of the community in such matters is consistent with the intent of its Engagement policies but made difficult when the process is run under the rules of others.</p> <p>Council's Manager Development Services is happy to attend a Precinct Meeting to address questions arising from the report of 28 November 2022 and any subsequent issues that arise.</p>	
	5	<p>Construction Hoarding Advertising: 60 Waters Road, Cremorne, DA 259/21 - Demolition of existing dwelling and construction of a two-storey dwelling with basement garage and associated works. Two large nets have been affixed to the Waters Road and Grasmere Road frontages of the above block, advertising: <i>"Signature Cinemas - For The Finest Home Cinema Experience"</i></p> <p>This is advertising space that normally would have to be paid for. Action for Council:</p> <p>a) Brightmore Precinct expresses its concern over this form of advertising, and could Council please clarify the rules re advertising on private developments?</p>	<p>UPDATE (30 June 2023) Council's Team Leader Building Compliance has investigated, and the subject advertising has been removed.</p> <p>UPDATE (3 May 2023) Council's Compliance Officer has advised that:</p> <p>a) according to Council's view the installation of signage, even if on temporary construction fencing is not exempt development as there are no provisions that permit advertising of this nature. Cl 2.105 of the Codes SEPP permits real estate signage for the sale or lease of property; however, this is third-party</p>	Closed for Council

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		<p>b) in addition, earlier in the week a large front loader arrived at 6.15pm (out of work consent hours) and blocked the road.</p> <p>c) There is no DA signage on the property.</p>	<p>advertising which is not permitted by the Codes SEPP. Also see Council's <i>Hoarding Construction Guidelines and Requirements</i> which does not permit advertising. Council, therefore, requested for the advertising signage to be removed.</p> <p>b) the building contractors have been advised of the approved construction hours. The Precinct Committee and/or concerned residents should contact Rangers Services (phone 9936 8100) as it is happening, should it occur next time.</p> <p>c) the required signage is in place on-site including PCA details and contractor/24hr contact details. DA signage is only required during DA application process as notification to neighbouring properties.</p>	
	6	<p>DA 102/23 - 306 Military Road, Cremorne - CP015: Installation and operation of a freestanding advertisement structure for the purposes of Council communication and third-party advertising. <i>Advertising on Selected Council Infrastructure</i> Council's A/Manager Engineering Infrastructure has advise that Council at its meeting on 28 March 2023 adopted to move forward with advertising on Selected Council Infrastructure - Part A: Small Format (bus shelters and comms panels). The contractor engaged for this project recently submitted development applications to install communication panels across the LGA at 13 sites. Two of the sites are on Military Road adjacent to properties 116 and 306. Comment from Attendee: The vehicles of JC Decaux, the company that maintains these freestanding</p>	<p>Council's Executive Assessment Planner has spoken to the Chair of Brightmore Precinct regarding this matter. All comments will be taken into consideration as applications are still under assessment. Submissions close 19 May 2023.</p>	Closed for Council

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		<p>advertisement structures, often service them during peak hour, blocking traffic (e.g. the bus stop on Strathallen Avenue at Northbridge).</p> <p>Action for Council: Could Council please ensure that any maintenance is not done during peak periods?</p>		
	7	<p>Precinct Boundary Realignment Between Brightmore, Harrison & Neutral Precincts - Following discussions between Brightmore, Harrison and Neutral Precincts, the following has been agreed:</p> <ol style="list-style-type: none"> 1. Transfer the following block (139-173 Military Road/q152-156 Wycombe Road), currently in Brightmore Precinct, to Neutral Precinct (i.e. the block bounded by Military Road to the north, May Lane to the south, May Gibbs Place to the west and Wycombe Road to the east.) 2. Transfer the northern side of Military Road and the southern side of Parraween Street, between Winnie Street and Macpherson Street, currently in Harrison Precinct, to Brightmore Precinct. <p>At Brightmore Precinct Meeting of 8 March 2023, this second proposal was passed unanimously.</p> <p>The following MOTION was proposed and passed UNANIMOUSLY.</p> <p>That Brightmore Precinct requests that Council amend the boundaries between Brightmore & Neutral Precincts as follows:</p> <ul style="list-style-type: none"> • Transfer the following block (139-173 Military Road/152-156 Wycombe Road), currently in Brightmore Precinct, to Neutral Precinct (i.e. the 	<p>This relates to item 5 of the Precinct Committee's March 2023 minutes (refer to related response).</p> <p>UPDATE (18 September 2023)</p> <p>Council has sent letters to both the owners and occupiers within the portion of Brightmore Precinct which has been transferred to Neutral Precinct; and the portion of Harrison Precinct which has been transferred to Brightmore Precinct. The Precinct Area maps have been updated.</p>	Closed for Council

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		<p>block bounded by Military Road to the north, May Lane to the south, May Gibbs Place to the west and Wycombe Road to the east.)</p>		
<p>March</p>	<p>5</p>	<p>Precinct Boundary Realignment Between Brightmore & Harrison Precincts - Discussion have been held with both Harrison and Neutral Precincts about precinct boundary realignment however further to the February 2023 meeting there were further discussion between Harrison and Neutral precinct about the division of the block containing 139 - 173 Military Road and 152 - 156 Wycombe Road currently in Brightmore Precinct to either Harrison and Neutral Precinct. Two MOTIONS were proposed and Passed UNANIMOUSLY.</p> <p>Motion 1: That Brightmore Precinct requests that Council amend the boundaries between Brightmore, Harrison and Neutral as follows</p> <ul style="list-style-type: none"> • Transfer the following block (139 - 173 Military Road/ 152 - 156 Wycombe Road currently in Brightmore Precinct, to Harrison or Neutral Precinct in whatever break-up that Harrison and Neutral agree to accept. (i.e. the block bounded by Military Road to the north, May Lane to the south, May Gibbs Place to the west and Wycombe Road to the east.) <p>Motion 2: That Brightmore Precinct requests that Council amend the boundaries between Brightmore and Harrison Precincts as follows</p>	<p>Council's Manager Corporate Planning & Engagement has advised that Brightmore and Harrison/Bennett Precinct Committees have proposed Precinct area boundary changes that affect the current Neutral Precinct area. Neutral Precinct Committee has not yet formally discussed the proposed and has been encouraged to raise under General Business at their May 2023 meeting and list a proposed motion on their June 2023 agenda to provide Council with a formal record of Neutral Precinct's view on the matter.</p> <p>As advised in an email to the office bearers of the three Precinct Committees, the below next steps are proposed - to help ensure consultation has occurred and coordinate the admin changes:</p> <ol style="list-style-type: none"> 1. Proposal listed on next Precinct meeting agenda for discussion - Council informed of final proposal via motion within minute (post consultation with Precinct area) 2. Staff to prepare map/s showing proposed maps (to aid consultation) 3. Consultation to occur with affected streets directly impacted by the proposal e.g. via direct notification letter 	<p>Closed for Council</p>

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		<ul style="list-style-type: none"> Transfer the northern side of Military Road and the southern side of Parraween Street, between Winnie Street and Macpherson Street to Brightmore Precinct. 	<ol style="list-style-type: none"> Councillor Bulletin item prepared to advise of proposal (for information) Council report to advise of the Council change. Precinct area map/s updated on website and Council's record keeping system etc. New boundaries apply. <p>Once a response from Neutral Precinct Committee has been received, Council staff will be in contact again to further discuss the next steps in progressing the boundary changes.</p> <p>UPDATE (6 August 2023): Council's Manager Corporate Planning & Engagement has advised Parks Precinct recently resolved to accept Neutral Precinct's boundary change proposal affecting Military Road. Council will now process the boundary changes to:</p> <ol style="list-style-type: none"> Brightmore/Harrison-Bennett Neutral/Harrison-Bennett Neutral/Brightmore Neutral/Parks <p>As previously advised, Council will write to the affected priorities to advise of the boundary changes.</p> <p>UPDATE (18 September 2023) Council has sent letters to both the owners and occupiers within the portion of Brightmore Precinct</p>	

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			which has been transferred to Neutral Precinct; and the portion of Harrison Precinct which has been transferred to Brightmore Precinct. The Precinct Area maps have been updated.	
	7c	A resident reported that following a recent downpour - silt run-off behind recently reconstructed kerb and gutter along the southwest end of Illilliwa Street was washed over the edge of the stepped section of the street and ended up in the stormwater pit and lane between Illilliwa and Brightmore Street adjacent 24 - 26 Illilliwa Street. Council was contacted but no response has yet been received.	Council's Compliance Officer has advised that inspection has taken place on Illilliwa St and new kerb and gutter works along 1 to 9 Illilliwa St noted. New turfing has been installed to prevent further soil erosion. Any further issues in relation to the kerb and gutter should be addressed by Council's engineering project managers.	Closed for Council
February	2	Cremorne Plaza & Langley Place Upgrades - The following MOTIONS were proposed, and passed UNANIMOUSLY. <i>That Brightmore Precinct requests:</i> 1. <i>to see the original design brief for the projects</i> 2. <i>that Council arrange a meeting as soon as possible with the designers, Umbaco Landscape Architects, a representative from Council and representatives from Brightmore, Harrison and Willoughby Bay Precincts, to listen to our feedback.</i> 3. <i>to nominate a representative from Brightmore Precinct for the next stage of community consultation.</i> Action for Council: 1. There is an extremely loud air-conditioning/exhaust unit mounted below the awning of the building (412 Military Rd) on the north-east corner of Langley Place. Ambient noise level 60DB, when on about 75DB. Is this complying?	Council's Team Leader Environmental Health has advised Council's Environmental Health Officer has been in touch with the residents/business owners and the initial feedback from one was that they weren't lodging a formal complaint re the subject noise. For a formal complaint to proceed, there needs to be an impacted resident or business. The noise criteria for residential receivers are that the noise from the plant room must not be more than 5 decibels more than the noise environment when the plant room is not in operation. This is generally measured at the boundary of the residential property. In the case of elevated apartments, noise readings can be taken from a window opening or balcony.	Closed for Council

Month	Item	Actions	Council's Reply	Status
		2. Are the 3 or 4 large pillar-like structures on the eastern side of the plaza something to do with the underground carpark for 412 Military Rd?	<p>For commercial receivers, under the EPA Noise Policy for Industry, noise from the plant room is permitted to be 65 decibels at the façade of other commercial premises.</p> <p>Council's Environmental Health Officer has been in contact with the nominated persons to ascertain their location in relation to the plant room, and to see if noise readings can be taken from their homes/businesses where they are impacted by the subject noise.</p>	
	3	<p>Parraween & Gerard Streets: Pathways Proposed Aged Care Development - The following MOTION was proposed, and passed UNANIMOUSLY.</p> <p><i>That Brightmore Precinct writes to:</i></p> <ol style="list-style-type: none"> 1. <i>Tim James, Member for Willoughby; and</i> 2. <i>all local candidates for the upcoming State election stating that we do not want this project declared a State Significant Development, and that there is no reason why North Sydney Council cannot deal with it through the normal planning process.</i> 	Council's Director City Strategy notes the Precinct Committee's comments regarding the proposed aged care development.	Closed for Council
	4	<p>Woolworths 1-7 Rangers Rd, Neutral Bay: New PP 1/23 - The following MOTION was proposed and passed UNANIMOUSLY. <i>THAT Brightmore Precinct:</i></p> <ol style="list-style-type: none"> 1. <i>objects to the Woolworths Rangers Road PP1/23 on the following grounds:</i> <ul style="list-style-type: none"> • <i>excessive heights of 27m and 33m (more than twice the LEP of 16m)</i> 	Council's Senior Strategic Planner notes the Precinct Committee's preliminary feedback on recently lodged PP 1/23.	Closed of Council

Month	Item	Actions	Council's Reply	Status
		<ul style="list-style-type: none"> • unacceptable overshadowing of surrounding properties, especially in Yeo St • unacceptable traffic impacts on surrounding local streets due to excessive number of car parking spaces - the proposal indicates the same number of car parking spaces despite a reduced height • the plaza is identified as a public benefit but does not provide for connectivity to Military Lane and Military Road and will be overshadowed by future development on Military Rd. <p>2. requests Council responds to the application with the requirements for a Site Specific DCP and a Voluntary Planning Agreement which:</p> <ul style="list-style-type: none"> • eliminate unacceptable overshadowing of surrounding properties • define reasonable floor-to-floor heights, podiums and setbacks • provide setbacks in accordance with NSDCP 2013 and the ADG, • result in a substantially reduced number of car parking spaces to minimise traffic impacts • result in dedication of the public plaza to Council ownership, • ensure pedestrian connectivity to Military Road and Military Lane • include: <ul style="list-style-type: none"> - cash contribution in lieu of public parking spaces, - part cash contribution towards community facilities (split with 185 Military Rd site) 		

Month	Item	Actions	Council's Reply	Status
	5	<p>12-14 Waters Rd, Neutral Bay, PP 2/22 & DA 13/23: "Amending DA" to increase height from five to six storeys -</p> <p>The original DA 6-storey proposal was not supported by Council. A 5-storey building was supported by Council and DA approval was given by Sydney North Planning Panel. A subsequent Planning Proposal for an increase in height was also rejected by Council, but supported by the <i>Sydney North Planning Panel</i>, given Gateway approval on 23/12/2022 with public exhibition to commence within 3 months. This DA seeks an extra storey and increase in height (to 24m) prior before public exhibition and finalisation of the Planning Proposal. The following MOTION was proposed and passed UNANIMOUSLY. <i>THAT Brightmore Precinct objects to the proposed increase in height and urges Council to reject the DA.</i></p>	<p>Council's Senior Strategic Planner has advised that on 23 December 2022, the Minister for Planning issued a Gateway Determination allowing a Planning Proposal for 12-14 Waters Road, Neutral Bay (PP2/22) to proceed to public exhibition. As the Planning Proposal was not supported by Council and has now been the result of a successful rezoning review, Council is not managing the plan making process. The Planning Proposal is on public exhibition from 22 February to 22 March 2023, and can be viewed on the DPE website at: https://www.planningportal.nsw.gov.au/ppr/under-exhibition/planning-proposal-12-14-waters-road-neutral-bay. Submissions on the Planning Proposal must be made to the DPE through the NSW Planning Portal.</p> <p>Council's Planning Advisor has advised that DA13/23 was rejected by Council's Development Review Panel on technical grounds as there is no provision in the <i>Environmental Planning and Assessment Act</i> to allow a new development application to modify an existing consent, and the application is considered premature prior to the determination of PP 2/22. Please note that a rejection of a DA occurs prior to notification and the merit assessment of a DA.</p>	Closed for Council
	6A	<p>DA 409/22, 40 Brightmore St, Cremorne - Demolition and construction of a replacement residential flat building -</p> <p>Lodged under "Existing Use Rights". Two previous DAs have</p>	<p>Council's Senior Assessment Officer (Planning) has advised that the Precinct Committee's submission is noted. Notification of the application closed on 3</p>	Closed for Council

Month	Item	Actions	Council's Reply	Status
		<p>been lodged for this site, and while this one maintains the street level height, the development requires deep excavation (19.5m) and apartments are effectively underground. One neighbour stated they had received no notification from Council, and only found out via the private website "Planning Alerts". <i>The following MOTION was proposed, and passed UNANIMOUSLY. THAT Brightmore Precinct:</i></p> <ol style="list-style-type: none"> <i>1. requests Council to extend the due date for submissions due to the lack of notification of neighbouring properties</i> <i>2. requests Council to reject the DA on the following grounds:</i> <ul style="list-style-type: none"> <i>• excavation 9m below the water table with potential for undermining adjacent dwellings. During wet weather, water pours down the gully, as it is a natural watercourse</i> <i>• an apartment which is tanked below ground level is not suitable for habitation as it will certainly flood</i> <i>• overbearing size of the development from the point of view of adjacent properties</i> <i>• loss of privacy and overshadowing of adjacent properties</i> <i>• inappropriate blank wall to street</i> <i>• out of keeping with the streetscape</i> <i>• no proper garbage storage facilities</i> <i>• loss of housing diversity - 8 x 1bed units replaced by 5 x 3 bed units</i> <i>• impact on root zone of lemon scented gum</i> <i>• traffic impacts on that narrow, curved section of Brightmore St</i> 	<p>February 2023. 10 submissions were received including the Precinct Committee's submission. The application is currently being assessed. The issues raised in the submissions received from part of the assessment of the application.</p>	

Month	Item	Actions	Council's Reply	Status
		<ul style="list-style-type: none"> the Hydrogeological Report does not address the issue it is supposed to i.e. the management of water during construction <p>3. requests Council to check the Hydrogeological Report for accuracy</p> <p>Note to Council: Some neighbouring properties did not receive notification of this DA.</p>		
	6B	<p>DA 404/22, 165-173 Military Rd, Neutral Bay (cnr Wycombe Rd) Construction of a 6-storey mixed-use residential and commercial development - Brightmore Precinct Committee lodged the following submission on 3 February on behalf of the Precinct, as there was no meeting before submissions were due on 31 January.</p> <p><i>Brightmore Precinct objects to the request for an increase in height from the North Sydney LEP 16 metres to 21.84 metres for an additional storey.</i></p> <p><i>This would set a precedent for all future developments in Neutral Bay and Cremorne.</i></p> <p><i>With vehicular access for the development of 21 units with 25 car parking spaces and 5 motorcycle spaces being via May Lane, a narrow, 1-way service lane exiting onto Yeo St, the increased traffic generated would be unacceptable.</i></p> <p><i>We ask that you reject the request for an increase in height above the LEP 16-metre height for a 6-storey building.</i></p> <p>The following MOTION was proposed and passed UNANIMOUSLY. <i>THAT the above submission by Brightmore Precinct Committee be adopted as the Brightmore Precinct submission.</i></p>	<p>Council's Senior Assessment Officer has advised that the application has been appealed in the Land and Environment Court by the applicant by way of a deemed refusal. The submission made by the Precinct Committee will be considered in the preparation of the any contentions. Council's solicitors will also contact the Precinct Committee to advise once a date for the s34 conciliation conference has been set down. A Precinct representative would be able to address the Court at the s34.</p>	Open/Ongoing

Month	Item	Actions	Council's Reply	Status
	6C	DA 269/21/4, 372 Military Road, Cremorne - Modify the approved development to increase the setback of upper levels to Military Road, increase the number of units from 6 to 7, make minor internal alterations and modify specific conditions of development consent. The following MOTION was proposed and passed UNANIMOUSLY. <i>THAT Brightmore Precinct rejects the request for a modification to the DA and supports the original Local Planning Panel decision on setbacks.</i>	<p>Council's Senior Assessment Officer (Planning) has advised that the Precinct Committee's submission is noted. The application will be reported to the North Sydney Local Planning Panel at its meeting to be held on 1 March 2023. The Precinct Committee's submission has been considered as part of the assessment and has been reflected on the recommendation to the Local Planning Panel. The full report is available at: https://www.northsydney.nsw.gov.au/downloads/file/2077/lpp04-372-military-road-cremore-da269214-1-mar-2023</p> <p>UPDATE (17 January 2024) The application was determined by the North Sydney Local Planning Panel on 1 March 2023. The minutes of the meeting can be found via the following: https://www.northsydney.nsw.gov.au/downloads/file/2147/nslpp-minutes-1-march-2023 The Local Planning Panel approved the application in part and required the original approved setback (8m) from Military Road be maintained to ensure that the adjoining heritage-listed Orpheum Theatre is respected.</p>	Closed for Council
	7	Precinct Boundary Realignment Between Brightmore & Harrison Precincts - Following discussions with Harrison Precinct, it has been agreed that it would be more logical to reassign 165-167 Military Rd/152-156 Wycombe Rd, Neutral Bay, to Harrison Precinct and to incorporate the northern	<p>Council's Manager Corporate Planning & Engagement advised the Precinct Committee (via email 20 February 2023) to put an amended motion to the next meeting, and that Harrison Precinct should also agree</p>	Closed for Council

Month	Item	Actions	Council's Reply	Status
		<p>side of Military Rd and the southern side of Parraween Street, between Winnie & Macpherson Streets, Cremorne, into Brightmore Precinct.</p> <p>At its meeting last Thursday (2 February 2023), Harrison Precinct passed the following Motion: <i>That the precinct approach Brightmore Precinct to amend current boundary to include 165-173 Military Rd/152-156 Wycombe Road, Neutral Bay in Harrison Precinct in return for relinquishing Northern side of Military Rd, Cremorne, to Brightmore Precinct.</i></p> <p>The following MOTION was proposed and passed UNANIMOUSLY. <i>That Brightmore Precinct requests that Council amend the boundaries between Brightmore & Harrison Precincts as follows:</i></p> <ul style="list-style-type: none"> • Transfer the site at 165-167 Military Road/152-156 Wycombe Road, Neutral Bay, from Brightmore to Harrison Precinct • Transfer the northern side of Military Rd and the southern side of Parraween Street, between Winnie & Macpherson Streets, Cremorne, into Brightmore Precinct <p><i>UPDATE 20 February 2023: The Precinct Committee advised Council via email that the Military Rd/Wycombe Rd block includes 139-163 Military Rd, as well as 165-167 Military Rd. (i.e. transfer the block on the southern side of Military Road to the northern side of May Lane, between the eastern side of May Gibbs Place and the western side of Wycombe Road). Requesting confirm as to whether an amended motion is required.</i></p>	<p>to this boundary change. Harrison Precinct have listed the matter of their next agenda, 2 March 2023.</p>	
	9B	<p>Primrose Park reconfiguration - A report is to go to Council about increasing the number of playing fields from 3 to 4.</p>	<p>Council at its meeting of 30 January 2023 considered Item 10.05 and resolved:</p>	<p>Closed for Council</p>

Month	Item	Actions	Council's Reply	Status
		<p>Concerns were raised about the consequential increase in traffic and noise.</p>	<p><i>1. THAT the Primrose Park Reconfiguration Project be endorsed for public exhibition for a minimum period of 42 days.</i></p> <p><i>2. THAT a further report be provided to Council following the conclusion of the public exhibition period for the purpose of considering any submissions received and adopting the project.</i></p> <p>The public exhibition period is expected to start in early March. Further information will be provided to the Precinct Committee in due course.</p> <p>UPDATE (28 June 2023) Council at its meeting of 26 June 2023, resolved:</p> <p><i>1. THAT the Primrose Park reconfiguration project be discontinued.</i></p> <p><i>2. THAT the Primrose Park reconfiguration budget be reallocated to capital works reserve pending a full costing being undertaken for upgrades to the turf playing surfaces and drainage improvements at Primrose Park.</i></p> <p><i>3. THAT Council reassess the usage of other sports grounds including North Sydney Oval and the Bon Andrews Oval to see what other capacity for organised sport may be available.</i></p> <p><i>4. THAT Council write to the NSW Planning Minister to note that developer contributions are not funding proportionate new sporting and recreational facilities to match increased density targets, and asks what the government will do to fix this.</i></p>	