

# BRIGHTMORE PRECINCT

PART OF NORTH SYDNEY COUNCIL'S COMMUNITY PRECINCT SYSTEM

## MINUTES OF MEETING

WEDNESDAY 13 DECEMBER 2023

COMMENCING AT 7.00 PM

**CHAIR:** CDB (Deputy Secretary)

**MINUTES:** LS (Secretary)

**ATTENDANCE:** 23 people attended the meeting

**APOLOGIES:** 4 (PE, FG, GS, AS, MW)



## 1. CONFIRMATION OF MINUTES 8 NOVEMBER 2023 MEETING

The Minutes for the previous meeting of 8 November 2023 were adopted.

## 2. WARRINGAH FREEWAY UPGRADE (WFU) AND WESTERN HARBOUR TUNNEL (WHT) - NO ACCESS FROM ERNEST STREET TO THE SYDNEY HARBOUR BRIDGE (SHB)

At the Council Meeting of 11 December 2023, a Motion was passed calling on the State Government to implement urgent design changes to the WFU/WHT projects to avoid another Rozelle Interchange disaster.

While acknowledging the wider impacts of the WHT and WFU on the local road network in the LGA, attendees were particularly concerned about the removal of access from Ernest Street to the Sydney Harbour Bridge, resulting in all local traffic north of Military Road and through traffic from the Northern Beaches being forced onto Military Road.

Congestion on all roads through Mosman, Cremorne and Neutral Bay will also be exacerbated by the cancellation of the Beaches Link tunnel.

In May 2023, the NRMA voted Military Road the 4<sup>th</sup> worst road in NSW, and the 2<sup>nd</sup> worst in NSW for congestion.

According to a *Mosman Daily* article 30 November 2023, *Transport for NSW* is conducting a major review of Military Road to identify "road network improvements", and "public submissions will not be invited".

The "Rozelle Interchange Fiasco" over the last couple of weeks demonstrates that *Transport for NSW* and the State Government has not been listening to the local councils and community, who correctly predicted this chaotic outcome.

The closure of access from Ernest Street to the Sydney Harbour Bridge is another "Rozelle Interchange Fiasco" waiting to happen, with Military Road grinding to a halt.

The following **MOTION** was proposed, and passed **UNANIMOUSLY**:

*Brightmore Precinct writes to the NSW Government and Transport for NSW and requests they:*

- *conduct a new traffic study with updated modelling following the cancellation of the Beaches Link Tunnel;*
- *reassess the impacts on both Military Road and local feeder roads if the Sydney Harbour Bridge cannot be accessed from Ernest Street;*
- *retain access from Ernest Street to both the Sydney Harbour Bridge and Harbour Sydney Tunnel;*
- *retain access from all current routes to both the Sydney Harbour Bridge and Sydney Harbour Tunnel;*
- *listen to the feedback from Council and the local community.*

LS to send to email list - "How to use the new Warringah Freeway Upgrade - Problem Points March 2020".

### 3. HAYDEN ORPHEUM STATE HERITAGE REGISTER NOMINATION - CLOSES 5 JANUARY 2024

State Heritage Register nomination currently being formally considered by the Heritage Council of NSW to list the Hayden Orpheum Picture Palace (formerly Cremorne Orpheum Theatre).

FG from the Cremorne Conservation Group was unable to attend the meeting but sent the following updates:

#### Hayden Orpheum Picture Palace

Submissions of support for the Orpheum listing will go a long way to convincing the Heritage Council to recommend to the Minister for Heritage that the theatre should be added to the State Heritage Register. As the Heritage Council is well aware of the heritage significance of the theatre, comments about what the Orpheum personally means would be very meaningful e.g. going there as a young child and now taking the grandchildren to see shows; going there on a first date that lead to a marriage proposal (referring to Tim James' comment at the Orpheum event last year).

Precinct members were encouraged to make individual submissions.

The following **MOTION** was proposed, and passed **UNANIMOUSLY**:

*That Brightmore Precinct lodges a submission supporting State Heritage Listing for the Hayden Orpheum Picture Palace.*

#### Update on Parraween Street Cottages Heritage Listing

At least 6 of the 12 cottages have now been deemed to be of heritage significance by 2 independent heritage consultancies – the cottages being numbers 78-88. These are closest to the Orpheum and where the developer plans to build the 5-storey aged care facility.

However Council is working with the Department of Planning to try and get all 12 cottages listed.

FG thanked everyone for their support and sustained actions throughout this year, which have included writing many submissions and attending site visits in all sorts of weather.

## HELP LIST THE HAYDEN ORPHEUM PICTURE PALACE ON THE STATE HERITAGE REGISTER

The Heritage Council of NSW wants to hear from you, the general public, as to why you think the Orpheum Theatre should be listed on the State Heritage Register.

#### KEY REASONS TO PRESERVE THE ORPHEUM INCLUDE

- Opening in 1935, the Orpheum was designed by renowned Art Deco theatre architect, George Newton Kenworthy
- Faithfully restored by Mike Walsh OBE AM in 1980s, with the addition of 5 new Art Deco inspired cinemas
- One of the last Art Deco cinemas/theatres in NSW
- An iconic landmark which is a much-loved drawcard for the performing arts and cinema in Cremorne
- Opulent interiors and the mighty Wurlitzer organ offer today's theatre enthusiasts a unique entertainment experience



#### HAVE YOUR SAY

Think of your own experiences, then in a few words say why you think the Orpheum warrants long-term conservation

- 1 Email subject: **Hayden Orpheum Picture Palace – Support For State Heritage Listing**
- 2 Email to: [heritagemailbox@environment.nsw.gov.au](mailto:heritagemailbox@environment.nsw.gov.au)
- 3 Must be emailed by: **5 January 2024**

**State Heritage Listing ensures theatre-lovers continue to enjoy the magic of this spectacular theatre!**

#### 4. COMBINED PRECINCT COMMITTEE MEETING REPORT - 28 NOVEMBER 2023

As Co-Chair PE was unable to attend the Brightmore meeting at the last minute and the CPC Minutes had not been received, no report was given.

#### 5. DEVELOPMENT APPLICATIONS

None

#### 6. SUMMARY OF ACTIONS

Month	Item	Actions	Council's Reply	Status
November		<p><b>Local environmental Plans</b> - 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.</p> <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>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. 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.</p>	Closed for Council
			<p>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 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.</p>	
October	5	<p><b>121, 123 &amp; 125 Holt Avenue Cremorne Heritage Listing Planning Proposal PP 5/23</b> - 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 &amp; 125 Holt Avenue as local heritage items.'</i></p>	Allocated to Council's A/Manager Strategic Planning	Awaiting Response
	GB	<p><b>Street Trees</b> - 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.</p>	<p>Council's Manager Parks &amp; 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 with one to be planted at No 32 this season and 1 at No 27 next season.</p>	Closed for Council

## **7. CORRESPONDENCE**

### **7A. NEW TREE PLANTED ON MILITARY ROAD IN FRONT OF BUS STOP, OBSCURING VIEW OF BUSES APPROACHING FROM NEUTRAL BAY**

It was decided to leave the tree where planted and ask Council to monitor its growth and prune if necessary

#### **Action for Council**

Newly-planted tree at 320 Military Road, Transport for NSW Bus Stop ID: 209058 (Military Rd opp Holt Ave)  
Monitor and prune if new growth obscures view of approaching buses

### **7B. ERNEST STREET 10 TONNE LOAD LIMIT**

Re Truck access to new Coles in Grosvenor Street, Neutral Bay

GS 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?

## **8. GENERAL BUSINESS**

### **8A. YOUNG STREET PARTIAL RE-OPENING**

At the Council Meeting of 11 December 2023, a Report was presented with a concept design for the partial re-opening of Young Street, and that following formal engagement and community consultation, a further report will be brought back to Council.

The design proposes a partial closure of Young Street, with single-lane access from Young Street turning left into Military Road.

The remaining portion (western side) of Young Street would remain permanently closed and landscaped, with raised planter boxes separating the plaza and the road space, and a living green wall on the southern side to buffer the plaza from Military Road.

Only 1 option is being proposed i.e. left turn from Young into Military.

#### **Comments from Attendees**

- Some attendees thought an alternative option of left turn from Military into Young would be preferable, taking traffic from the Ben Boyd Rd/Grosvenor Lane shared zone rat-run.

- Suggestion of a left turn from Young into Military after the morning peak (10am) and before the evening peak (3pm).

Attendees were encouraged to listen to the webcast of the Council meeting of 11 December, where some of the issues raised in the Precinct meeting were discussed. The Report to Council can also be downloaded.

No timeline for formal engagement and community consultation has been announced yet.

## **8B. NORTH SYDNEY COMMUNITY AWARDS**

<https://www.northsydney.nsw.gov.au/news/article/34/nominate-your-local-heroes>

Nominations are now open for the North Sydney Community Awards. There are five categories for 2024:

Community Builder – this person or group has helped build a stronger community

Next Generation – an inspiring young person or group of young people

Eco Warrior – an individual or group that have helped the local environment

Trailblazer – a person or group that has used innovation to drive positive change in the North Sydney community

Living Legend – for individuals who have given back to the community for 20 years or more.

Entries close on 12 February 2024.

It was put to the meeting attendees that Brightmore nominate Fiona Gracie in the Category “*Community Builder*” for her work establishing the Cremorne Conservation Group.

The following **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.*

Attendees were encouraged to also make personal submissions.

## **8C. JG, MANAGER CORPORATE PLANNING & ENGAGEMENT, NORTH SYDNEY COUNCIL**

The following **MOTION** was proposed, and passed **UNANIMOUSLY**:

*Brightmore Precinct would like to thank JG for all her hard work and the help she has given over the past few years to the Precincts in her roles of community engagement and corporate planning.*

*We wish Jenny all the best for the future.*

### **Action for Council**

Please forward the above to JG.

## **8D. DEVELOPMENT AT 60 WATERS ROAD (CORNER OF GRASMERE ROAD) - DA 259/21/3**

Concerns of non-compliance were raised in regard to:

- construction of a roof terrace
- internal staircase
- underground garage

LS to contact RS and follow up with Council.

## **8E. 121, 123, 125 HOLT AVENUE**

SK gave an update on the above houses, which are still being assessed for heritage significance. Nos. 115, 117 & 119 Holt Avenue have been demolished, after NSW Minister for Heritage and Environment, Penny Sharpe, unexpectedly and without community or Council consultation revoked the Interim Heritage Order. The developer immediately applied for a Complying Development Certificate (CDC) for demolition.

SK has had no response from Minister Sharpe to her numerous emails.

## 8F. STATE GOVERNMENT NEW HOUSING STRATEGY

SK gave a brief summary of the Government's recent "low to mid rise" housing reforms announced in a media release on 28/11/23.

The proposed changes are -

- Within 400 meters of a transport hub (metro/train station) or a town centre (which would include Neutral Bay Village and Cremorne Town Centre), residential flat buildings of up to 6 storeys to be permitted in land zoned R3.
- Within the next 400 meters, (between 400 and 800 metres) residential flat buildings of 3 storeys to be permitted in land zoned R3.
- Within 800 meters of a transport hub or town centre, multi-dwellings (townhouses) and manor houses, and potentially 2 storey RFBs, to be permitted in land zoned R2.
- Changes to be imposed via a State Environmental Planning Policy (with no debate in Parliament), overriding local planning rules. The draft SEPP has not yet been released but is expected to be released at any time.

These changes would result in dramatic increases in height, bulk and scale in the affected areas, including North Cremorne. Currently, an 8.5 m height limit applies to R2 and R3 zones, representing 1-2 storeys, and therefore the changes will result in a tripling of height in some areas.

The changes will also lead to a loss of housing diversity in an LGA that already has a very high proportion of dwellings that are flats (76%) and a very low proportion of dwellings that are houses (11%) (based on ABS 2021 data).

A major concern is that existing infrastructure servicing Cremorne is already at capacity and will struggle to support increases in population growth expected to result from the changes. The State Government's proposal has been announced without any plans for a commensurate expansion of infrastructure. At present, our roads, public transport, schools, parks, utilities, hospitals, sporting facilities, and other essential services are already strained. Green space is diminishing. In addition, Cremorne is not serviced by a train or metro, exacerbating challenges with traffic congestion and overcrowded roads and suburban streets. Buses that service our area along Military Road are already congested and at capacity.

The issue of increased housing density was recently addressed in a Mayoral Minute at the Council Meeting of 27 November 2023: 8.3. MM03: Correspondence from the Hon. Paul Scully, MP Minister for Planning re housing density and the housing crisis.

SK will report back to the Precinct when more detail is available.

The following **MOTION** was proposed, and passed **UNANIMOUSLY**:

*That Brightmore Precinct write to the Mayor expressing its concerns re the proposed changes and in particular the impact on Cremorne.*

## 8G. LARGE SHED IN CAMMERAY PARK

One member queried what the huge shed-like structure is in Cammeray Park, saying it looked like a large carpark for buses.

LS to check with Council.

## 8H. VOTE OF THANKS

A vote of thanks to the Committee for their work throughout the year was extended by attendees.

## 8I. PRECINCT MEETING 10 JANUARY 2024?

It was decided NOT to have a meeting on 10 January 2024.

**NEXT MEETING:** 14 February 2024

**EMAIL:** [brightmore.precinct@gmail.com](mailto:brightmore.precinct@gmail.com)