

WAVERTON PRECINCT MEETING

Tuesday 4th June, 2024

MINUTES

1. WELCOME AND APOLOGIES:

The meeting commenced at 7.35pm

Chair: IG

Minutes: DL

Attendance: 41

Apologies: None provided.

CONFIRMATION OF PREVIOUS MINUTES:

The confirmation of the previously circulated draft minutes was moved by DA and seconded VY "That the May 2024 Minutes be accepted".

Carried unanimously.

2. GUEST SPEAKER: Mayor of North Sydney.

Upper House Inquiry into the Rozelle Interchange- impacts for North Sydney

The mayor opened her address to Waverton residents with comments on this inquiry.

The Mayor had an invitation then from the Upper House inquiry to address them about Rozelle and she did so with the Mayors of other local governments with the same position. Then, a few days after that, the Mayors learned that the Inquiry had heard from former Transport for NSW senior personnel. These individuals put to the Inquiry much the same position that we as a community had put to the state government at the early stages - namely that needless congestion in the North Sydney CBD and nearby would be the result of the proposed design.

The Mayor reached out to the former Transport for NSW senior personnel. One is a North Sydney resident and so they generously gave the Mayor and some senior staff at the Council their time. The Mayor asked them what is the most pragmatic thing that we can put to Transport for NSW so that they can brief the Minister for amendments? And said they have given the Council some options. As former senior bureaucrats, they are not lawyers and suggested perhaps the Council should get some legal advice as to whether an entire new EIS should be done before any further work is done. The Mayor said that the Council will pursue that advice.

Woodley's Shed and the new Park

The Mayor then went on to address the situation with Woodleys Shed and the new Park Masterplan.

She said that the last time she addressed the Waverton Precinct meeting, the message from the Western Harbour Tunnel project management team was that the best way to make that site safe was to demolish the structure. The Council communicated to them that there was no need for demolition, that their report found it was structurally sound - and that it had to stay.

She said she attended a meeting with the Minister for Roads. Even though it's a Transport for NSW project, he is the Minister that the Council were referred to on this item. She strongly lobbied him to say this demolition is unacceptable and if you leave it to Transport for NSW and their contractors, they'll simply do the cheapest thing. She stressed to the Minister the heritage value and that the community have worked hard to save it for so long. She noted that the Minister turned to Transport for NSW and said "I want you to go away and I want you to do something about this".

Fast forward to now, yesterday North Sydney Council's Chief Executive and the Director of Infrastructure and Transport met with CW and JF from Transport for NSW. It seems Transport for NSW have now moved to ensure Woodleys Shed will be delivered as part of the new Park. The Council would like for them to make it stable, that they do some interpretation and possibly some work around the exterior, and she thought they're likely to deliver it to the community as an intact shell and then start community consultation about the various community uses for that site.

The mayor said that the Council suggests another meeting be held with Council, the Precinct Chair and personnel in charge of the Park. They are still refining the design and have been communicating to Council in regards to this. Issues include the retention of the Heritage sea wall and the placement of toilets throughout the planned park. She stressed that the park is going to be delivered and ideally it would be sooner rather than later, but there is progress no matter how slow it is.

State government housing reforms

The mayor labelled the State government housing reforms "a movable feast". Two projects are happening, one is called the Transport Oriented Development Stream and North Sydney Council is not directly impacted by that. This relates to 33 specific rail stations throughout Sydney, Newcastle and Wollongong. We're not part of that. However, we are one of the 8 "accelerated" town precincts and these are the ones that relate to new metro stations and in particular ours is the Crows Nest metro station. The Department of Planning are preparing draft plans for each of the 8 sites. Council staff have been asked to sign confidentiality agreements so they have briefed Council confidentially. This limited what she could tell our meeting, apart from there are ambitious time frames and in store for Crows Nest is a re-visit to the 2036 St. Leonards Crows Nest plan. That will go on public exhibition in July for community consultation. The State government announced a pot of \$520m for the eight accelerated town precincts to provide open space upgrades for road capacity and other social infrastructure. The eight precincts include Crows Nest, Bella Vista, the Bays Precinct and Inner West Council and four others and that amount is woeful for the existing population, let alone increased population.

She said her main concerns are if it will be equally divided up, and will it take into account the value of land and the value of delivery of infrastructure in each of those locations, which will vary considerably. Delivering additional open space will be more expensive than in some of the areas compared to others.

The next strand of this change is the low to mid rise that was announced in December last year. It was on exhibition until February. In the low density R2 zone, the State government is planning to expand the sorts of dwellings that can be built including dual occupancies, manor homes (basically 2 storeys with a room in the roof), and small residential flat buildings. She pointed out that already NS Council allows dual occupancies and terraces in the low-density zone so this is a change that will not make a significant difference to NS Council.

The big change is the medium density areas - the R3 and R4 zones. We are impacted throughout our entire local government area, but Waverton is particularly impacted because one of the criteria is within 800 metres of heavy rail. R4 is high density, so the existing zoning allows for residential flat buildings and other higher density forms. E4 is environmental living, which is from Larkin St. and Balls Head Rd beyond Woolcott St and that area won't be impacted at all. In R3, four story and six story flats are permissible.

She said that how that relates to heritage conservation and environmental controls is not entirely clear. The department has (again in confidence) been providing workshops with Councils. This is impacting 43 councils in the metro area and Newcastle and Wollongong. So far it's a "one size fits all" blanket approach. She said that the Council have made quite robust submissions to the State government, to try to get some reasonable reform into their draft but it is difficult because they didn't exhibit the actual planning instrument, but instead simply an explanation of intended effects.

She told the gathered residents that she has now sought an urgent meeting with the Minister for Planning to discuss a more bespoke plan for the North Sydney Local Government area. We are the third most dense local government area in the State, 89% of our housing stock is already medium or high density, and that the Minister referenced Waverton and Wollstonecraft as particularly good examples of density done well. She noted that the Council is already planning under our existing controls for 19,500 additional people by 2040 (which is a 27% increase in our residential population) and finally she notes North Sydney has the lowest amount of open space per capita in the whole of the North Shore and less than the City of Sydney.

The mayor pointed out that The Greater Cities Commission had worked on evidence based new targets for all of the local government areas in metropolitan Sydney, including North Sydney. They were about to release them when the Commission was abolished. The Greater Sydney Commission had put forward an upper housing target of 2800 within 5 years and our 10 year upper target was 5,800. The figure released last week was 5,900 in five years, so a doubling of the target, while other Councils had no change. She reminded residents that Councils don't build - they can't force people to put in DA's and can't force them to build. We have the same

targets as Northern Beaches councils, Ryde and Fairfield but with 10% of the geographical locality and we're already much denser than they are. Additionally, the Council is still needing open space and submissions from Sydney Water in the St. Leonards Growth Area warn that there's already limited capacity for extra sewage and water.

For Councils who meet these targets, there is the carrot of a fund of \$200m for 43 Councils to provide additional open space, upgrades and libraries - which is underfunded and North Sydney Council is not alone in putting that to the State government.

She said that the Council remains committed to affordable housing and are currently delivering social housing.

She told residents that she is committed to maintaining the pressure on the State government and will be giving evidence about these very things to the Upper House inquiry into the transport oriented development on behalf of our community on Friday morning.

Acquisition and valuation of open space

The Mayor acknowledged that residents are concerned about Transport for NSW acquiring existing public open space throughout the local government area for various projects, with Cammeray Park being the biggest one where 2.8 hectares are currently taken for construction of the Western Harbour Tunnel, but also Anzac Park and increasing parts of St Leonard's Park. All of this was taken with the sweeping powers that Transport for NSW have for these projects.

The loss of these three parks for between 4 and 7 years were each valued by the Valuer General at \$1.00 each piece of land. The Council recently took the State government to the Land and Environment Court to challenge that valuation and if the Council is successful it will make new law in that the Council is saying that open public land should not be given a commercial value like you would another parcel of private land as there is an intrinsic economic value in open space and people's access to it. The Council's Economist put a value that was close to \$12 million for the temporary loss of all three parks. Other Councils have had similar issues and said she finds it utterly reprehensible that a State government agency is spending millions of dollars taking local governments to court to force them to challenge over acquisition of public land and the return of it.

In a similar vein is the new cycle ramp at Milsons Point. The Mayor reminded residents that in 2021, the then Minister Stokes announced that he was committed to a linear cycle ramp coming off the Sydney Harbour Bridge. There was a community designed ramp that the Council put forward to the State government. The Council and supporters put in strong submissions, she met with Minister Stokes, convinced him to have a site visit, convinced him to get the Heritage Council to actually go to the site before they gave their recommendation. But ultimately the State government decided to commit to their own linear design ramp. They subsequently got development consent and approval from itself late last year. And in March they issued proposed acquisition notices to council for part of Bradfield Park for temporary acquisition for construction.

However, this land is held by the Council as trustee that was set up when the Bridge was built. Subsequently, she said, the Council has taken three sets of legal advice from 2 silks and specialist lawyers and the advice is that the powers of Transport for NSW trump the trust and we would have very low prospects if we were to challenge it. She said that in the form that comes to the Council with the proposed acquisition notice is that the Council want the Valuer General to put a value on the temporary acquisition of that land. She is expecting the same valuation to be put as the three other parks (\$1) and the Council can then go through a process of fighting for reasonable compensation, especially if parts of the acquisition becomes permanent.

North Sydney Olympic Pool update

The Mayor said that the completion date is still the end of this year, or the beginning of next year. They're very close to finalising the replacement structural steel that was the issue for the current delays. In the meantime, work has been proceeding within the pool- 80% of the tiling for the 50 metre pool is already complete.

Council is asking you to have your say

She wanted residents to know that there is a large community engagement exercise underway. This is a true community engagement to guide draft plans that will go on exhibition and inform the community strategic plan. She asked for as many people to be involved and to give their feedback as possible because this is about setting Council's priorities for the next 10 years.

There are five topic areas that are being consulted on, to guide the next 4 to 10 years, including social inclusion, open space and recreation, density, economic development, sustainable transport, creativity and culture. Everything's on the table. This is the first time ever our Council is consulting and they have been careful to also consult young people given that North Sydney is the most dense education precinct in the country. The more voices in there the better because we'll have a better plan at the end of it. Engagement is until the end of June, then all of that information will be collected to form draft strategies.

Former Waverton Bowling Club Site

She outlined many actions taken to obtain information on intended plans for this site, including meetings that have not taken place and letters written. Her conclusion is that the Aboriginal Metropolitan Land Council is very, very reluctant to engage with the Council. The Mayor committed to continue to press for engagement, and to continue to point out that the site is particularly important as it is surrounded by public parkland. If rezoning is a future step then it will then require community engagement and notification and we'll all have to have a say.

The Closure of Botanica Cafe and railway owned land and commercial leases.

She then addressed the closure of the Botanica Cafe. She said that over 2018 and 2019, the Council issued a number of improvement notices related to health and food safety. Some of the issues include there is an infestation of rats under and around the building including during daytime hours. Several prohibition orders were issued to prevent the use of the premises for the handling of food for sale until such time as the rat issues have been addressed. The most recent pest control report showed severe active infestation in the subfloor area, roof space area, internal and external areas of the shop. Council asked to meet the business operators on site to discuss the further issue and they replied by saying that they had made the decision to close last Friday.

She stressed that it requires the owner of the site, State Rail, to make the premises good and safe, in the same way that the council spent quite a lot of time upgrading the Coal Loader Cafe kitchen.

Questions from residents

A resident said that local barber shops are not complying with health and safety rules. She said that if the resident could provide via email the addresses of premises, she will organise for an inspection to take place.

The next question concerned the beach below the recently upgraded quarantine station and if there is an update on the usage of the quarantine station.

She said that the quarantine stations did not meet the requirements for The Disability Inclusion Act and the Council have been working to a design so that this can be rectified. Council are at a point where they will put in for a DA to make it accessible for community purposes. The resident added that it would be beneficial to the community to link the quarantine station to the small beach below. She said that some of the area is in Council control and some of it is in State government control and this makes it more difficult to manage. She responded that she is trying to get the full care and control of all of the foreshore given back to the Council.

The next question concerned recent roadworks around Crows Nest Road, and the intersection of West Street and Pacific Highway - the resident was concerned that there was no community consultation with these works and the outcome is not good. She said that all works mentioned were part of the local area traffic management plans and that these were part of a community consultation. And then before they do the works, usually in 12 months or so out, they do consultation again and then the works fall within the the next yearly budget. A resident then pointed out that some time ago, in relation to the new roundabout at Crows Nest Road, there was professional engineering advice given to the Council that trucks on the southern side are likely to tip over and so a roundabout should not be constructed there.

A resident asked about the significant amount of land that State Rail own within the village. He said that State Rail is failing to extend commercial leases, and all the lease holders are just going from month to month, without knowing what the future holds. Depending on what State

Rail want to do, we may end up with a village with nothing in it. She said that State Rail are doing a similar thing in Milsons Point, with the shops that are located around that station. She asked the resident to ask the lease holders to reach out to her so she can go to the Minister to get an understanding of what they intend to do. The Chairman noted that Howard Collins is very familiar with this area due to a past campaign on creating a walkway beside the original rail line to Lavender Bay - and so he may be able to be an ideal conduit between the Department and the shop owners to try to find a way forward.

The meeting thanked the Mayor by popular acclamation and a vote of thanks from the Chair and she left the meeting.

3. Motions foreshadowed at last meeting

Motion 1

That Waverton Precinct request North Sydney Council actively raise in multi Council forums the idea of reinstating across NSW a system of common local planning controls at a Council level within a strategic Statewide planning framework. We consider it should be Councils which manage the local height and density detail and preserve heritage areas and create green spaces within a consistent and clear framework.

All local ; regional; and statewide plans should be revised and reshaped periodically as a standard routine continuous improvement practice.

Motion 2

That Waverton Precinct - in recognising there clearly is a housing problem in Sydney - considers the State's targetting of increased density based on the proximity to a selected group of public transport stops, without any place-based criteria, looks simply like an opening negotiation gambit and not a real policy.

It is suggested in North Sydney, the Council, Precincts, and residents rapidly identify the Mplaces most at risk of this random densification and evaluate whether there should be limits suggested and what those limits should be. This will be in the context of the broad 'rule of thumb of walking proximity to a nominated major transport stop' nominated by the State Government.

It is suggested this exercise be completed by November, or earlier if possible.

Motion 3

As was clearly enunciated and supported with the creation of the Committee for North Sydney, Waverton Precinct has long been concerned by the impacts on the North Sydney city centre and adjacent suburbs of the design of the entry and exit points for the Western Harbour Tunnel.

We remain concerned at the ability in peak hours to simply get in and out of adjacent suburbs, but also most concerned at the channelling of traffic down Miller St and the Pacific Highway and into Berry St. This is traffic NOT wanting to be in the North Sydney city centre but forced into Berry St to enter the tunnel (along with traffic trying to access the Bridge and M1/M2). Similarly we remain concerned at the extra traffic which will route through High St in Kirribilli, simply to get to the entry for the tunnel.

The recent traffic concerns at Rozelle demonstrate the planned chaos from the transport planners of Transport for NSW, which gave priority to routing more toll-paying traffic into the Transurban highway system.

We expect the same disaster – for exactly the same reason- to occur at North Sydney.

We call on North Sydney Council to commission a rapid, independent review of the likely impact of the Western Harbour Tunnel project on the North Sydney city centre.

All these motions were moved by KA , seconded by JD , and were carried unanimously.

4. Existing business

Merretts Playground Upgrade

The council has confirmed this work will commence in July 2024

Cycleway exit at Milsons Point station

Transport for NSW is definitely proceeding with a linear ramp along the side of the railway line. There is a strong lobby from the local residents to see a circular exit on the former bowling club.

5. New Business

Noakes fire safety audit

The Council is pursuing Noakes to improve its infrastructure to comply with the fire safety standards. Noakes seems to be stalling on doing the needed upgrades.

Heritage listings in Cremorne

The Chair noted the campaign being run locally in Cremorne has been successful, with both the Orpheum Theatre building, and a number of workers cottages opposite that building, being formally granted Heritage status.

DAs:

78/2024 18 Larkin St This is the only one for the month.

6. Community activity and Updates

There was no report. The meeting closed at 9:30 pm. The next meeting is 2 July 2024.