

## HARRISON-BENNETT PRECINCT

Minutes of General Meeting  
held on Thursday, 1 August 2024 at 6 pm held by Zoom

<b>Attendance</b>	13 attendees (by Zoom) 9 Apologies: RK, AK, JA, GP, RW, BH, JS, JM, FOR
<b>Previous Meeting Minutes</b>	Minutes of the 4 July 2024 meeting were confirmed by GW and seconded by GB
<b>Council Summary of Actions (SOA) and actions from Previous Minutes</b>	<p>A partial SOA was received on 1.8.24. The following items were noted in relation to our July Minutes:</p> <ul style="list-style-type: none"><li>• Addressing driver ignorance of road rules in relation to Wombat Crossings: <i>Council's communication team will work with the traffic team on an educational campaign on driver behaviour.</i></li><li>• Cremorne Mental Health Centre: In response to our request for garden maintenance (it is the gateway to Cremorne), the Mayor received a letter from the NSW Minister for Health stating that pruning will be attended to.</li><li>• Traffic matters: Convenors are still in the process of composing correspondence to ask Council if the Alternative Pathways option could be utilised as opposed to the Traffic committee and whether it would consider installing a wombat crossing at the intersection of Military Road and Hampden Ave.</li></ul> <p><b>A copy of the monthly SOA is available on the NSC website.</b></p>
<b>Council Meetings</b>	<p>The following item was on the agenda for the Council meeting of 22 July 2024:</p> <p>Draft Amendment to North Sydney Development Control Plan (<b>NSDCP</b>) 2013 - 183-185 Military Rd, 1-11 Rangers Rd and 50 Yeo St, Neutral Bay, and the Neutral Bay Village Planning Study (<b>NBVP</b>).</p> <p>10.4. RESOLVED:</p> <ol style="list-style-type: none"><li>1. THAT Council endorse the draft amendments to NSDCP 2013, forming Attachment 1 to this report, for the purposes of public exhibition.</li><li>2. THAT the draft amendment be placed on public exhibition for a minimum of 28 days.</li><li>3. THAT the outcomes of the public exhibition be reported back to Council.</li></ol> <p>Making changes to the NSDCP means:</p> <ul style="list-style-type: none"><li>• The amended DCPs will have formal status in consideration of any future DAs - i.e. planning panels will no longer be able to reference the rescinded Military Road Corridor Study as currently happens.</li></ul>

	<ul style="list-style-type: none"> <li>● It will also ensure development of the two subject sites is appropriately guided with regard to the desired outcomes of the adopted NBVPS and the two PPs.</li> </ul> <p>See pages C5-8 to C5-13 of the report submitted to Council for specific amendments to the sites covered by the two PPs.</p>
<p><b>NSW Housing Reforms</b></p>	<p><b>Crows Nest rezoning plans -Transport Oriented Development (TOD)</b></p> <p>It was noted that public feedback is now open until 16 August 2024 - see <b>Have Your Say</b>.</p> <p>Crows Nest Metro Station has been designated by the State Government as one of the Accelerated Precincts. <u>This means that new planning controls will apply:</u> -</p> <ul style="list-style-type: none"> <li>● Permissibility – Allowing residential flat buildings in residential zones and local centre zones, along with shop top housing in local centre and commercial zones.</li> <li>● Building height – A 22 m height for residential flat buildings to maintain design standards, and a maximum building of 24 m for buildings containing shop top housing to accommodate commercial ceiling height.</li> <li>● Floor Space Ratio – A maximum Floor Space Ratio of 2.5:1 has been set. This allows for buildings of up to 6 storeys while providing for good design outcomes in relation to landscaping, building setbacks, privacy and open space.</li> </ul> <p>One of the convenors and a meeting attendee had joined the on-line public information session on 30 July 2024 hosted by Brendan Metcalfe, Director State Rezoning:-</p> <p>Key features supporting the TOD claimed by NSW Planning:</p> <ul style="list-style-type: none"> <li>● to increase supply of affordable housing</li> <li>● capacity for up to 3,255 new homes within walking distance of the St Leonards train and Crows Nest metro stations</li> <li>● mandatory affordable housing contributions of 10–15% for all new residential development in the precinct, delivering between 325–488 affordable homes in perpetuity and managed by a registered Community Housing Provider</li> <li>● capacity for 2,600 new jobs</li> <li>● better connectivity for walking and cycling, and road upgrades</li> <li>● increase tree canopy to maintain the leafy character of the St Leonards and Crows Nest precinct.</li> </ul> <p>The following issues of concern were identified by community members who attended the public information session during the Q/A session:</p> <ul style="list-style-type: none"> <li>● Government is selling off hospital land for residential use and has proposed the site as suitable for a 62 storey building while claiming the extra height is an incentive to include affordable housing.</li> </ul>

	<ul style="list-style-type: none"> <li>● <b>Streetscape and amenity impacts:</b> Q: How will the significant risk of a wind tunnel along the Pacific Highway be addressed? A. <i>By creating buildings with separation and setbacks. Apartment Design Guide sets out design features to be included at the DA stage.</i></li> <li>● <b>Solar access:</b> Acknowledgement from Planning NSW that there will be “<i>some additional over-shadowing on St Leonards Park</i>”, “<i>Challenging to deliver solar access</i>” Can be mitigated by “<i>providing good building separation</i>” Need to balance between providing additional benefit - more density and height to allow affordable housing Vs impacts on surrounding area. <i>Impacts are considered but have to be “balanced” by the benefits.</i></li> <li>● <b>Traffic</b> - significant impact to traffic volumes claimed by meeting attendees</li> <li>● <b>Infrastructure</b> - meeting attendees were concerned that no new schools or other essential facilities at present to cater for the increase in population</li> <li>● <b>Economic rationale</b> - TOD sets out to increase non-residential floor space to allow more commercial floor space and create new jobs in the future. However, NSW Planning acknowledges that currently there is reduced demand in the “<i>post Covid world</i>” for office space, but the government has made the assumption that demand will return and increase over time.</li> <li>● <b>Heritage - An issue of concern for residents</b> <b>Planning NSW stated that</b> <i>TOD land use changes are focused on non-heritage areas and will have no impacts on existing heritage.</i></li> </ul> <p><b>Action:</b> Precinct to lodge a submission - Convenors to organise <b>Vote:</b> Unanimous</p>
<p><b>Development Applications</b></p>	<p><b>DA 291/22/3 – 13-15 Allister St, Cremorne.</b></p> <p>Application for Modification of Consent Conditions for consideration by the North Sydney Local Planning Panel (<b>the Panel</b>) on 7 August.</p> <p>The main modification proposed to the design result from finished levels of the approved development requiring adjustment due to more accurate survey data being obtained for developing the design for construction and the design being adjusted to reflect the correctly surveyed levels. This has caused the maximum height of the building to increase,</p> <p>The application must be determined by the Panel because the modifications sought require amendment of condition C42, a condition amended by the Panel in the granting of deferred commencement consent to the original development application.</p> <p>The meeting was advised that renotification of the amended application was deemed unnecessary, as the amended application resolves</p>

substantive issues, principally by reducing the size of the extension to make it less visible and bulky when viewed from the street.

It was noted that council staff have recommended the amendments, which the Precinct objected to earlier this year, be approved. For example, the Precinct was concerned about the loss of the entry doors to flats within the heritage element. However, while the outcome is not ideal, advice received by council staff has confirmed that it is impractical to keep the doors and maintain them in situ. Having them used as internal access doors, as proposed, preserves them in the building - they would otherwise be sold or discarded off-site.

Council staff have noted the height variation proposed is similar to that approved and is consistent with the reasons given in support of the original approved height breach. They have further stated they consider the amenity impacts of this design alteration acceptable.

In summary, *council staff* have identified the modified development's increased height as having the following impacts and have recommended it be approved.

- *Results in the building conforming to and reflecting the slope of the land,*
- *Having reasonable impacts on views over the site from taller flat buildings in Cranbrook Avenue (views from other dwellings remain unaffected),*
- *Causes minimal additional overshadowing of housing to the south, demonstrated by submitted sun view and shadow diagrams,*
- *Does not adversely impact privacy, as considered in the original consent, and with inclusion of shutters on windows lower than the maximum height (i.e. there is no habitable space above the height control),*
- *Still results in the height and bulk of level 3 being reduced to remain compatible with adjacent development, compared to the approved development, and*
- *Also results in the building being compatible with streetscape and local character.*

In the circumstances it was not thought worthwhile making a submission to the Panel regarding the above **but it was agreed the Precinct should make a submission in response to the Council's stated position on the proposed modification to Condition G18 - Damage to Adjoining Properties**. The intent of the condition is to ensure damage resulting from the development and required repairs are recorded or carried out in a timely manner, i.e. before the completed development is occupied.

	<p>The proposed modification to this condition seeks to allow a report addressing damage to adjoining properties to be provided within 12 months after issue of the final Occupation Certificate rather than prior to the issue of this certificate.</p> <p>The council's position is to acknowledge that there can be delays with obtaining neighbours' agreements for repairs to be carried out for instance, or in obtaining permission to inspect the property, and as there is no reason to prevent occupation, providing the report up to 12 months after the final certificate is issued, is reasonable. This was thought not good enough by the Precinct.</p> <p><b>Action:</b> That the Precinct make a submission to the NSLPP in response to the Council's stated position on the proposed modification to Condition G18 - Damage to Adjoining Properties.</p> <hr/> <p><b>DA 364/2023 – 40 Spofforth Street, Cremorne - Proposed Child Care Centre</b></p> <p>The applicant has lodged a number of documents in response to issues raised by Council staff and in submissions lodged by the community. These include a traffic and parking statement, revised landscape design, a revised tree removal and planting program, acoustic treatments amongst others.</p> <p>The question is whether these documents successfully address the issues raised by Council and the concerns raised by the community.</p> <p>Despite the comprehensive response from the applicant, major issues for the community remain - parking and additional traffic, general impact on the amenity of surrounding residents (noise, privacy, loss of clothes lines), the safety of pedestrians crossing Spofforth Street, not to mention the proposal to use private driveways to allow cars to pass each other in Spofforth Lane.</p> <p><b>Action:</b> Meeting attendees voted unanimously for the Precinct to lodge another submission raising the above issues.</p>
<p><b>Traffic</b></p>	<p><b>Rangers Road</b></p> <p>The road surface was resurfaced weeks ago but line markings have not been restored.</p> <p><b>Action Request:</b> that Council advise what the situation is with this unfinished work.</p>

## **Pedestrian Safety:**

### **Rangers Rd & Spofforth St intersection -**

**Poor visibility of pedestrians at this intersection - particularly problematic in low light - see photo below.**

Meeting attendees unanimously agreed that this was a dangerous intersection - some attendees have experienced difficulty as a pedestrian at this spot and called for improvements, even though there is an existing narrow pedestrian refuge in Rangers Road. This intersection is used by many pedestrians. The DA proposed for 40 Spofforth St will lead to an increase in the number of parents and children crossing at this intersection as well as an increase in the number of vehicles in the area. There is also high pedestrian movement across Spofforth St immediately after this intersection due to the popularity of the I Love Butter coffee shop. Cyclists also find this intersection difficult and dangerous.

### **Suggestions from discussion:**

- Investigate the installation of a kerb buildout to restrict traffic flow to one lane at the corner of Spofforth and Rangers Rd
- Remove the existing parking spot in Rangers Road just before the intersection to improve visibility of pedestrians - see photo of night time condition
- Install pedestrian crossing or Traffic Lights

**Action:** Request feedback from NSC to our suggestions



<p><b>Streetscape</b></p>	<p><b>Wotso: Military Road</b></p> <p>It was noted that there is a landscaping discrepancy between submitted plans and the completed project. Following the Precinct raising this issue, the Principal Certifying Authority (PCA) for the development has issued a Written Direction Notice (WDN) to the person responsible for the aspect of development, requesting the Military Road frontage works to be rectified in accordance with the drawing number SK01 dated 28 February 2023, or to obtain a Building Information Certification (BIC) from Council.</p> <p>Subsequently, a BIC application has been submitted to Council to assess the modified unauthorised work. The application is now being assessed by Council. If the application is determined as refused, Council will take further compliance action accordingly.</p>
<p><b>Other business</b></p>	<p><b>2024 Garden Competition:</b> now open. Entry is free and will close on 30 August 2024. There are many categories including indoor, balcony, and childrens gardens.</p> <p><b>History Essay:</b> The North Shore Historical Society has invited all local history enthusiasts to write an essay about North Sydney LGA's rich, diverse and vibrant history for the chance to win \$1000!  Entries close 1 Oct 2024. For more information refer to the North Shore Historical Society.</p>
<p><b>Meeting close</b></p>	<p>The meeting concluded at 7.30 pm.</p>
<p><b>Next Meeting</b></p>	<p>The next meeting will be held on 5 September 2024 at 6pm at the Early Childhood Centre in Parraween St, Cremorne</p>