

BRIGHTMORE PRECINCT

PART OF NORTH SYDNEY COUNCIL'S COMMUNITY PRECINCT SYSTEM

MINUTES OF MEETING

WEDNESDAY 9 OCTOBER 2024

COMMENCING AT 7.00 PM

CHAIR: PE (Co-Chair)

MINUTES: LS (Secretary)

ATTENDANCE: 29 people attended the meeting

APOLOGIES: 0



1. CONFIRMATION OF MINUTES 11 SEPTEMBER 2024 MEETING

The Minutes for the previous meeting of 11 September 2024 were adopted.

2. NORTH SYDNEY'S NEW COUNCIL CONFIRMED

St Leonards Ward

Cr Zoë Baker - The Real Independents - Mayor
Cr Godfrey Santer - Australian Labor Party - Deputy Mayor
Cr Nicole Antonini - The Real Independents
Cr Christopher Holding - The Real Independents
Cr James Spenceley - Independent

Cammeraygal Ward

Cr MaryAnn Beregi - The Real Independents
Cr Efi Carr - Liberal Party
Cr Angus Hoy - The Greens
Cr Jessica Keen - Liberal Party
Cr Shannon Welch - Australian Labor Party

3. UPDATE BY COLES' REPRESENTATIVES OF THE PROPOSED REDEVELOPMENT OF ITS GROSVENOR STREET SITE (WOOLWORTHS)

Tim Atkins & Richard Hamilton, Directors, Titanium Property, gave an update on behalf of Coles.

- Not much has been done in the last 6 months.
- Have been trying to come to an agreement with Council on a Voluntary Planning Agreement (VPA) but without success.
- Woolworths' lease ends in November and there are currently discussions between Woolworths and Coles to extend the lease to ensure the Supermarket is open over the summer.
- The probity plan is still in place so we have limited opportunity for discussions with Council.
- Coles will submit an amendment to the DA in response to the RFI, and then seek approval for extra height to fund the Council carpark and public plaza.

The Amended DA

- Have reduced height of the building to a reasonably acceptable level under the existing planning controls, from 6 to 3 levels of residential.
- Some minor changes at the plaza frontage, including some level changes.
- Removal of the Community Facility and reduced courtyard garden.
- The amended DA about to be submitted excludes the plaza design.
- Cooper Lane setback has increased to 9m above the podium.
- No private residential carparking under the Council carpark and instead added another basement level on the Coles land.
- 2 levels of public parking under the supermarket and the plaza.

Stages of Approval

There will be the following 3 stages of approval (not development):

1. Approval for a basement Council carpark, Coles' basement carpark, Coles supermarket, 3 levels of residential. Coles is not offering to pay for the construction of the Council carpark or the plaza in this stage.
2. Increased residential height to fund the public benefit of Coles constructing the Council carpark and public plaza under a VPA.
3. Council to design and seek approval for the public plaza.

Two different routes to pursue extra height, which would be up to 31m as per Woolworths' Rangers Road Planning Proposal.

1. Amending Development Application (without prior PP) / 4.6 which Council's planners could assess. This is Coles' preferred option as it would be quicker.
 - a) October 2024 – resubmit an amended DA, hopefully with approval by April 2025.
 - b) May 2025 – lodge amended DA seeking extra height.
 - c) June 2026 – amended DA approved. Construction approved.
 - d) Mid 2028 – Coles opens.
 - e) Mid 2029 – residential construction completed.
2. Submit a Planning Proposal for the increased height in October 2024. This is the approach Council has requested, which could take 24 months for approval before an amended DA is submitted, substantially increasing the time to commence the project and therefore its completion.

General Comments & Responses to Questions

- Overall cost of VPA works (design and construction, terraced design to facilitate solar access, and holding costs) \$55m.
- Value of VPA (per narrow NSC Policy of construction cost only) if constructed simultaneously is \$18M. If constructed separately cost would be approx. an extra \$9M.
- Pienza development in Waters Road approved at 24m (22m with 2m overrun).
- 36 month estimate to construct, with supermarket open 24-36 months.
- Unlikely to consider construction starting before the extra height has been approved.
- Breakthrough points in the Council carpark would assist the site south of the current Council carpark.
- Approximately 80 parking spaces for 72 units.
- To avoid an increase in height controls, the council could pay for the plaza and undergrounding the carpark.

Council has to decide:

- What is the future for Neutral Bay Town Centre.
- If it wishes to accept Coles' offer to pay for the additional public parking, new plaza and other public benefits.
- The design Council wants for the public plaza.
- The height of the redevelopment it supports under the VPA.
- If it wants to insist upon the process for approval of a scheme that Coles can fund the Construction of the Council carpark is through a Planning Proposal or is willing to accept that a clause 4.6 variation to the height control is acceptable and more expedient process to achieve a similar outcome.

Co-chair PE thanked Tim and Richard for the presentation and for giving a preview of Coles' plans prior to lodging the DA.

4. WOOLWORTHS CONCEPT DA – 1-7 RANGERS ROAD & 50 YEO STREET

MTJ gave a presentation on the above.

Woolworths was given Gateway Approval in March 2024 with in principal approval from the Department of Planning for increased height. They hope to have the changes gazetted by the end of 2024/early 2025.

Gateway Approval provided heights of 26m facing Yeo Street to the south and 31m facing Rangers Road.

Council is progressing an amendment to the DCP which affects this site and immediately adjacent sites.

The concept DA seeks approval for:

- A higher building of 28.05m on Yeo Street (increase from Gateway Approval 26m).
- 70 apartments in 8,028 sqm of space.
- Supermarket of 3,889 sqm, which appears to include the carpark ramp.
- 1,308 sqm of retail, 70% of which is cafes and restaurants
- 326 car parking spaces (increase from Gateway Approval 262 spaces).
- Loading dock for 3 rigid vehicles using the public road for manoeuvring

Concerns

- Excessive overshadowing of residential properties in Yeo Street
- The height of the building facing Yeo Street at 28.05m exceeds the maximum height in the Neutral Bay Village Planning Study by over 7m and exceeds the maximum height of 26m indicated as acceptable by Sydney North Planning Panel.
- The number of car spaces exceeding 262 car parking spaces, the number of car parking spaces indicated by Sydney North Planning Panel as appropriate given the amount of traffic on the local road network.
- Inadequate loading dock which only allows for rigid vehicles when deliveries are made to existing Woolworths by articulated trucks and which requires the use of the public road for manoeuvring, endangering pedestrians.
- Failure to include commercial office space as shown in the rezoning documents, the office space being replaced by a large medical centre without any justification being put forward. It appears the only reason a medical centre is included is to generate additional car parking spaces.
- Inclusion of retail and vertical circulation structures in the public open space.

The following MOTION **objecting to** and **requesting changes to the Concept DA** was passed **UNANIMOUSLY (27 For, 0 Against)**:

Brightmore Members authorise the Committee to lodge an objection based on the above concerns and request the following changes to the design:

- *The height of the building facing Yeo Street be reduced so that all dwellings in residential properties on the southern side of Yeo Street receive a minimum of 3 hours sunlight between 9.00am and 3.00pm in mid-winter.*
- *The number of car parking spaces be reduced to no more than 262 car spaces with the area of the supermarket calculated excluding the area of the carpark ramp to the lower levels*
- *The loading dock should be redesigned to provide for articulated vehicles and for all trucks to enter and exit in a forward direction.*
- *Deletion of structures in the public open space.*

Co-chair PE thanked MTJ for the presentation.

4. SUMMARY OF ACTIONS

Month	Item	Actions	Council's Reply	Status
September	6 (ii)	Announcement by State Government of Location of "Town Centres" Request that Council organise a community information evening when the "Town Centres" are announced, as it did in February for the State Government's proposed Housing Reforms.	Director Planning and Environment advised that the timing and content of the NSW Government's Low to Medium Rise Housing Reforms is as yet unknown. Depending on the timing and information released by the Department of Planning, Housing and Industry, Council can consider conducting an information session for local residents once these reforms are finalised and understood.	Closed for Council
	6 (iii)	New Council Parking Meters What security does Council (or the service provider) have on the data collected?	The PayStay app collects user's data to provide parking services that include additional optional benefits not available on our physical parking meters. All personal information is handled in accordance with the Privacy Act. No information is distributed to third parties for marketing purposes. For more details on the policy please view: https://www.paystay.com.au/assets/pdf/privacypolicy.pdf All information displayed on the PayStay website is protected by digital certificate which can be verified by viewing the certificate details in your browser. Mobile applications are secured in the same manner. PayStay is fully compliant with payment card industry data security standards. For further information, please contact the PayStay helpdesk on 1300 322 111. PayStay's QR codes adhere to high security standards. Stay vigilant to scams by checking the URL link that appears after scanning a QR code. All web addresses will display as paystay.com.au under a secure https connection. Please note: Scammers make subtle changes to URL text - please be sure to check the link and destination to ensure it is legitimate. If you have the PayStay App it will automatically open when a PayStay QR code is scanned. Confirm the zone number paid for online against the zone number listed on street signs. Orikan operates a 24/7 Security Operations Centre to monitor and detect fraudulent activity. They hold PCI DSS and ISO 270001 certification. We advise that customers only download the PayStay App from trusted sources, such as the App Store or Google Play.	Closed for Council

4. SUMMARY OF ACTIONS (cont.)

	7	Pedestrian Safety and the increasing illegal use of footpaths by electric bicycles & scooters, and bicycles by people over 15 Could Council introduce and monitor a trial “no-go zone” for e-bikes, possibly in Cremorne around Cremorne Plaza and Langley Place?	Riding a bike or e-bike on the footpath is currently illegal, unless the person riding a bike is under 16 years old, is supervising someone under 16, or the path is marked as a share path. In all other instances, cycling on the footpath is illegal. Installing ‘no-go zone’ signage is not consistent with Transport for NSW signage conventions and suggests that	Closed for Council
			people can ride bikes on the footpath where this signage is not installed. Council rangers would be unable to enforce this signage as they do not have powers to regulate moving vehicles. Enforcement of the Road Rules 2014 is the responsibility of the NSW Police and the road rules are developed by the NSW Government. For any immediate hazards or unsafe behaviours observed, please report them to the North Sydney Police Station at 273 Pacific Highway, Crows Nest, or by phone on 02 9956 3199, as they are tasked with enforcing the road rules. North Sydney Council recently provided a submission to the NSW Upper House Inquiry into the Use of e-scooters, e-bikes and related mobility options. Council’s submission identifies the issues related to E-Bike use on the footpath, particularly for delivery riders, and calls for greater resourcing for police to regulate this issue. The submission is available on the NSW parliament website here . Council delivers and will continue to deliver road safety campaigns promoting compliance with the road rules in the Road Safety Action Plan which includes rules and safety around and bikes on the footpath and pedestrian safety.	

5. DEVELOPMENT APPLICATIONS

14 Reynolds Street, Cremorne

DA 210/2024

Proposed car space, vehicular crossover and associated landscape works.

Submission date closes 18/10/2024

6. GENERAL BUSINESS

i. Council’s Summary of Actions response to Item 7.3 August 2024

Additional Pedestrian Crossing at the intersection of the western side of Waters Road & Belgrave Street

Brightmore Precinct requests that a member of Council’s Traffic & Transport Operations meets with Precinct representatives for an on-site meeting, and if in agreement that the change is feasible, advocate for the additional crossing. Brightmore Precinct will forward a sketch of the proposal to Council.

Brightmore Precinct will lodge a submission to TfNSW, and Precinct members are urged to make personal submissions.

ii. 18 Illiliwa Street, Cremorne

During the day often the road is blocked off, however there is no “Construction Zone” signage.

There are also 3 pallets in the footpath crossing.

Precinct members can contact Council directly to report any issues.

7. CORRESPONDENCE

None.

8. SUMMARY OF ACTIONS FOR COUNCIL

6. GENERAL BUSINESS

ii. Council’s Summary of Actions response to Item 7.3 August 2024

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NEXT MEETING – 13 NOVEMBER 2024

EMAIL: brightmore.precinct@gmail.com