

WILLOUGHBY BAY PRECINCT
PART OF NORTH SYDNEY COUNCIL'S COMMUNITY PRECINCT
SYSTEM



MINUTES OF MEETING HELD
THURSDAY 12th Dec 2024
COMMENCING AT 7.00 PM

ATTENDANCE: 15 people attended the meeting
APOLOGIES: 4 were recorded

ACKNOWLEDGEMENT OF COUNTRY

MINUTES OF PREVIOUS MEETING

Minutes for the 14th November 2024 meeting were adopted

Motion carried: 10 in favour, 5 abstentions, 0 against

BUSINESS ARISING FROM THE MINUTES

Woolworths Rangers Road – 1-7 Rangers Road & 50 Yeo Street

Chair reported that Council at its meeting on 25 November adopted amendments to the North Sydney DCP, including controls:

- ensuring all dwellings to the southern side of Yeo Street receive a minimum of 2 hours sunlight to all living areas at the winter solstice,
- the number of retail and commercial customer spaces for the Woolworths site redevelopment (1-7 Rangers Road and 50 Yeo Street), is to be limited to 180 parking spaces,
- vehicular access from Yeo Street is subject to adequate demonstration that it will not present any adverse conflicts to the traffic flow on Yeo Street.
- a single ingress and egress on Yeo Street in order to promote pedestrian safety,

The DCP amendments came into effect on 9 December 2024. Precinct has already authorised the office bearers to make a submission on the Woolworths Rangers Road DA and the submission will take into account the DCP provisions.

Precinct members are encouraged to make their own submissions.

Brothers Memorial Park

RL reported she has advised the Mayor that she had not received a call from GP regarding Brothers Memorial Park. The Mayor advised she would follow up and noted that the draft Open Space and Recreation Strategy is currently on exhibition.

Late Summary of Actions received today - **Update for November** - Director of Planning and Environment has advised that the project will not proceed this financial year but has been included for consideration in the 2025-2026 financial year.

Correspondence regarding 5 Ellalong Road DA

Review by a Precinct member of the revised plans lodged in September indicate no negative impact to frontage (contributory item in Montague Heritage Conservation Area), rear addition is substantial but in sympathy with style of original front section, minimal increase in mid-winter overshadowing, dormers to south face existing dormer of 3 Ellalong Road, ground level pool generally in accordance with DCP. No 3 may have site specific objections and should raise these with Council.

15 Richmond Avenue, Cremorne

A neighbour of 15 Richmond Avenue has contacted Precinct expressing concern that the developer has requested a s8.2 review of Council's refusal of the s4.55 modification seeking approval of unauthorised work creating larger terraces. The developer has lodged amended plans showing planter boxes instead of larger terraces.

The unauthorised work comprises a substantial wall built about 2 metres south of the approved location and close to the boundary of the neighbouring site. The wall holds fill (material excavated on site) saving on disposal costs and creating a larger terrace. The wall was built early during construction. No approval was sought for the change.



Photograph provided by neighbour showing unauthorised wall close to side boundary. The approved extent of the terrace is the concrete slab that is visible. Everything to the left of the concrete slab is unauthorised.

A supporting statement provided by engineer John Maroun of Gemstrux. Mr Maroun says "we consulted with the piling contractors" (who he does not name) and says "we were informed the wall could not be founded on rock due to inability to locate the rock at the intended level" and it was therefore shifted to the south.

Gemstrux *are not* the engineers who prepared the construction certificate structural drawings. This raises the question whether the engineer who prepared the structural design drawings is not prepared to provide a supporting statement. It is unclear whether the wall has been built in accordance with a design by a registered professional engineer.

MOTION: That Willoughby Bay Precinct has considered amended plans and strongly reiterates its objection to approval of unauthorised works at 15 Richmond Avenue for the following reasons:

- The structure will be visually bulky and overbearing for neighbouring properties.
- The structure will result in reduced deep soil landscaped area – shallow planter boxes are not an adequate substitute for deep soil landscaping.
- The design of the planter boxes will potentially allow the extension of the terraces in the future.
- No supporting information has been provided indicating how stormwater drainage of the terraces will be provided given the stormwater outlets have been built in the unauthorised terrace area (now proposed to be planter boxes).
- Lack of adequate information provided by John Maroun of Gemstrux Consulting Engineers including:
 - failing to name the piling contractors who supposedly advised the wall should be shifted to the south,
 - failing to provide a geotechnical report evidencing the location and bearing capacity of the rock ledge supposedly located where the wall has been built,
 - failing to confirm the unauthorised wall has been built to a design by a registered professional engineer, and
 - failing to advise why the registered professional engineer who prepared the construction

certificate structural drawings has not provided a statement in support of the application.

- Approval will set an extremely poor precedent indicating to developers that if they build contrary to a consent in the North Sydney LGA they will get approval for the unauthorised work.

Precinct again notes the previous loss of two magnificent Sydney Blue Gums located in the Council footpath adjacent 15 Richmond Avenue due to excavation by the developer without taking adequate precautions to prevent undermining - contrary to a consent condition requiring protection of the trees. This unauthorised work further evidences the contempt this developer has for conditions of consent that doesn't suit it.

Motion carried: 15 in favour, 0 abstentions, 0 against

CORRESPONDENCE RECEIVED

1. Council Summary of Actions Arising

- Chair has received an email from the owner of 3 Ellalong Road, Cremorne, advising, Council will be referring a DA for 5 Ellalong Road, originally lodged back in May 2024, to Precinct.
Council has advised the application was originally notified to Precinct between 24 May and 7 June. Precinct has been advised to call the Assessing Officer for further information.

2. Development Applications

- 3 Ellalong Road, Cremorne - DA 323/24 – alterations & additions
- 44 Ellalong Road, Cremorne – s4.55 modification seeking 24 month extension of deferred commencement condition requiring revised plans
- 15 Richmond Avenue, Cremorne – s8.2 review of refusal to approve unauthorised works

3. Traffic Committee Meeting (29/11)

- Item 5.3 – Road Opening, Left Turn Only restriction and continuous Footpath Treatments – Young Street, Neutral Bay
- Item 5.4 – Grosvenor Lane, Neutral Bay to Young Street – Left Turn Only Restriction

4. Council Meeting (25/11)

- Item 10.6 – Informing Strategies – planning for our next 10 years
- Item 10.7 – Proposed consultation for a special rate variation (SRV) for long term financial sustainability. A Precinct resident who attended this meeting has stressed that schools do not pay rent and it has been suggested that schools, if they are in a position to do so, voluntarily pay the rate and be recognised publicly as having done that.
- Item 10.8 – Draft Amendment to NSDCP 2013 – 183-185 Military Rd, and 1-11 Rangers Rd & 50 Yeo St, Neutral Bay – Post Exhibition Report

5. Council Meeting (9/12)

- MM01 – Invitation to non-rateable educational institutions to voluntarily pay rates
- Item 10.2 – State Significant Development Applications

6. Council & Other Memos

- 2 Dec – North Sydney Council Special Rate Variation (SRV)

GENERAL BUSINESS

Garden Competition

Precinct congratulated HL, winner, native habitat garden, RL runner up native habitat garden and DD highly commended, most beautiful garden.

Special Rates Variation - LT to report on the Council information evening for Precincts.

Request for free pool tickets - A Precinct member has asked Precinct to consider the following:

MOTION: That Council be requested to consider providing 10 free entries to the North Sydney Olympic Pool to residents as a token of appreciation to all those who will be affected by a rates rise.

Motion carried: 15 in favour, 0 abstentions, 0 against

Request for responses from Council on suggestion for installation of orange lights above the Gerard / Macpherson pedestrian crossing and removal of the traffic calming humps in Young Street at the Grasmere Rd / Young St intersection.

Leaves in Gutters - on western side of Macpherson Street from Montague to the school crossing. This is an unsightly, smelly mess and poses a trip hazard. **Could Council please arrange for a regular sweeping of these footpaths and removal of these leaves?**

4 Tobruk Avenue - A Precinct member is hoping Council can shed some light on the on again off again construction zone at 4 Tobruk Avenue which appears to have been undergoing construction for the last 50 years. **Can Council give Precinct any information on this site? Is there a Principal Certifier appointed?**

No Right Turn into Montague Road - a Precinct member has emailed North Sydney Police regarding motorists making a right turn into Montague Road from Macpherson Street in the mornings, particularly at school time, putting the lives of school children at risk.

Meeting closed at 7.33pm

Next Precinct Meeting will be the Annual General Meeting on 13 February 2025.

CHRISTMAS PARTY

Precinct welcomes Mayor Zoë Baker, Deputy Mayor Godfrey Santer, Councillors MaryAnn Beregi, Chris Holding and Shannon Welch, and Office Bearers of Brightmore Precinct to enjoy our Christmas Party.

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