

HAYBERRY PRECINCT MEETING MINUTES 3 September 2020

Meeting 6.15 pm 3 September 2020 at the Ros Crichton Pavilion, Miller Street.

Meeting Closed at 8.30 pm

Present: 14. West St 4; Hayberry Street 2; Ridge Street 4; Eden Street 1; Myrtle Street 1; Falcon Street 2.

Apologies: 5

Item 1: Minutes of Previous Meeting

The Minutes of the Precinct meeting held on 9 July 2020 were circulated and adopted.

Outcome 1: The Minutes of the meeting held on 9 July 2020 were tabled and adopted (unanimous).

Item 2: Treasurer's Report

The Treasurer (DW) advised that the Precinct's account balance was \$1,573.52. The application for operational funding for 2020/21 would be lodged shortly.

Item 3 - Report on Combined Precinct Committee (CPC) meeting of 18 August 2020

GS provided an overview of the main issues discussed at the most recent CPC meeting. These included:

- North Sydney Pool redevelopment and the issues of the DA process, reduction in shower room capacity for pool users, and preference for use of harbour water;
- a motion requesting that Council revisit the recommendation that the MLC building is listed as a State Heritage item;
- a motion requesting that Council ask RMS why investigation works are taking place when the WHT project has not been approved or put to tender;
- a motion expressing disappointment that Council, at its meeting held 27 July 2020, did not endorse "Item 8.21 - Community Housing Project and Funds: New Generation Boarding House" as per the author's recommendation;

There was a suggestion that the Hayberry Precinct endorse the position adopted by the CPC on the MLC Centre.

Outcome 2: A motion was passed by 10 in favour to 1 opposed (2 abstentions)

"That the Hayberry Precinct affirm its support for the MLC Centre to be listed as a State heritage item."

Item 4 - Dog owners failing to pick up and dispose of dog faeces

JP reported that the problem of dog owners failing to pick up and dispose properly of dog faeces had worsened during the Covid-19 pandemic, in part because there had been an increase in the dog population. It only required a small minority of non-compliant dog owners for the situation to worsen, and residents had noticed an increase in dog faeces near trees and on footpaths and verge heavily used by young children. Various potential remedies were discussed at the meeting, including additional signs and disposal bins, letters being sent to all dog owners explaining their obligations.

Outcome 3: A motion was passed unanimously:

"That the Hayberry Precinct request North Sydney Council to undertake a campaign to encourage North Sydney dog owners to collect and appropriately dispose of their dogs' faeces. Elements of such a campaign might include but need not be limited to:

- **writing to North Sydney dog owners to clarify their obligations and to advise the fines for non-compliance;**
- **additional disposal bins; and**
- **additional signage notifying fines, including on telephone exchanges and at road crossings.**

Item 5: Graffiti on Eden Street, Hazelbank Place and other Precinct streets

JW reported residents' concerns regarding an increase in graffiti in some parts of the Hayberry Precinct, in particular on Eden Street, Hazelbank Place, Pacific Highway and Ridge Street. This included on postal storage boxes, for example the box at the pedestrian crossing on West Street near Ridge Street. Various suggestions were made, including the use of graffiti-resistant paint and the deployment of a graffiti-removal team.

Outcome 4: A motion was passed unanimously:

"That the Hayberry Precinct request North Sydney Council to look into the growing problem of graffiti in the Hayberry Precinct, take immediate action to clean them up, and develop some solutions to address this issue for consultation with the community."

Item 6: Verge garden on West Street

CB informed the meeting of his recent experience where, having planted a garden bed under a tree on the street verge where the grass would not grow, he received a letter from the Council directing him to remove the garden bed or, should he fail to do so, reimburse Council for that work. From the Council's perspective, they have a potential liability should someone be injured. He was able to resolve the issue positively by meeting with the 'Streets Alive' liaison officer. DM suggested that anyone considering planting on the Council verge visit the Council website to learn about 'Streets Alive' and the relevant procedures.

Outcome 5: A motion was passed unanimously:

"That the Hayberry Precinct express its thanks to the Parks and Reserves team at the Council and to the Mayor for the flexibility exercised regarding verge gardens and note the important role of 'Streets Alive' in that regard."

Item 7: 83 Falcon Street

DM spoke to a concern raised by SM regarding a direction from North Sydney Council to remove a sliding gate that their private surveyor has confirmed is on the resident's property as well as a concrete ramp that facilitates access from Hayberry Lane into the car port. Hayberry Lane is full of double garages and car ports given that there is no access to parking from Falcon or Hayberry Streets. As there are no parking spaces on Hayberry Lane itself, providing access from the Lane into

the garages and car ports does not remove casual parking options. If Council were to restore the curb in such situations, thereby precluding residents' access to their own carports, the result would be more cars seeking to park on Hayberry Street.

Outcome 6: A motion was passed unanimously:

"That the Hayberry Precinct express its support for the preservation of the aluminium sliding gate, which, contrary to the Council's assertions, is on the property of 83 Falcon Street, and the concrete ramp at the rear of that property. The Precinct notes that the removal of these elements would result in additional cars being parked on Hayberry Street for no discernible public benefit given the fact that no casual parking is allowed on Hayberry Lane and that the arrangement is consistent with other properties backing onto that Lane."

Item 8 - Development issues, including Planning Proposal for the 'Five Ways' site on Pacific Highway, Alexander Street and Falcon Street.

8.1 2036 Plan for St Leonards and Crows Nest

DW presented a report prepared by JF on the NSW Department of Planning's long-awaited final plan for St Leonards and Crows Nest ("the 2036 plan"), which was released on 29 August 2020. The plan settles land zoning uses in the geographical area of St Leonards and Crows Nest which have been anticipated by the community for the last three years. JF's overall assessment is that Hayberry Precinct has been less affected by the 2036 plan than feared. The Precinct's primary strategic concern has always been to minimise the outward expansion of tall apartment buildings from the St Leonards town centre across Crows Nest towards the Precinct. The 2036 plan meets our concern, except with respect to the 'Five Ways' site, for which the plan recommends a building of up to 16 stories in height. Our secondary strategic concern has been to moderate the excessive scale of apartment buildings in the St Leonards town centre. In respect of our secondary concern the problems of over development, crowding, and increased demands on infrastructure concentrated on the St Leonards town centre have only been lessened to some extent.

Outcome 7: A motion was passed unanimously:

"That, in relation to the 2036 Plan for St Leonards and Crows Nest released by the NSW Department of Planning on 29 August 2020, the Hayberry Precinct:

- express its concern to North Sydney Council regarding the very significant disparity between the NSW Government's claim that it has cut the allowable building heights and the evidence contained in the document itself that the Government has increased the height of close to 30 sites in the plan;
- express concern regarding media attribution to the Mayor suggesting Council endorsement of the 2036 plan, which is at odds with the unanimous resolution passed at Council on 27 July 2020 that opposed the plan and urged the NSW Minister to engage in "true consultation and collaboration" with the Council and community (see article in Sydney Morning Herald dated 29 August 2020 by Matt O'Sullivan entitled "*Development plans for Sydney's North Shore scaled back after outcry*". See <https://www.smh.com.au/national/nsw/development-plans-for-sydney-s-north-shore-scaled-back-after-outcry-20200828-p55q9w.html>);
- noting that the 2036 plan can be amended by the Minister for Planning, request that Council seek amendment to that plan before amending the Local Environment Plan;
- express its particular opposition to the proposed rezoning of the Five Ways Triangle site, representing the land bound by the Pacific Highway, Falcon and Alexander Streets, Crows Nest, to allow for a 16-storey development, which is double that proposed in the draft Civic Precinct and Surrounds Study, as inappropriate for a landmark location at the high point of Crows Nest and bordering an important Conservation area; and
- express its solidarity with the hundreds of residents who made submissions expressing concerns regarding the overdevelopment of St Leonards South, to which even the Government's own Independent Planning Commission was opposed, whose concerns appear to have been largely ignored."

8.2 Planning Proposal 4/20 for the 'Five Ways' Site

DW advised that, quite separately from the 2036 Plan recommending a building of up to 16 stories on the site, a Planning Proposal has been lodged with Council seeking to amend the North Sydney Local Environmental Plan 2013 (NSLEP) in order to change the maximum height allowed for the site from 16 metres to 140 metres to allow for a building of 36 stories and basement car parking for 400 vehicles. The subsequent discussion resulted in the adoption of the following motion:

Outcome 8: A motion was passed by 8 votes in favour to 1 opposed:

"That the Hayberry Precinct express to North Sydney Council its opposition to Planning Proposal 4/20, which is seeking to amend the North Sydney Local Environmental Plan 2013 (NSLEP) in order to change the maximum height allowed for the site from 16 metres to 140 metres to allow for a building of 36 stories and basement car parking for 400 vehicles. Such a proposal is, in the view of the Precinct, entirely inconsistent with the character of the area, which adjoins a Heritage Conservation Area and forms part of an historical Crows Nest precinct with important heritage features that deserve protection from overdevelopment and the attendant pressures on local infrastructure, including roads and parks."

Item 9: North Sydney Pool Redevelopment

MJ indicated that he had asked for this item to be included as he felt that the Mayor deserves credit for what she has achieved with regard to the North Sydney Pool redevelopment project. Other speakers argued that not only was the pool redevelopment highly controversial and the subject of significant community opposition, but that it was simply much too early to be congratulating anyone as such an early stage of a major public work.

Item 10: Australian Local Government Association campaign to participate in National Cabinet

MJ introduced this agenda item, suggesting that the Council should support the Australian Local Government Association's (ALGA) participation in National Cabinet. He reasoned that as the President of the ALGA has been a long-standing member of the Council of Australian Government (COAG), the ALGA should participate in the body that has replaced COAG. Other speakers expressed the view that this issue was somewhat beyond the focus of individual Precincts and should be taken up by the Combined Precinct Committee (CPC). The motion was revised accordingly.

Outcome 9: A motion was passed by 2 votes in favour to 0 opposed (7 abstentions):

"That the Hayberry Precinct raise with the Combined Precincts Committee the issue of North Sydney Council's supporting the campaign of the Australian Local Government Association's being invited to participate in National Cabinet as a constituent member representing local government issues."

Item 11: Suggestion for a course in "World Civilisations" at the Australian Catholic University

MJ presented a motion that the Precinct should encourage North Sydney Council to enter into negotiations with the Australian Catholic University (ACU), which is based in North Sydney, to facilitate a course in "World Civilisations" as a vehicle to attract students from around the world to enrich our community. He argued that as the ACU formed part of the North Sydney community, we should encourage academic courses that would support local economic activity. Other speakers argued that it would be inappropriate for the Precinct or the Council to make recommendations regarding a university's curriculum. As the motion was not seconded, it did not proceed to the vote.

12. General Business

There was insufficient time to discuss the ongoing Precinct System Review. MJ thanked DM for circulating his views on the draft Code of Conduct. It was agreed that these and other issues relating to the review would be followed up at future meetings.

13. Next meeting

The next meeting will be held on Thursday 15 October 2020.

The meeting closed at 8:30 PM.