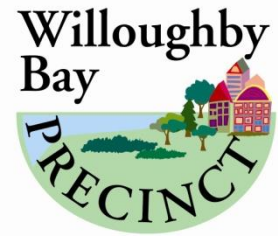


# **WILLOUGHBY BAY PRECINCT**

**PART OF NORTH SYDNEY COUNCIL'S COMMUNITY PRECINCT SYSTEM**



## **MINUTES OF MEETING HELD**

**THURSDAY 14th July 2022**

**COMMENCING AT 7.30 PM**

**ATTENDANCE:** 14 people attended the meeting  
**APOLOGIES:** 5 were recorded  
**GUEST SPEAKER:** SB – Council's Manager Development Services

## **COVID-19 MEETING SAFETY PROCEDURES**

In accordance with COVID-19 meeting safety procedures, all attendees used the hand sanitiser, which was supplied and tables were wiped down before and after the meeting with the sanitiser. The COVID-19 signage was displayed. Social distancing was observed and no one reported feeling unwell. No unregistered persons attended the meeting.

## **ACKNOWLEDGEMENT OF COUNTRY**

## **MINUTES OF PREVIOUS MEETING**

Minutes for the 9th June 2022 meeting were adopted

***Motion carried: 10 in favour, 4 abstentions, 0 against***

## **BUSINESS ARISING FROM THE MINUTES**

### **WH Brothers Park**

RL has arranged for Council staff to meet with RL and Precinct gardeners on Thursday 21 July 2022 at 9.00am.

### **12-14 Waters Road Development Rescission Motion**

This Rescission Motion was lost; developers are now seeking a rezoning review with the Sydney North Planning Panel.

## **CORRESPONDENCE RECEIVED**

- Council's Response to Precinct's June 2022 Minutes

**Banning right turn from Winnie Street** – Council's Director Engineering & Property Services has advised that due to feedback from Council and the Community, TfNSW informed Council on 9 July 2022 that the project is now on hold.

**Flood Study** – Council's Engineering Project Manager has advised that:

1 Once the *Floodplain Risk Management Study & Plan* is adopted by Council, State Government funding is available for the design and construction of the flood mitigation works included in the plan. Other improvement works will be undertaken using the Council's Capital Works program.

2 Depending on funding availability, investigation and design works can commence in the 2023/24 financial year.

**Planning Proposal: Woolworths, 1-7 Rangers Road, Neutral Bay – Council’s Team Leader –** Strategic Planning has advised that the Precinct Committee’s feedback is noted and that the applicant has been advised that Council will not support a site-specific planning proposal unless it is consistent with an endorsed planning study. This Planning Proposal will be referred to the North Sydney Local Planning Panel (for advice) prior to being formally considered by Council. The approximate timeframe for this is August/September 2022.

N.B. Precinct Chair received an email from Harrison Precinct on the Planning Proposal after Precinct Chair had given a presentation to Harrison Precinct which is where this Proposal is situated. Harrison Precinct has put out a flyer which they are emailing to different Precincts and their Precinct members, asking for individual submissions, so that Council can gauge Community opposition to this Proposal. Give your feedback by writing to the A/General Manager, North Sydney Council at: [council@northsydney.nsw.gov.au](mailto:council@northsydney.nsw.gov.au).

- **Correspondence from Tim James MP Member for Willoughby Re Young Street Plaza**  
(confirming his support for retention of the plaza)
- **Traffic Committee Meeting on 10 June 2022**
  - ❖ Young Street Plaza Pedestrian Safety
  - ❖ Winnie Street No Right Turn
- **Council Meeting on 27 June 2022**
  - ❖ **Item 6.2 – MM02: Western Harbour Tunnel & Northern Beaches Link** (requesting TfNSW halt and reassess projects and redesign to save a significant number of trees)  
  
Precinct reiterated its concern about removal of so many trees at Cammeray Park.
  - ❖ **Item 8.07 – Community Grants & Subsidies**
  - ❖ **Item 8.08 – Rating Structure & Annual Charges 2022/23**
  - ❖ **Item 8.13 – Removal of Tree at Richmond Avenue** (advising Council has formed an Urban Forest Team which will undertake a full review of private tree development conditions)
- **Combined Precinct Committee Meeting 21 June 2022**
  - ❖ CPC Meeting Minutes
  - ❖ 10 July – CPC Update
- **Council Memorandum**  
  
15 June – Aboriginal Cultural & Heritage Awareness Walk & Talk – Connect to Country 23 Jun

**DEVELOPMENT APPLICATIONS**

44 Montague Road      DA Plans  
5 Ryries Parade        DA Approved

- **Guest Speaker: SB – Council’s Manager Development Services**

- Has worked in the field of planning for 25 years; before that as a building surveyor and managing Council’s environmental health units.
- First and foremost development applications and planning proposals.
- About 2 years ago Department of Planning introduced the Planning Portal which is the third party to the Planning Process – the first two principal parties being the applicant and the Council.

**The Planning Portal** is run and managed by the Department of Planning and all applications and all correspondence to and from the Council to the applicant goes through the Planning Portal (it is not formal unless it has been through the Planning Portal.)

- Hard copy plans are no longer required and no longer available. Advertising in local print media is no longer a statutory requirement and that flows directly from Covid19 and the closure of quite a number of local papers.

**DA Notices** are sent to respective Precincts; DA summaries are attached to Precinct E-news, there is a specific DA E-news, which residents can subscribe to. All advertised DA and planning proposals are available from Council’s application tracking site accessed by Council’s website. DAs and Planning Proposal submissions must be made using the online DA and PP submission form. Council will also accept email correspondence to the Council and also mail direct to the old Council PO Box 12 North Sydney, however Council prefers submissions made online using the relevant submission form.

**The Environment Planning and Assessment Act** was amended commencing 2018. The amendments affected many parts of the EP&A Act with most changes being administrative in nature. The Act has been renumbered. The Act originally date from 1979 and hadn’t been refreshed.

**The North Sydney Local Planning Panel** was brought in by the Act (replacing Council’s previous panel – North Sydney Independent Planning Panel – adopted voluntarily by the Councillors), beginning to operate from 1 March 2018. The requirements provide for a meeting to be public, for meetings to be recorded, that the Panel explain the reasons for their decision. These requirements continued in the same way until COVID19 appeared.

**COVID19** introduced remote meetings, which remain in place today. Essentially only applications which meet the criteria and have a value of less than \$30m will be referred to the Panel; most of the remainder being determined under delegation; principally they get referred if there is a conflict of interest or a variation of development standards, notably building heights.

- **More than 10 submissions** - not only does it go compulsorily to the Panel, the meeting that determines that application must be public.
- To achieve more than 10 submissions, they need to be unique, not a form submission. A submission from a Precinct Committee is one submission, regardless of how many signatures accompany the submission.

- **Conflicts of interest** - where Council is a landowner, a member of Council staff is involved or a member of parliament - will go to the Planning Panel.
- **Residential flat buildings** go to the Planning Panel.
- **Demolition of listed heritage item** (in part or whole) will go to the Planning Panel.
- **Development Applications for which a developer has offered to enter into a Voluntary Planning Agreement** - where a developer offers to do something or to pay Council some money as part of a development application or planning proposal it will be referred to the Planning Panel.

**Land and Environment Court of NSW** introduced in 1980 as the first Supreme Court in the world to deal solely with environmental and planning issues; it deals with matters where the applicant is aggrieved by the Council's decision and decides to appeal.

### **Planning Proposals Background**

Planning Proposals to amend the Local Environmental Plan (usually requesting a height increase) will be considered if a Planning Study has been adopted. North Sydney Council previously was progressing a Planning Study on the Military Road Corridor particularly around Neutral Bay. The current Council rescinded that Study. Once a Planning Proposal has been assessed by the strategic planning team, it is reported to the Council and the Council then determines whether or not it will approach the Department of Planning for a "Gateway Determination". A Gateway Determination means the Proposal can be notified and progressed. The matter is then again reported back to the Council and ultimately gazetted as an amendment to the Local Environmental Plan. The Local Planning Panel reviews and provides advice to Council on all Planning Proposals. If Council rejects a Planning Proposal the developer can approach the Department of Planning and request a "Rezoning Review".

## **GENERAL BUSINESS**

### **Hiatus Between Meetings of Reference Groups**

Sustainable Transport Reference Group last met in May 2021. The April meeting was cancelled and no meeting is scheduled until November this year. Precinct Chair suggested LT follow up. PW noted Environmental Reference Group met in April and is scheduled to meet again on 19 July.

### **Wildlife Support**

The Habitat Tree of which many can be found in Montague Road is featured in the Spring edition of Bushcare magazine.

Meeting closed at 9.25pm

Next meeting will be on Thursday 11 August 2022.

Council Contact Details:

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**WEB:** [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)