

# NEUTRAL PRECINCT MINUTES

**Tuesday 9 November 2021, commenced at 7:00 pm**

1. Attendees were reminded of the current procedures for holding precinct meetings in the COVID - 19 Pandemic Period.
2. Apologies: SW
3. Additional items added to the Agenda.
  - i. Mount Street Overpass pedestrian safety. See item 10
  - ii. Additional DAs: 337/2020 and 333/2019. See item 7 iv & v.
4. Business from minutes of meeting held on 13 October 2021:
  - i. Following review, the minutes were moved by TM and seconded by HW as correct.
5. Conduct of Precinct Meetings and AGM
  - i. The meeting noted Council's FAQs relating to Precinct meetings recommencing within current COVID restrictions.
  - ii. The meeting supported Neutral Precinct's next AGM being held in February 2022.
6. Combined Precincts' Committee – report from October meeting

GC advised the main agenda item was a presentation and discussion on the CPCs verbal submission to the Western Harbour Tunnel Inquiry. The presentation highlighted and expanded on the four key themes/areas, consistent with Council's community campaign conducted in 2020:

- i. More traffic
- ii. Disconnected CBD - lack of connectivity
- iii. Loss of parkland/open space
- iv. Filtration/poor air quality

The presentation was the one Neutral Precinct received at the October meeting. CPC discussion was mainly around the future of the Cammeray Golf Course. There is a condition of consent between the Cammeray Golf Club and TfNSW to build a new 9-hole golf course on the remaining land. It is understood this will effectively remove the remaining trees and it is questioned whether continued use as a golf course is considered 'best use' of the land. It is understood TfNSW is liaising only with the Golf Club, and not including Council (who has care and control of the Crown Land) nor the community. The lease terms state that it must be used for golf and it is understood Council has not seen the design. A contract has been awarded to a company without community consultation. It has been indicated that the new golf course will be built in 2022, although the Golf Club's current lease doesn't end until

2026. The Golf Club is the tenant not the Landowner. Council is the one with care and control of the land.

The CPC decided that residents needed to write to Rob Stokes Minister for Transport and Roads. The Bay precinct Committee has developed a template/ proforma letter and circulated to all precincts for their members to use. A copy is attached to these minutes.

## 7. Development Applications (DAs)

- i. DA 326/2021 - 6 Billong Street Kurraba Point. Construction of dwelling house retaining heritage fabric, new garage, landscaping and associated works. Submissions required by 12 November. Noted – no affected resident attended the meeting.
- ii. DA 333/2021 - 14 Bogota Avenue Kurraba Point 2089. Demolition of existing structures and construction of a dwelling, swimming pool, landscaping including tree removal, fencing and associated works. Submissions required by 19 November. Noted – no affected resident attended the meeting.
- iii. DA 306/2019 - 54,56,58.58A Wycombe Road Neutral Bay. 2089 - Modify DA 306/2019 for various modifications to an approved Aged care residential facility. Submissions required by 19 November. Noted - no affected resident at- tended the meeting.
- iv. DA 206/2021 - 8 Baden Road Kurraba Point 2089. - Amended plans. Significant alterations and additions to the existing dwelling including an attic level. Submissions by 19 November. Noted - no affected resident attended the meeting.
- v. DA 337/2020 - Land and Environment Court Case No: 2201/141523. 24 Bray Street North Sydney and 35 Kurraba Road Neutral Bay. Amended plans: Demolition of existing residential flat building and open deck carpark, construction of new residential flat building, 3 townhouses, parking levels, associated landscaping and works at 24 bray Street and alterations and additions to 35 Kurraba Road. Submissions by 26 November. Noted - no affected resident attended the meeting.
- vi. DA 333/2019 - 182 Kurraba Road Kurraba Point. Modifications of the consent to enable minor alterations to the approved development. Submissions by 26 November. Noted - no affected resident attended the meeting.

## 8. Precinct E-News items this month:

- i. Events in the North Sydney LGA Review - feedback closes 16 November 2021 (extended) <https://yoursay.northsydney.nsw.gov.au/>. Noted
- ii. Plans of Management for Crown Lands - feedback closes 21 November 2021
- iii. Warringah Freeway Upgrade - current works  
The current works around Anzac Ave, Ernest Street & Merlin Street North to relocate utilities were noted.

## 9. General Business

### i. Pedestrian safety - Mount Street overpass of the Warringah Freeway.

A resident asked for the Precinct's assistance to request Council to improve pedestrian safety, particularly for young children, along the footpath on the Mount Street overpass of the Warringah Freeway. It was agreed that this is the responsibility of TfNSW and not the Council.

**MOTION:** The Precinct writes to TFNSW requesting a pedestrian safety shield be erected on the railing side of the path similar to that installed on the Falcon Street overpass and a protective barrier on the roadside of the footpath.

**Vote:** unanimous

## 10. Upcoming meetings/events

- i. Neutral Precinct – TBA for 2022 [www.neutralprecinct.com](http://www.neutralprecinct.com)
- ii. Council – TBA following 4 December election [www.northsydney.nsw.gov.au](http://www.northsydney.nsw.gov.au)
- iii. Combined Precincts meeting – TBA for 2022

The meeting closed at 8:05pm

## **Attachment to Neutral Precinct Minutes of 9 November 2021**

### **Copy of template letter to State Government Ministers and Local Member of Parliament. Prepared by Bay Precinct Committee.**

Dear Ministers and local member.

Re the impact of the Warringah Freeway Upgrade on Cammeray Park (Dedicated reserve 500179).

We are writing to you as concerned locals.

The Warringah Freeway Upgrade involves the compulsory acquisition of between 1.5 and 2.3 Ha of Crown Land currently dedicated for community purposes, public recreation and access to water dating back to the original dedication in 1867.

Since that time, the reserve has been eroded by minor road reserves, the Warringah Expressway, and most recently, the Anzac Park School.

Open space is at a premium on the lower north shore as it is in other parts of the inner city that are already highly developed and are expected to accommodate significant increases in population in the next 15 years (2016-2036 +27% population growth).

Everyone understands that the planning and management of open space will need to accommodate a more diverse range of activities. There will be difficult conversations and trade-offs that should involve the broader community.

This has not occurred and points to a failure of current planning, statutory, legislative processes.

Given that you are respectively the Minister for Public Spaces and Transport, the Minister for Local Government and the local member who should be representing the interest and needs of the local community now and into the future, we bring the following facts to your attention:

What should happen, what is happening, and what could happen.

Context:

- Cammeray reserve is 10% of the total open space in NS
- It is identified as an essential part of the 'green grid.'
- Cammeray Golf course is 31% of the sports reserves in NS; its lease expires in 2026
- The population of North Sydney is projected to grow by approximately 22% (16,500 people in the next 15 years)
- "overdevelopment" and in particular the failure to accompany development with adequate infrastructure and open space, is the issue that concerns the community most at the local government level
- NS has the lowest provision of open space on the north shore at 1.95 Ha /1000
- With the projected population increase, this will drop to 1.6Ha/1000 and sports area from 0.54Ha/1000 to 0.42Ha/1000 with the additional loss of 2.0Ha open space at Cammeray
- Most of the areas of open space in NS are not suitable for conversion to active recreation (>50% bushland and foreshore)

What should happen:

- There should be an open and deliberative process that involves the community to decide on the best use and future of open space in the LGA.
- The impact of the WFU should be fully offset nearby as required by conditions of consent, noting that Cammeray Park is on the ridge, surrounded by residents, is within 200m of Cammeray Village and Neutral bay Centre and major bus routes, also noting that Berrys Bay cannot be considered an 'offset' as it was already committed, is not active open space, and is not "in the vicinity of the impact."
- The advisability and justification for extensive 'reconfiguration of the golf club to current standards' at public expense should be questioned, given:
  - there are 7 golf clubs within 7Km
  - that the lease expires in 2026,
  - the relatively low utilisation of the golf course for a declining membership
  - need for open space to meet the needs of a future population

What is happening:

- Between 1.5 and 2.3Ha of land will be compulsorily acquired by TfNSW for the WFU
- Administrative Condition (AC) E157 requires: "The CCSI must result in a net increase in usable open space. Replacement space must be in the general vicinity of the loss unless agreed to by the Planning Secretary".
- Officers of TfNSW and NSC have been instructed to develop an MoU whereby Berrys Bay would be considered the basis for claiming a net increase in open space.
- Berrys Bay is 4.6km from the impacted site, serves a different local community, is a foreshore reserve and was already identified for transfer to North Sydney Council in 2010, well before planning for the WFU commenced.
- NS councillors were first made aware of the intent of the MoU (that Berrys Bay be considered to meet the requirement for a 'net increase' in open space) at the Council meeting of 24 October 2021, where it was moved that the MoU be discussed in closed session. This motion was defeated on the basis that open discussion of the MoU was in the public interest, and the public should be made aware of the content.
- Concurrently TfNSW has been engaging in discussions with the Golf Club as required by AC E101: "The design and establishment of an altered Cammeray Golf Course must provide an equivalent standard golf course or the provision of works to offset the loss in standards. This must be undertaken in consultation with and at no cost to Cammeray Golf Club."

- Council and the public are not aware of the plans. Presumably, there will be a Development Application.

Whilst all of the above may be seen to conform to the 'letter of the law' in terms of process, it does not pass the pub, barbeque or school gate test. The process involves:

- Narrow interpretations of interested parties in terms of the Just Terms Compensation Act (the golf club is an interested party, but NSC as Land Manager is not?)
- Confidential negotiations between TfNSW, a private entity (the golf club) and North Sydney that should be in the public domain given the STRATEGIC significance of the site in relation to long term open space planning and needs.
- For the WFU committed as open space by 'offset' the content of which was brought to NS council attention
- Additionally, there are questions of site contamination, the precise process for revocation of the dedicated purposes of the reservation
- But most importantly, the failure by both state and local government to "consider the community needs", which is one of the principal roles and responsibilities of government.

What could happen:

- Halt the negotiation with CGC on the basis that the lease may not be extended, as the land is needed for the whole community with increased population
- Commence an integrated open space and active travel plan that considers the entire catchment and linkages through to St Leonards park beyond that anticipated by (AC) E 156 157 (noting that Appendix V seems primarily concerned with screening of 'visual impact'<sup>1</sup> and a widened pedestrian crossing of the freeway (hardly strategic) to Cammeray Park, whereas the motorway is in a deep cutting at this point which could allow for at-grade green linkages per the "GoNSW Green Grid"
- It is not at all clear how or why detailed negotiations with the Golf Club are proceeding before or in isolation from these processes.
- Complete the contaminants sites assessment ACE 115-124)
- Except for the widening of the land for the EF itself, the site is required to house the operations facility buildings and should have a trafficable roof accommodating a football field and /or courts.
- Should the Beaches Link not proceed, the unused part of the undercroft could be converted to indoor sport and recreation facilities.
- Consider alternatives to a conventional golf club.

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<sup>1</sup> ++Provide a unified architectural design of motorway facilities in Cammeray Golf Course

The urban design of the project has been

progressed to:

AppV p32 ++Develop a high level concept design for the Cammeray Golf Course motorway facilities and Artarmon motorway control centre that seeks to reduce the perceived scale of the infrastructure and aid its integration with the surrounding context

Project opportunities ++Further design development to integrate the motorway facilities and motorway control centre into their local context at Cammeray Golf Course and Artarmon

++Ensure the Cammeray Golf Course and Artarmon motorway facilities and outlet are designed to read as coherent parts of the surrounding built environment

p23--Improved links from Cammeray Park across a new Ernest Street shared user bridge, connecting to ANZAC Park.

In conclusion, we ask:

- Stop negotiation with the golf club
- Commence broad strategic planning for open space as part of NS Community Strategic Plan Update (this has recently commenced)
- Recognise NSC as the **principal** affected party with an interest in the reserve and requiring compensation under the JTCA
- Instruct the Secretary for Planning that Berrys Bay may not be considered an appropriate offset or contribution to a 'net increase in open space' as it is NOT part of the CSSI
- Instruct TfNSW to develop a design for trafficable roofs
- Instruct TfNSW to engage with NSC in developing the open space and active transport plan for the area.
- Complete site contamination investigations.
- Make public the processes and steps for revocation and re-dedication of the reserve, including timelines, and the planning and approval pathways for any modifications to the reserve including the rainwater harvesting facility.

We thank you for your consideration in this matter,

Paul Walter

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Chair, Bay Precinct