

**WAVERTON PRECINCT MEETING  
MINUTES  
5 March 2024**

**MINUTES:**

The meeting commenced at 7.40pm at the Uniting Hall, Bay Road, Waverton.

Chair: Ian Grey

Minutes: Deborah Lloyd

Attendance: 37

**WELCOME AND APOLOGY:**

The Chair welcomed attendees and our guest, Marcelo Occhiuzzi, Director of Planning and Environment, North Sydney Council.

Apology from Vera Yee.

**FEBRUARY 2024 MINUTES SUMMARY:**

Chair explained that due to technical issues, we were unable to distribute the February 2024 Minutes electronically. Chair then provided a verbal summary of the proceedings, which were as follows:-

- There were fewer attendees than expected at that meeting.
- The AGM in December 2023 did not replace Mr Grey as Chairman although he did request to step down. Circumstances have allowed him to move forward remaining as Chair in 2024. Kevin Alker was re-elected as Treasurer and Deborah Lloyd re-elected as Secretary.
- The Precinct Committee has decided to established sub-committees to focus activities in various areas of resident interest.
- Discussed the ongoing restructure of North Sydney Council.
- An overhaul of the mailing system and web presence is currently underway.
- The Council's project to upgrade Merritts Playground will be undertaken in the first half of 2024 but Council had not provided an exact start date at the time of the February meeting and there is no new news on a start date yet but Council are remaining firm that it will commence in the first half of 2024.
- The intended occupier of the Coal Loader Cafe withdrew at the last moment and thus the cafe remains closed and is back into public tender.
- It was agreed to put forward a small number of long-time active residents for the North Sydney Council's Community Awards. This was actioned by the Committee but no results as of the March meeting.
- There was a DA from 17 King Street that was regarded as having no issue of concern.

- **Dolphin Wharf and Berrys Bay**

Dolphin Wharf was to be demolished when Carridah Park was created. However, that did not happen, and the community is requested to consider this area and the possibility of pressing for new uses for this site as the boats on this site are either dilapidated or, as is the case with the South Steyne, will become so in the coming years.

- It has been a plan for about two decades for the boats to be removed from this location and something resembling a salmon pool or netted swimming area to be created there. This would be tucked into where the Dolphin Wharf is now, on the land side.. Swimmers would not cut their feet on the oysters and get in and out from the walkway.
- The Chair explained to residents that it is unclear how this will be treated by Transport NSW in its Berrys Bay Masterplan. It would be an appropriate time, when the new park is created, to address this and other disused piers as they are unsafe and unappealing to be left as-is when a new park is opened to the public. The Waverton Precinct has requested that Transport NSW engage with Maritime to demolish this as part of the new park construction. Further, it has been suggested to Transport NSW that a swimming place be created there and/or a swimming area at the beach adjacent to Woodleys shed.
- There has been no response from Transport NSW to the Precinct's or the Mayor's request to engage on this.

*Please see Note 1 below.*

#### **CONFIRMATION OF PREVIOUS MINUTES:**

The confirmation of February 2024 Minutes was moved by KA and seconded by DA.  
*"That the February 2024 Minutes be accepted".*  
Carried unanimously.

#### **GUEST SPEAKER: MARCELLO OCCHIUZZI, DIRECTOR OF PLANNING AND ENVIRONMENT, NORTH SYDNEY COUNCIL:**

The chair noted that in a recent discussion with Zoe Baker with the precincts, she commented that North Sydney Council were in a better position than other councils in regards to the proposed state government development reforms. North Sydney Council have a history of development and plans already in place. Growth targets are here to stay.

However, it is timely to have Mr Occhiuzzi talk to us about these reforms and the impact for North Sydney and Waverton.

Mr Occhiuzzi referred to the Council's recent public presentation at the Independent Theatre (*link is provided below- see Note 2*). This is a more structured presentation than can be provided tonight so he recommended that residents view this online. Around 70-80% of the North Sydney Local Government area would be affected by these new reforms given the number of transport hubs and town centres in our LGA.

The State government announced these reforms in December 2023. The proposals are now off public exhibition - this closed in late February. The aim is that the State Government would like to address the housing crisis directly, and housing affordability indirectly. To achieve this, they want to get things moving with new housing supply throughout Sydney.

Mr Occhiuzzi explained that this is a transport orientated development policy ("TOD"). What the State government are looking for is the 2036 Plan (*see Note 3 below*) with adjustments. This is not printed or announced, but just that what we have been told.

In terms of densities and heights there are broad general guidelines but by November the Council will know more about what the specific planning controls will be, that the Council can communicate to developers.

The goal of the State government is to fast track capacity. 'Explanation of Intended Effects' document (*see Note 4 below*) seeks to introduce a blanket one approach from Wollongong to Newcastle, and to the Blue Mountains in the west. It seeks to take advantage of locations around railway stations and town centres and use these as a basis to increase density in those areas. No definition of what a "town centre" exists at the moment. It is possibly somewhere like Neutral Bay with several large supermarkets and a major bus hub, but less like somewhere like Cammeray with a smaller single supermarket. These definitions will influence what's possible to build around them.

The R2 (Low Density) residential zone is the first layer, within 800m of a railway station, only houses and dual occupancy at the moment but the new reforms allow townhouses (a new addition), dual occupancy and a height increase by 1m (from 8.5m to 9.5m).

The R3 and R4 (medium and high density) residential zones are where the significant changes are proposed. Mr Occhiuzzi and Mr Grey encouraged all residents to watch the video to gain a better sense of the zoning and the related proposals. These are within 400 and 800 metres of a railway station or 'town centre'. The height limits that will apply will be 21m (6-7 storeys) and 16m (4-5 storeys). Typically they are already zoned for high density but these new controls may encourage further development. These areas are already fairly built up. Existing flat owners may get together and consider rebuilding all as an integrated larger development.

A resident asked about how these reforms might affect heritage.

Mr Occhiuzzi said that North Sydney has 25 heritage conservation areas. Under these initiatives a conservation area is not necessarily seen as a constraint but an individual heritage item may have more protection.

A heritage conservation area is an area identified for a particular heritage character, and which contain several heritage items. Under the current planning rules, all new development in that area must respond to the wider heritage character of the area. It is possible for at least two, maybe more residents in a conservation area to come together to seek a new development to take advantage of the new controls. In this way, we may start to see developments in these area. The State government has asked Councils not to list any further heritage items.

One major concern that local government people have had with the State Government's suggested approach, said Mr Occhiuzzi, is the one-size-fits-all type notion. The same controls will apply across all LGAs. Councils would have to build capacity with no regard to variations in character, vegetation, traffic, or heritage. North Sydney Council will continue to want to engage in revised draft frameworks with consideration given to all those things as well as community consultation. He noted this is much like what is currently underway with the Neutral Bay Planning study (*this is open for comment at the moment - see Note 5 below*).

A resident asked about a recently publicised State government announcement that approximately 30 or 40 rail stations around the Sydney basin were right for immediate development, but noted the list did not include Waverton or Wollstonecraft.

Mr Occhiuzzi said this was referring to the plan to increase heights to 21 metres and he confirmed Waverton was not in line for this change - but certainly is in line for the foreshadowed changes to height allowances within 800m and 400m of any railway station. The problems identified is that the changes that are being proposed are included in a discussion paper type format, rather than the actual "instruments" of change. It is not possible, said Mr Occhiuzzi, to drill into the necessary detail to provide advice with absolute certainty about the changes proposed, only the broad outline. There are nuances and we don't know everything just yet. He noted that declared Environmental Living zones - such as those which currently exist around Balls Head Rd, Larkin and Woolcott Streets are not included in these reforms.

A resident asked if services such as water and sewerage have been mapped and how are these affected.

Mr Occhiuzzi replied that these are State government responsibilities with local government being responsible for community facilities and parks. These are very expensive to provide. Developer contributions only go so far. There is a significant under supply of open space in North Sydney and this item has been on the Council's agenda for a long time - but the budget over-run with the pool has placed significant pressure on Council's budget.

A resident asked if apartments were going to be affordable and contribute to the housing affordability crisis?

Mr Occhiuzzi said that there would be a small component of mandated affordable housing requirements from the new development in the St Leonards/Crows Nest precinct, but the

remainder of the State Government's housing initiatives appeared to be based on a supply and demand basis to increase affordability

A resident asked about traffic considerations and off street parking in the new developments.

We cannot sustain the trajectory of providing two car parking spaces for every dwelling, said Mr Occhiuzzi. Mass transit is the answer in the long term. NSW is only starting to venture into that space, while also spending billions on road projects. This Council has made a decision to suppress car parking on private land. The Rozelle interchange is an example of engineering solutions trying and failing to accommodate unsustainable levels of traffic in our city.

This is a whole other conversation and a very active issue for the Council, said Mr Occhiuzzi.

A resident asked about vacancy rate on new apartments. Has the Council looked into this?

Mr Occhiuzzi said they had done some work but haven't really explored this in detail. He expanded that in some overseas jurisdictions, owners are taxed if their dwellings are left unoccupied for certain periods of time. Occupancy rates in North Sydney are actually dropping. There is also an issue with AirBnB and short term rentals putting pressure on the housing market and this pressure is making dwellings more unaffordable and also unavailable for social housing.

There is already a homeless housing problem for those in crisis. Housing affordability for those that are earning a very low income in this municipality is difficult and there is limited social housing (which is more affordable dwellings for people like hospital workers, teachers, police, etc.)

The latter group is a priority for the Council and they are looking to set a target such in new developments, notably above Crows Nest Metro and in the "five ways" development at Crows Nest. The State government are providing a height bonus if 15% of the development is set aside for affordable housing in perpetuity. It's still small numbers.

With no further questions from residents, Mr Occhiuzzi was thanked for his time and excellent summary of a very complex, important and fluid topic.

To finish, Mr Grey said that the Precinct's submission to the State government ran along the same lines as North Sydney Council's much more detailed submission. In summary, it says that we recognise there is a need for something to be done, but we wanted it to be consistent, quite tightly controlled, and that the changes be appropriately applied and integrated rather than each site done randomly. It was considered important that new development was fitting with existing approved plans and that the social housing situation is improved. It was considered important that heritage areas be maintained and not be allowed to be broken up and for more of a premium to be given to the creation of open space - even if it has to be on top of buildings.

He apologised that the last meeting had not discussed the submission but the deadline required it be made before this meeting took place and it was agreed by the executive. (*The submission paper can be read below.*)

## **EXISTING BUSINESS:**

### **Sub-committee system:**

The idea of a Sub-committee system was well received by residents. A new Sub-committee for young people and children will put forward items that the Council could consider to serve children and teens and John Bohane offered to coordinate this. Other sub-committees involve improving our IT/website; doing some fundraising to pay for the upgrade of our website; and also for considering tricky DAs.

Residents were invited to contribute to these sub-committees and to suggest any new ones.

### **Woodleys Shed:**

Nothing has come back from our suggestion that Transport NSW hand Woodley Shed back to the Council. We do not know what they intend to do with this site.

### **Waverton Bowling Club:**

A resident made the point that on January 16 or thereabouts, an advertisement was seen in the *Mosman Daily* from the Metropolitan Local Aboriginal Land Council. The advertisement gave notice of an application to the Federal Court seeking a determination that no native title exists on the land and asking any person who may assert a native title interest whether they wanted to be a party to the court application. The resident asked the meeting to consider this and decide what impact this may have on the site.

Bruce Donald responded that there are two laws governing indigenous land rights for the former Bowling Club land. One is the 1983 Aboriginal Land Rights Act, NSW under which the MLALC last year successfully claimed freehold title to the land as unalienated Crown Land. This claim did not require establishing traditional connection with the land.

The 1993 Native Title Act is Federal law and is different. Under that law, native title, which does not necessarily include freehold title, is open to anybody who claims a native

title interest in that land which does require establishing a continuing traditional connection.

The MLALC application is seeking confirmation that the land is not subject to any constraints under the Federal Native Title Act. This is clearly a proposal by the MLALC to clear the way for whatever they want to do with the site under the parallel zoning system at the State level for indigenous freehold land, which is a direct line through to the Minister for possible rezoning and not to Council. This process does involve community consultation and Council input, but not control. This is the process which has occurred and made way for development in Paddington (old bowling club site) and Belrose (Lizard Rock).

It is most unlikely that any native title interest exists in the land so the next stage will be to await an indication from MLALC on its intentions and to participate in any rezoning proposal.

#### **NEXT MEETING:**

**The next meeting will be held at the Uniting Church Community Hall, 75 Bay Road, Waverton, at 7.30pm on Tuesday, April 2, 2024. Our special guest speaker will be a representative from the Western Harbour Tunnel Project.**

**In May, Zoe Baker, Mayor of North Sydney will be along to give a general update on various issues around North Sydney Council.**

#### **NOTES:-**

##### **Note 1: Re February 2024 Minutes**

The February 2024 Minutes will be distributed when technical issues have been resolved. Please request a copy through the Secretary directly, should you wish to see the Minutes before this occurs: [deborahlloyd21@gmail.com](mailto:deborahlloyd21@gmail.com)

##### **Note 2: North Sydney Council's community meeting on housing reform, February 2024**

[\(3\) State Government Housing Reforms - Community Information Evening - 14 February 2024 - YouTube](#)

**Note 3: The 2036 Plan**

[The 2036 Plan | Planning \(nsw.gov.au\)](#)

**Note 4; Explanation of Intended Effects**

[The 2036 Plan | Planning \(nsw.gov.au\)](#)

**Note 5: Neutral Bay Planning Study**

[Draft Neutral Bay Town Centre Planning Study | Your Say North Sydney \(nsw.gov.au\)](#)

**Note 6:**

**SUBMISSION TO THE NSW STATE GOVERNMENT  
HOUSING REFORM PROPOSALS  
22 February 2024**

Thank you for the opportunity to comment.

I am making a submission on behalf of the Waverton Precinct - a resident organisation which is sponsored by North Sydney Council, and one of many such bodies in the North Sydney Municipality - of which I am the Chair. In broad terms, we have been briefed on and support the submission made recently by North Sydney Council.

In particular we would like to stress certain key features of that submission -

1. It recognises there is a housing problem across Sydney and a need for more social housing to be available for teachers, nurses, police, train and bus drivers etc. in the more expensive parts of the city so they can live near their workplace.
2. It notes North Sydney Council already has formal, approved plans in place for significantly increased dwelling density within the municipality; plus outstanding levels of recent new construction ( in accordance with these plans) in the St Leonards/ Crows Nest area as evidence of these plans being implemented.
3. It is of immense concern that the suggested low to mid rise reforms are too blunt, in that they are simply defined by a radius or a walking distance from a railway station. While that might be a way to indicate a broad intent, as currently proposed it fails completely to cope with very important aspects such as heritage listings, the preservation of historically important streetscapes and whole sections of suburbs which provide beautiful and integrated examples of historic 'looks'; to certain suburbs, or segments of suburbs, and provides no guarantees of maintaining existing open space in these areas. The relative lack of Open space is already a major concern in the North Sydney municipality.



As an example of this broad concern, but to use a non North Sydney example, the suburb of Haberfield is a beautiful example of an integrated, breakthrough, and important historic and architectural example of how Sydney has developed . We would like each Council to be able to discuss these nuances with the State Government and reach a sensible compromise, or a set of common guidelines, rather than our communities have to fight against a blanket erosion of this integrated history of how Sydney's suburbs developed and changed over time and have to fight to retain the best examples of the related classic streetscapes.

4. We are concerned that the water, sewerage, electricity and even internet services must be upscaled as needed to work in the rebuilt areas, BEFORE the new buildings are constructed - a retrofit will be a complete nightmare for everyone involved.

5. Lastly, we note the opportunity to include new social housing in the State Government's own major building project in our municipality - the North Sydney and Crows Nest Metro stations - and to set a great example of the policy being translated to reality, has unfortunately not occurred DESPITE community lobbying and agitation for that to be done in the consultation phases of these projects.

Thanks again for the opportunity for comment and input.

Ian Grey. 22 Feb 2024