

## QUEENS PARK PRECINCT PUBLIC MEETING

23 November 2022

commencing 7pm via Zoom

Convenors: Peter Cohen, Simon Swifte

Apologies: Phyllis Fong

Councillors present: Councillor Burrill for second half of meeting

### Minutes of meeting 3 August 2022

Motion to adopt from Simon Swifte; seconded Peter Cohen. Adopted

**New Waverley Library Strategic Plan:** presented by Corinna Pierce, Library Manager

- Corinna was with Woollahra Library for many years before joining Waverley
- Last Strategic Plan was developed in 2014 and included cultural communications, new shelving, technology, e-collection, local history etc. Need to keep up with these activities.
- Consultation took place in July 2021 but response was and mostly from existing users
- State Library collects statistics on Council libraries and showed that Waverley had 3.06 per capita visits (moderate) but low membership levels
- One of the things that need to be addressed is digitization of local history.
- Mayoral minute of 3 August 2022 provides for an extra floor for the library and a new neighbourhood library (location to be determined).
- *Have Your Say* survey closes 6 December
- A resident commented on the need to improve the air conditioning in the meeting rooms.

### Centennial Park report

- Committee contacted the Parklands for any information of interest for residents. Nothing was received.
- Residents were letterboxed about two events to be held in the Brazilian Fields in Centennial Park on 3 December (Good Things Festival) and 25 March 2023 (Knotfest), both with estimated attendance of 30,000.
- Residents will have noticed that the new amenities block in Queens Park has been finished.

### Police Report

The following information was provided by the Crime Coordinator/Crime Prevention Officer

- There have a break and enters in Bronte Rd, Bourke St, Queens Park Road, Denison Street and Victoria Street (since August). They seem to be occurring at all different times of the day and days of the week so no real trends there.
- Community is reminded lock windows and doors when leaving home
- Don't keep keys in letterboxes
- Eastern Suburbs Police are already receiving reports of theft from our beaches and are reminding beachgoers not to leave valuables unattended on the beach. Leave them at home or utilise the beach lockers. As always, report all thefts to police.
- Resident reported that they had heard of a couple with an empty Hello Fresh box knocking on doors to see if people are home. If door answered, then say they have the wrong house.

### Draft Tree Management Policy and Guidelines

Committee wrote to Council about one aspect of the proposed new guidelines as follows:

*"Part 7 of the summary addresses canopy losses when large canopy trees are removed and the subsequent need for off-set tree planting. This is a problematic provision on several levels for residents on small blocks such as those in Queens Park.*

*There seems to be no consideration given to the reason that a larger tree is proposed for removal. Some trees simply outgrow their surroundings and it is entirely appropriate to replace them with a smaller tree.*

*The policy proposes that costs of planting and maintaining the off-site trees is to be borne by the ratepayer yet is simply referred to by the phrase "as per Council's Fees & Charges" We could not*

*find an indication of what these might be nor how they are calculated. The actual dollar amounts for these fees and charges massively affect how much support we are prepared to give to such a policy.*

*Has Council considered the possibility that these provisions may actually discourage residents from planting trees due to the tree growing into a liability?*

*Our confidence with the rules is greatly diminished with loose wording in section 5.7.2 (Offset Planting) where it says that 3 is only a minimum quantity of off-site trees required and that the fee may vary as well. We would like to know that the policy will be implemented transparently, consistently and fairly; and not subject to the interpretation of a Council officer."*

## **Draft Development Control Plan 2022**

Committee wrote to Council with the following comments:

*"Part B: The Committee generally supports the extensive changes and additions to Part B, especially B1 Waste, B2 Ecological Sustainability, B3 Landscaping, Biodiversity and Vegetation Preservation, B7 Electric Vehicle Charging Points and B16 Interwar Flat Building Heritage Design Guidelines. It would be useful to list the Annexures in the Index of Part B to give the Charing Cross and Queens Park Conservation Areas more prominence as they are hidden at the end with no mention in the Index.*

*Part C : The Committee supports one of the few changes in Part C, namely clarification of predominant rear building line setback taking into account three properties on either side. However, the change to first floor side setback from 1.5m to 0.9m is of concern in that it could contribute to bulk, overshadowing and loss of light.*

*There are still no specific controls for side by side studios on laneways, used as secondary dwellings, to ensure that the close proximity of living quarters does not pose any safety issues.*

### General comments:

*For many years, a major complaint of residents has been that development applications are being approved that do not seem to comply with the DCP. We are always being told that the DCP Objectives and Controls are just guidelines. The Committee has frequently suggested that there should be more prescriptive controls in order to make the process less subjective, more transparent and decisions more accountable.*

*Currently, it is difficult to understand how some DAs are approved if the DCP is being taken seriously.*

*The Committee is therefore disappointed that there have not been any significant changes to the Controls in Part C Low Density Residential Development that would help the process by being more prescriptive and therefore transparent and fair to applicants and objectors."*

## **Progress report on major developments**

- The controversial project planned for 194-214 Oxford Street, 2 Nelson Street was approved by the NSW Government's *Sydney Eastern City Planning Panel* on Thursday 11 August.
- This was despite seven years of opposition from Waverley Council and residents.
- Attached is a report on a meeting with Mill Hill Precinct on how Planning Proposals can be better dealt with in the future.
- Also attached is a report on a new proposal for the site at Oxford St, Denison St and Mill Hill Rd

## **Birrell St renewal proposal**

- Council is proposing a major renewal project in Birrell St between Newland and Henrietta Streets that includes a dedicated bike lane, road resurfacing, footpath and garden upgrades.
- Comments are being sought on Council's *Have Your Say* page by 7 December.
- The Precinct's longstanding complaint about the intersection at Bronte Rd and cars banking up as far as Newland St has not been addressed in the proposal.

- Some ideas from residents were put to the meeting and Councillor Burrill has agreed to pursue the issue.

### **Moriah College report**

There have been no meetings or any further communication with the College about its proposed development.

### **General Business**

- Councillor Burrill
  - said there would be some night works in Oxford St on the bike path
  - was critical of local member Allegra Spender for raising the subject of a new high school on the bus depot site when the community had always opposed this idea and she should have at least consulted the mayor
  - suggested Randwick Boys had capacity and could be made co-ed
- Resident questioned why meters at Bondi Junction were turned off at 6pm but still only allowed 30 mins of parking, not long enough to visit restaurants. Councillor Burrill said she would see if that could be changed. 30 mins on BJ meters was introduced to stop mobility sticker users from parking all day and using up all available parking spaces.
- Resident complained about the four humps at the exit from Eastgate into Ebley St. Difficult for many cars to cope with.

**Next meeting: February 2023, likely to be on Zoom again as more residents participate this way**

## **Residents suggestions for improving the planning process.**

Summary notes of Tues 01 Nov 2022 Meeting with Mill Hill/BJ Precinct re 194 Oxford Street via Zoom

Ensure that the planning proposal (PP) includes accurate visual representations of what is proposed -

If the proposal includes non-representative visuals, this should be called out by the council assessment report and accurate visuals required to be submitted.

Ensure that council assessment reports include an appendix outlining the issues raised in submissions and how they have been addressed by the final DA plans or council imposed conditions. Have this compliance matrix used to verify the completed building.

When a DA is lodged following on from a PP, the assessment report should make clear the ways in which the proposal has changed between the PP stage and the DA stage. It is important to keep this in mind when determining the DA – for example, the original twin towers development (as envisaged at the PP stage) included 50 car spaces and was found to have strategic merit because it was close to public transport. The developer should not be able to have the LEP controls amended and then propose something entirely different at the DA stage.

Ensure that valuations used to develop voluntary planning agreements are based on up to date valuations, or at least have provision included in early estimates to take into account inflation and property value increases (by reference to an agreed objective metric). This will mean that council is not at a loss with contributions by the developers in return for our loss of amenity due to the changes in the LEP height and FSR controls.

Ensure that all residents impacted by the development are notified. For example, in Mill Hill Rd and Ruthven St, residents at the top of the street were notified but not those further down the street.

Similarly, residents in “the Mill” knew nothing about the DA, despite the fact that it will almost entirely block their views of the city.

Give more notice when a meeting is coming up at which DA will effectively be determined. (Residents had one week's notice of the meeting at which the Panel heard from us for the last time before making its decision. There was a lot to digest and consider in that week, including multiple sets of amended plans.) Consider holding meetings around lunchtime so workers can attend.

Ensure all relevant documents are available on the DA tracker and are organised in a user friendly way (eg list documents in order of importance, not alphabetically).

Provide assistance to residents to understand what is proposed and what DA tracker documents they should read for further information/how to navigate the tracker.

## **Traffic analysis and management**

Undertake a traffic study that encompasses the whole area and gives a comprehensive picture of how the road network is now working - or not working (and not just at peak times). This should estimate the cost of congestion (eg include data from Transport for NSW re the time that it is now taking buses to get from Newland St to York Rd), identify the risks posed eg for emergency response vehicles, and measures to address congestion and risks (eg introduce passing bays at T-intersections so traffic does not have to queue behind turning vehicles: eg at top of Ruthven St).

Undertake an accident study for the intersections that are considered high risk.

Engage proactively with the Department of Planning so that, the next time a developer submits a planning proposal or DA, the Department already has an accurate picture of how crowded this area has become. While the verdict re the twin towers was that the road network could accommodate the incremental traffic impact of the development, at some point there needs to be recognition that the cumulative impact of all those incremental impacts is too great and that no more traffic generating developments should be added into the mix: e.g. the development at the top of

Mill Hill Rd which will put more vehicles (cars, motorbikes, delivery vans, garbage trucks) into Denison St, just south of Oxford St and between the two pedestrian crossings.

To help manage the congestion that we are now experiencing, consider removing the "no right turn" control at the intersection of Denison St and Oxford St. This would need to involve a right turn lane

but this could be achieved by removing some parking spots from the eastern side of Denison St.

Make one side of Leswell St a "no parking" zone during peak times so cars don't have to queue at either end of this steep road when there is insufficient room to pass.

### **Parking policy**

Reconsider Council's parking policy for residential towers; in particular, the number of car share spaces that should be included in tower car parks. The twin towers proposal should have included one car share space in line with council requirements (which seems crazy for so many apartments, and noting that the development was considered to have strategic merit due to its proximity to public transport).

Council to include in its revised parking policy new requirements relating to restrictions on onstreet parking for new tower residents. For example, numerous submissions re the twin towers suggested that the conditions of consent require the developer to disclose to prospective purchasers, and include in contracts for the sale of land a provision informing the resident, that no on street parking will be available for tower residents. This was not acted upon and there is a risk that wealthy unit owners will challenge the "no permit" condition.

This has occurred for Queens Park with overflow from tower residents given street parking that was not in the original plan. This also increased the value of their properties.

Consider a change to the Waverley LEP/DCP to mainstream the EV charging condition imposed by the Planning Panel (they required the developer to make the underground car park EV ready by including appropriate wiring from the outset which is smart).

### **Measures to boost amenity**

Council to prepare, in consultation with residents, planning guidance around the aesthetic vision for western Bondi Junction - eg the Mill tower (the metallic tower above the Mill Hill hotel) is more suited to Manhattan than adjacent to a heritage conservation zone.

Council to consider measures (eg rate relief for an initial period?) to support cafes and restaurants (eg along the Oxford St mall which has great potential for outdoor dining). This would boost amenity and assist business owners who are unable to afford high rents.

Council to undertake a study to consider the future use of commercial/retail spaces at the bottom of new towers. These spaces are typically not being leased and all these empty shopfronts are reducing amenity. Consideration could be given to using these spaces for community based projects.

### **Council response**

Councils are told by the Government that planning requirements are only guidelines.

State government does not approve/value decisions on council proposals.

Council to conduct a community survey on feelings about developments.

### **Development DA-127/2013**

45 Oxford Street, BONDI JUNCTION NSW 2022

47-49 Oxford Street, BONDI JUNCTION NSW 2022

53-57 Oxford Street, BONDI JUNCTION NSW 2022

7 Denison Street, BONDI JUNCTION NSW 2022

9 Denison Street, BONDI JUNCTION NSW 2022

2 Mill Hill Road, BONDI JUNCTION NSW 2022

This development is progressing with:

DA-127/2013/A            28/05/2015

Modification to alter deferred commencement date of approved mixed use building

DA-127/2013/B            06/09/2022

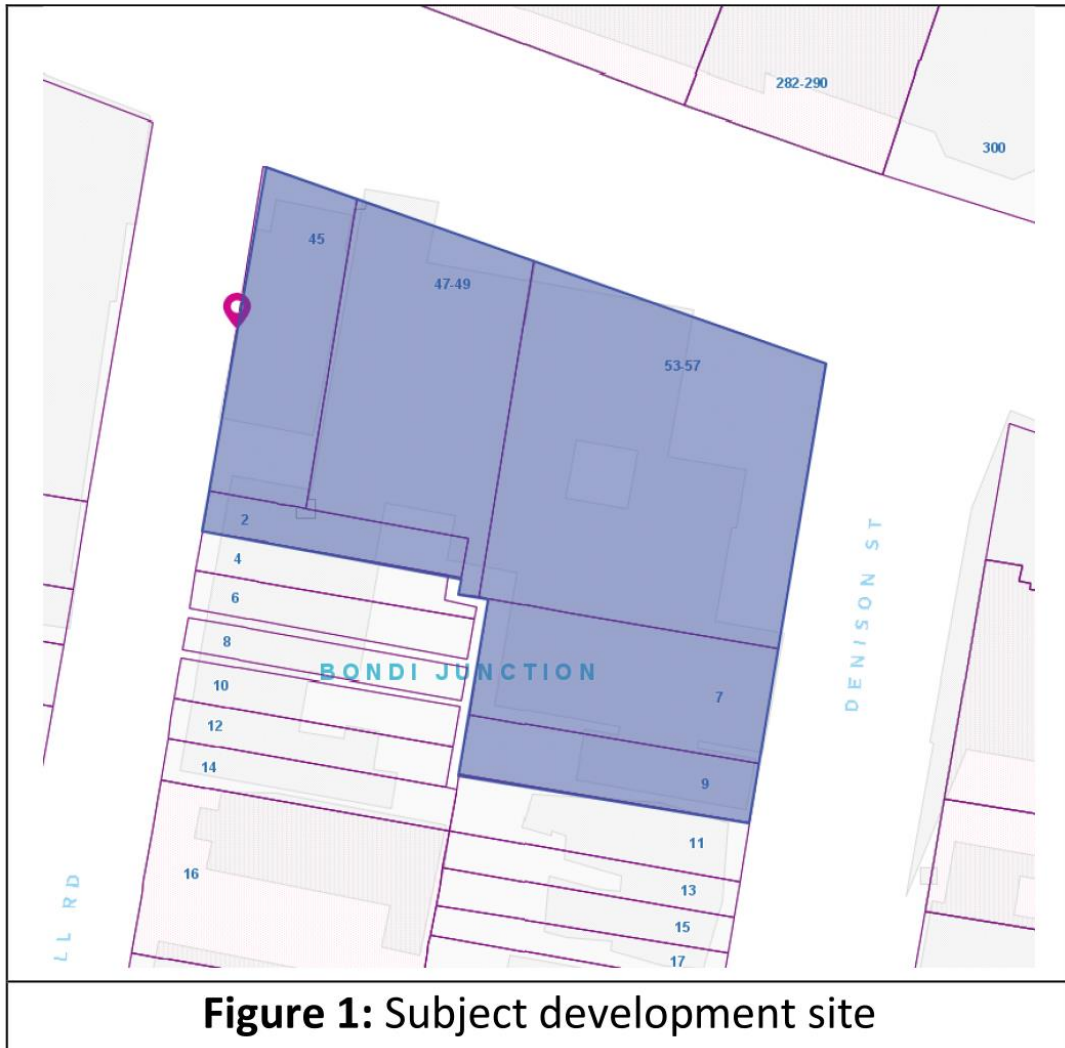
Modifications to ground floor opening to retail/commercial Unit 3 and amendment to conditions relating to works required prior to the issue of a Construction Certificate PAN-259329

DA-127/2013/C 06/09/2022

Modification to correct error to property numbering in condition 7 PAN-254584

DA-127/2013/D

Modification to condition 7 to correct the building address where it relates to the proposed development PAN-273785



**Figure 1: Subject development site**

#### 4. ALLOCATION OF PARKING (AMENDED DA-127/2013/B)

The parking spaces shall be allocated as follows:

- (a) A minimum of two (2) of the six (6) angled parking spaces proposed along the southern wall of the ground floor parking area shall be allocated for the parking of resident visitor vehicles. The parking spaces shall be marked and signposted for resident visitor parking to Council's satisfaction.
- (b) No more than twenty-five (25) spaces may be allocated to the residential component of the development (with the exception of the 2 visitor's spaces outlined in (a) above). The parking spaces shall be marked and signposted for resident parking to Council's satisfaction.
- (c) The remaining spaces may be allocated to the commercial and retail uses and shall be marked and signposted accordingly to Council's satisfaction.

(d) All motorcycle parking spaces and the "small car" space shall be marked and signposted to Council's satisfaction.

The parking allocation shall be shown on the plans and submitted for the approval of Council prior to the issue of a Construction Certificate for building works other than demolition under the Environmental Planning and Assessment Act 197