

Neighbourhood Forum 5

Wollongong's Heartland



Coniston, Figtree,
Gwynneville, Keiraville,
Mangerton, Mount
Keira, Mount St
Thomas, North
Wollongong, West
Wollongong,
Wollongong City.

Agenda for e-meeting on Wed 1st July 2020 by email

- 1 Presentation None possible
- 2 Apologies None necessary
- 3 Minutes of meeting of 3rd June and matters arising; see pp.11-13
- 4 Comments Please respond to recommendations in this agenda by **4th July**.
- 5 Responses
 - 5.1 Urgent Issues: see p.2
 - 5.2 Information on building sites: **see rec pp.2 & 3**
 - 5.3 Planning Proposal (ie re-zoning) Terrie Ave Figtree: see p.3
- 6 Reports
 - 6.1 Certified Assessments: see p.4
 - 6.2 DA pamphlet: see p.4
 - 6.3 Strata Law: **see rec p.4**
 - 6.4 Transport: **see rec p.5**
 - 6.5 Installation at North Beach: see **rec p.5**
 - 6.6 Greener Places Policy: **see rec p.6**
 - 6.7 Local Strategic Planning Statement: see p. 6
- 7 Key Issues
 - 7.1 City Centre: see p.6
 - 7.2 High Rise Residential: see p.6
 - 7.3 Medium Density development: see p.6
 - 7.4 Keiraville-Gwynneville: see p.6
 - 7.5 South Wollongong: see p.7
 - 7.6 Environment: see p.7
- 8 Planning DAs: **see rec pp.7- 9**
- 9 General Business see p.9
- 10 Snippets see p. 10

Next Meeting/Agenda: on Wed. 5th August 2020.

Current active membership of Neighbourhood Forum 5 : 405 households

5 Responses **5.1 Urgent Issues:**

We raised the issues of:

- i civic leadership in economic development and increase resources;
- ii protect our suburbs and contribute to the sustainability;
- iii extending the webcast of Councillor Briefings.

"The concerns of NF5 are noted, and I will include the letter as a submission to the draft Housing and Affordable Housing Options Paper that is currently on exhibition. The feedback Council receives on the draft Options Paper will inform the next round of changes to the housing controls in the LEP and DCP. Other comments on the draft Options Paper are welcome."

Land Use Planning Manager

Comment

Obviously items i and ii had got lost in the system somewhere and have been re-lodged separately.

5.2 Information on building sites:

We asked about the display of information on building sites and specifically where private certifiers are involved.

"I wish to advise that when undertaking inspections of building and construction sites, Council staff do check to ensure that the relevant information required within the development consent is appropriately displayed. Any subsequent enforcement action is undertaken in accordance with Council's Compliance & Enforcement Policy. Where a private certifier is appointed, it is their responsibility to ensure that all conditions of consent are being complied with. Council cannot "ensure that a private certifier meets those requirements".

The conduct of a private certifier is overseen by Fair Trading NSW (Building Professionals Board). Information about how to lodge a complaint about a certifier can be found at :

<https://www.fairtrading.nsw.gov.au/housing-and-property/building-and-renovating/during-the-building-process/complaints-about-certifiers>.

Environment + Development Compliance Manager

Comment

This is a totally unacceptable situation. People are not aware of a proposal until construction begins when it is far too late to do anything about it save try and prove that the certifier did not comply with any requirements to exhibit and ought to be penalised.

Recommendations

- 1 that Fair Trading NSW (Building Professionals Board) be requested to advise whether or not they follow Council procedures to ensure that the relevant information required within the development consent is appropriately displayed by certifiers and if not why not.

- 2 that Council be requested to ensure that complying development certificates include confirmation that all Council procedures, such as on-site notification, are in place to ensure that they have been complied with.

5.3 Planning Proposal (ie re-zoning) Terrie Ave Figtree

We objected to this proposal because it is likely to:

- 1 create traffic congestion in the area;
- 2 result in encroachment of development up the escarpment;
- 3 increase stormwater run-off;
- 4 increase the risk of life and property to bushfires;
- 5 have potential land slip problems
- 6 unnecessarily contribute to social, economic and environmental unsustainability, notably global warming. because it is in a relatively remote location, far from services and so development of this intensity would aggravate the situation.

However, the Forum also resolved to **support** the compromise of a re-zoning to add to Schedule 1 of the LEP to allow for subdivision up to the number of lots already approved, provided only one dwelling is permitted per lot.

" We have received a number of comments and suggestions from the community, the key issues including:

- the proposed number of lots;
- objection to changing the zoning;
- environmental impact;
- flood and stormwater concerns;
- traffic congestion, safety and parking;
- geotechnical land slip;
- bush fire risk;
- escarpment encroachment;
- visual amenity;
- proposed recreation areas; and
- impact on surrounding local infrastructure.

We will relay a summary of all the submissions to the proponent and consultant, and your comments and suggestions will be included in a report back to Council at a future date.

Thank you again for your submission and we will be in contact once the Council report and any further public exhibition details are available."

Strategic Project Officer

6 Reports

6.1 Certified Assessments

As of 1st July 2020 the Exempt and Complying State Environmental Planning Policy will include a Low Rise Medium Density Code which has provisions whereby no neighbour notification is required for dual occupancy, manor homes or terrace houses provided they meet all the design and other requirements of the Code. They will only be notified immediately before construction begins.

As noted in an earlier agenda the Code is so complicated that even the Department did not realise that some provisions are mutually exclusive. What is particularly galling is that the Code is not underpinned by any evidenced based research of community reaction to the impact of the provisions nor potential costs and appears to be based on nice flat sites when much of development in our areas is on sloping land.

The tragedy is that Council has had two years to amend their own Development Control Plan to cover these arrangements but have not done so. As noted in agenda item 5.2 above there does not appear to be any procedure in place to check that provisions have been adhered to. Moreover, as certifiers are commissioned by the proponent they have a fundamental conflict of interest making it critical that Council review complying development certificates before issue.

6.2 DA Pamphlet

A final version of the pamphlet is available and attached. Unfortunately, the new government Policy noted in 6.1 means that it is likely that the vast majority of Low Rise Medium Density Development Application which directly affect residents will no longer be advertised and so no submissions, for or against will be possible.

6.3 Strata Title Law

Strata represents a sizeable part of our population now. Strata law and strata disputes are now a growing feature of community life - so much so that they are becoming a specialist branch of law. Despite the complexity of the rules and regulation very few strata owners understand the very big difference between living in a single house and living in a strata building where you are rubbing shoulders with and having to get on with very close neighbours.

Sydney City and now Blacktown to my knowledge are sponsoring tuition via zoom and webinars etc, in strata living. The aim and object is to achieve a better community understanding. Councils have a huge investment in strata properties, and have received a substantial financial return.

Harold Hanson

Recommendation

Council be requested to sponsor education courses for strata owners.

6.4 Transport

At its online meeting of May, the Forum noted that Transport for NSW was calling tenders for two scoping studies for improving track and train services from two lines; Sydney to Canberra and Sydney to Newcastle, and resolved to write to the Premier to ask why the Newcastle line is favoured over South Coast line and if and when tenders will be called for the South Coast and Central West lines.

Our letter to the Premier was referred to the Minister for Transport and on 22 June TfNSW replied, without answering the question as above. Instead, we were advised, in part, re pre 2019 election commitments that:

"This transformative vision will seek to link regional centres to each other and Sydney, potentially reducing travel times by 75 per cent and giving people greater choice about where they live, work and visit."

"The NSW Government is taking the time to get this vision right. We will update the community as soon as we have more to say."

The letter did not mention the new Intercity Trains that are due to be put into service, or that on 25 May Minister Constance announced that the NSW Government had committed \$600 m upgrading track etc from Central to the South Coast. (including the Airport Line tunnel).

Recommendation

that the Forum write to local MPs Ryan Park and Paul Scully noting the reply of TfNSW and whilst appreciating the advice provided, seek an answer to the question as to why Newcastle and Canberra lines are being favoured with further studies, and will tenders be called for studies for the South Coast and Central West line, also will the NSW Government actually release the McNaughton report and when will Wollongong be likely see the promised increase in the number of both peak hour and off peak services, and more information on the scope of work announced by Minister Constance, and will it include high speed turnouts at Waterfall.

Philip Laird

6.5 Installation at North Beach

It is to the great credit of Council that they have erected this installation at Northbeach. Also the recent innovations by parks staff to introduce colourful plantings in Osborne Park and near the entrances to Lang & Stuart Parks are greatly appreciated



Recommendation

that Council be congratulated on this installation

John Riggall

6.6 draft Greening Places Design Guide

The Government Architect has produced a fairly glossy Guide which sets out a number of principles and advice to Councils, all of which is commendable. Much is being done by Council in similar vein.

However there are two elements being emphasised which reinforce recommendations we have been making to Council for some time, without success. These are access to parks in high density residential areas and continuity of tree cover.

The performance indicator in the Guide is that all dwellings in high density areas ought to be within 200m walking distance of a local park even if it is quite small. We have made several submissions to Council in relation to North Wollongong using a 400m criteria without any action taking place.

The Guide stresses the importance of continuity of tree cover to enable linkages throughout the urban area. We have consistently argued that this can best be achieved by linking the street tree canopy with deep planting for new development adjacent to the street and not fragmented at the rear of lots. Again we seem to be ignored.

Recommendations:

- 1 that a submission be made to Council re-iterating our position, given the Government Architects Guide which has been enthusiastically endorsed by the Minister.
- 2 that a submission be made in response to the guide endorsing its recommendations and suggesting that they include reference to the location of deep planting areas.

6.7 Local Strategic Planning Statement

A comprehensive report is going to Council on Monday night. Whilst an excellent document unfortunately it seems to overlooked a number of crucial elements. The executive has written to the Director requesting that they be included. The outcome will be in the minutes.

7 Key Issues

7.1 City Centre

Covered in the City Centre Review - awaiting outcome.

7.2 High Rise Residential

Proposed conversion to R4 High Density supported

7.3 Medium Density development

Review now proposed and our Locality Plan policies are to be taken into account.

7.4 Keiraville-Gwynneville.

Awaiting outcome.

7.5 South Wollongong:

7.6 Environment

All quiet on the green front.

8 Planning

8.1 Please note that whilst the review and recommendations relating to each development application have been prepared with all due care and objectivity, no legal responsibility is accepted for errors, omissions or inadvertent misrepresentations, nor for any outcomes which might result from the assessments.

8.2 DA/2020/339 Dual occupancy 103 Murray Park Rd, Figtree 12th June

This is a proposal for a new two storey dwelling in a Category 1 bush-fire prone area behind an existing house. Council maintains a 20m Asset protection Zone to the rear. The proposal does not comply with the rear set-back for a two storey building. The area is relatively remote being a kilometre away from shops and services. It does not comply with our Locality Plan for Figtree and would constitute an undesirable precedent for others to follow.



Recommendation

That the submission of objection be endorsed.

8.3 DA/2020/528 20 storey hotel 357-9 Crown St Wollongong 19th June

This is a proposal for a 20 storey hotel including 3 levels of basement parking, 120 rooms/suites, 6 commercial suites, lobby, cafe and associated hotel facilities on the south-west corner of Crown St and Gladstone Ave. It does not comply with height (10% over), floorspace ratio (used net not gross floor space), parking (not disclosed), floor-to-floor heights (hotel rooms treated as commercial), or building separation controls (10% under above 45m.).



Comment

Whilst there might be considerable support for a development of this nature in this location, a "Green Travel Plan" may or may not overcome car parking deficits (it makes no attempt to quantify the effectiveness of its proposals in relation to requirements), there can be no excuse for exceeding the very generous height (60m.) and floorspace (5.2:1) requirements. Also, the proposal "cherry picks" the controls - the hotel is commercial for the purposes of floor space entitlements and setbacks, but residential for ceiling heights.

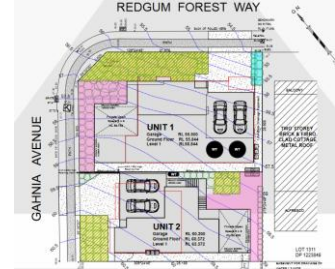
Recommendation

That the submission of objection be endorsed.

8.4 DA/2020/339 Dual occupancy 81 Redgum Forest Way, Figtree

19th June

This is a proposal for a detached dual occupancy on a corner lot in a new subdivision about 2 kilometres from services. It seems to comply with all Council requirements but does not comply with our Locality Plan for Figtree.

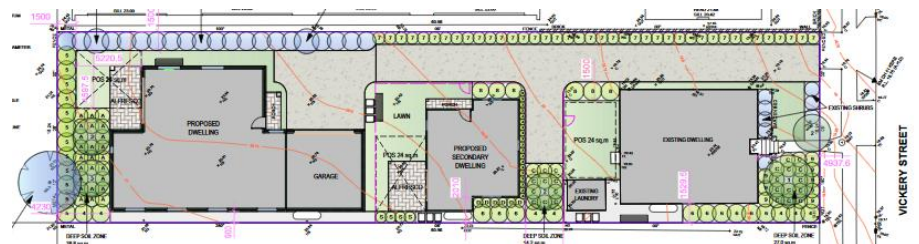


Recommendation

That the submission of objection be endorsed.

8.5 DA/2020/506 Dual occupancy 8 Vickery St Gwynnerville

19th June



This is a proposal for a detached dual occupancy together with a secondary dwelling opposite Wiseman Park near the Gwynnerville Village centre. It seems to comply with all Council requirements and with our Locality Plan for Fairy Creek.

Recommendation

That the submission of support be endorsed.

8.6 DA/2020/535 17 storey mixed complex 383 Crown St W'gong

24th June



This is a proposal for two linked towers on a large curiously shaped site between Crown and Parkinson Streets near Wollongong hospital. That on Crown St is a commercial building with a 6 storey podium to the street and a 17 storey tower behind, and that on Parkinson a 7 storey residential tower. The proposal seems to comply with all requirements save building separation and setbacks for the residential tower. Whilst the former may be acceptable in the circumstances variations of 40% (to the west) and 10% (to the east) are not. There are some 30 trees on the site of which only three will not be impacted to some degree. However, only one of impacted trees is rated SULE A1 and this is a Bangalow Palm which is close to Parkinson Street frontage and probably ought to be saved.

Recommendation

That the submission of objection be endorsed.

**8.7 DA/2020/534 Dual occupancy 36 Urunga Parade W'gong
30th June**

This is a proposal for an attached dual occupancy some 300m. west of W'gong hospital. It far from complies with garage width requirements and, because it is a sloping site, has indeterminable, but possibly minor, setback infringements. Otherwise it complies with our Locality Plan for Fairy Creek.



Recommendation

That the submission of objection be endorsed.

**8.6 DA/2019/1290 17 storey mixed use 16-20 Belmore St. W'ong
8th July**

This is an amended proposal, but on a larger site, which we supported in December, for 54 units over commercial, and a child care centre, with basement parking on the south-west corner of Belmore and Victoria Streets. It appears to comply with all Council requirements save building separation which is acceptable in the circumstances.



Recommendation

That a submission of support be lodged

9 General Business

Next Meeting/Agenda: on Wed. 5th August 2020

10 Snippets

Post Pandemic

There is much that we can take from the experience of planning under COVID-19 into the debates about reform that will restart once we move out of the current crisis. It is inevitable that within these debates there are going to be conflicts between those calling for fewer restrictions on the market to ensure a revival in land and property markets and those recognising the need for more regulation to enable the places in which we are all spending more time to be inclusive, sustainable and healthy.

The outcomes of these debates could have profound impacts on participation. One scenario, let's call it the 'snake', is that participation is, if not swept away, then digitally re configured to smooth and prettify the market, with restricted opportunities for involvement to directly shape it. To avoid this, we need to be arguing for the 'ladder': recognising the centrality of democratic involvement in planning, not just as a right but as a way to ensure that planning addresses social and environmental concerns as well as a way to draw in a wider range of citizens.

Sue Brownill

Street Art



**Neighbourhood
Forum 5**

**Wollongong's
Heartland**



**Coniston, Figtree,
Gwynneville, Keiraville,
Mangerton, Mount
Keira, Mount St
Thomas, North
Wollongong, West
Wollongong,
Wollongong City.**

Minutes from meeting of Wed 3rd June 2020 by email

- | | | |
|---|--------------|---|
| 1 | Presentation | None possible. The executive will action, as necessary, the recommendations accepted in these minutes. |
| 2 | Apologies | None received. |
| 3 | Minutes | of meeting of 6th May adopted without comment. |
| 4 | Comments | have been received on the DA pamphlet see 6.4 and attachment, |
| 5 | Responses | <p>5.1 Economic Development: noted.</p> <p>5.2 Parking Meters: noted</p> <p>5.3 Safe Walking and Cycling:
Council be requested to advise:</p> <ul style="list-style-type: none"> i which projects are to be submitted under the Streets for Shared Space Fund; ii how these projects relate to the Fund's assessment criteria and to Council's old Bike Plan priorities; iii the likely amount of grants anticipated; iv what are the initiatives that have been taken in respect of Council's Bike Plan. |
| 6 | Reports | <p>6.1 Fairy & Cabbage Tree Creeks Flood Study:
a submission based on the agenda report is endorsed.</p> <p>6.2 Local Planning Strategic Statement:
a submission based on the May agenda report be lodged.</p> <p>6.3 draft Sustainable Procurement Policy:
a submission based on the agenda report be lodged.</p> <p>6.4 Development Application Pamphlet:
A number of responses have been received - all support the concept and several make positive suggestions for improvement:</p> <ul style="list-style-type: none"> i the revised pamphlet in the separate attachment be adopted; ii Copies be printed as required, noting that most requests for help are by email, and |

- iii Council be invited to use it as the basis for them to produce similar advice.
 - 6.5 **Delivery Program 2018-22 & Operational Plan:**
 - a submission based on the agenda report be prepared noting that whilst it appreciated that a list of projects per NF area was provided, it is not possible to suggest amendments because no project estimates are shown, whereas estimates were shown until last year's management change.
 - 6.6 **Home employment Uses:**
 - a submission of support be lodged.
 - 6.7 **Graffiti:**
 - Council be requested to increase inspection of sites, such as near bus stops, which are habitually defaced by graffiti and remove it as soon as possible.
 - 6.8 **Mt Ousley Overpass:**
 - Council be requested at its next meeting to consider making representations to the NSW Government, in view of the findings of the Draft Keiraville Gwynneville Access and Movement study to:
 - i see if any COVID 19 or other funding can be found to commence construction of the Mt Ousley Road /Princes Motorway in 2020-21
 - ii ensure that detailed design work is commenced as soon as possible to as to make this a 'shovel ready' project.
 - 6.9 **Display of information on Building Sites:**
 - Council be requested to:
 - i ensure that construction sites have a notice as per the standard consent condition;
 - ii ensure that any private certifier meets these requirements,
 - iii institute a system, with penalties as need be, to ensure compliance.
- 7 Key Issues
- 7.1 **City Centre:** noted
 - 7.2 **High Rise Residential:** noted.
 - 7.3 **Medium Density development:** noted.
 - 7.4 **Keiraville-Gwynneville:** noted that a response is still awaited.
 - 7.5 **South Wollongong:**
 - little can be done until the impact of flood control is determined.
 - 7.6 **Environment:** noted.
- 8 Planning
- 8.1 **DA/2020/339 Dual occupancy** 103 Murray Park Rd, Figtree a submission of objection be lodged.
 - 8.2 **DA/2020/433 Townhouses** 22 Foley street Gwynneville. no submission be lodged.
 - 8.3 **DA/2019/542 Dual occupancy** 175-177 Gipps Rd, Keiraville a submission of objection be lodged.
 - 8.4 **DA/2019/1008 New plans,** 8 storey Bldg, 1 Smith St W'gong a submission of objection be lodged.

9 Late Business 9.1 **Re-zoning land at Terrie Avenue, Figtree** 5th June
This land is close to the escarpment above Figtree. It is part of a site which has had an incredible history of changing zone and approved subdivision boundaries over the past 35 years. Part of the site is now zoned Residential 2A and is built up. The residue is the subject of this application and is currently zoned E4 Environmental Living even though there is a current development approval for normal lots on part of the site. The site abuts further Environmental Living zoned land rather than the escarpment proper.

The proposal is to rezone about half the land to Residential R2, most of which is covered by the existing subdivision approval although this would need substantial amendment and could, potentially double the yield. A couple of small areas are to be rezoned Public Open Space to retain threatened vegetation. The higher land would remain as E4 but with an increased minimum lot size.

Residents claim traffic congestion, encroachment on the escarpment, biodiversity loss, slip, bushfire risk and increased stormwater run-off. Whilst there is some element of truth in all these claims most have been addressed in the documentation.

The objection lodged suggesting a compromise to support a rezoning to add to Schedule 1 of the LEP to allow for subdivision up to the number of lots already approved provided only one dwelling is permitted per lot, is endorsed.

9.2 **Neighbourhood Forum Alliance.**

Neighbourhood Forum 7 has sought the support of the Alliance to oppose the sale of two lots owned by the State in Lake Heights which contain an ancient and majestic fig tree. Its canopy extends to the boundaries of the lots, the lower branches are not more than 3 metres above the ground and below it, the root system spreads extensively across both lots. The availability of the blocks for sale is as a result of a historical planning mistake when the Lake Heights Estate was developed in the 1950's. The parcels of land below the fig tree should have been earmarked as public open space. Support for opposing the Government's sale is endorsed.

10 Snippets noted

Next Meeting/Agenda: on Wed. 1st July 2020.

Current active membership of Neighbourhood Forum 5 : 405 households
