

## Summary of Actions Arising (SOA) Lavender Bay 2024

This document is North Sydney Council's response to actions arising from Precinct Committee Minutes. On receipt of the minutes, actions are numbered and allocated to relevant Council Officers for response.

To effectively manage and provide clarity, all actions are allocated a status when reporting to Precinct Committees in response to their minutes. There are three categories:

- **Awaiting Response** - action allotted to Council Officer - response awaited.
- **Open/Ongoing** - action allocated to Council Officer, initial response provided. Matter ongoing and further response/update to be provided at later date.
- **Closed for Council** - Council either completed related works/tasks or has taken all reasonable steps within its power to resolve issue (for example when matter is beyond its jurisdiction). If the Precinct Committee feels Council can take further steps, they can request Council reopen action.

Questions or concerns re content of this document should be directed [precincts@northsydney.nsw.gov.au](mailto:precincts@northsydney.nsw.gov.au)

Month	Item	Actions	Council's Reply	Status
June	4.3	<b>Degradation of harbour foreshore parkland adjacent to McMahon's Point Wharf</b> - Further Precinct advised this site, and the contiguous site of 1 Henry Lawson, were located within the UNESCO buffer zone established to protect the world heritage values of the Sydney Opera House. As such the two sites required a world class masterplan akin to the Headland Park in Barangaroo and Precinct requested Council (organisation) to do so		Awaiting response
	4.4	<b>Revesting of Bradfield Park South to North Sydney Council</b> - Lavender Bay Precinct requested Council (elected body and organisation) to meet its obligations as trustee of the Bradfield Park Statutory Trust and restore the park to parkland. In addition, Bradfield Park South sits within the UNESCO buffer zone of the Sydney Harbour Opera House and hence required a world class masterplan.	Council's Director Open Space and Infrastructure has advised Council (the elected body) is the trustee of the statutory Bradfield Park Trust. Council's Manager Council & Committee Services has advised an option is to contact a Councillor and have them move this as a Notice of Motion.	Closed for Council

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	4.5	<b>Two for One Tree replacement policy</b> - Lavender Bay Precinct expressed its concern that Transport for NSW appeared to be the decision taker on this issue and requested North Sydney Council (organisation) be more proactive on the future tree canopy in the LGA.	Councils Public Projects Traffic Engineering Officer has advised Council will continue to engage with Transport for NSW and other relevant parties to address concerns and to ensure that the tree replacement efforts meet the expectations of our community.	Closed for Council
	6.1	<b>Bradfield Park North</b> - THAT Lavender Bay Precinct wishes to express its profound disappointment to North Sydney Council (elected body) that six Councillors voted not to defend Bradfield Park in court, despite Transport for NSW giving Council \$2.5M towards Bradfield Park in 2023 in exchange for "landowners' consent" which facilitated Transport progressing its controversial linear cycle ramp to the NSW Heritage Council.	Council notes the Precincts minutes.	Closed for Council
	9	<b>1 WARUNG STREET, McMAHONS POINT</b> - THAT in view of the apparent conflict between statements in the "Statement of Environmental Effects" and Council Officers' statements at the site meeting on 21 June 2024 coupled with the Council Officer's report of lack of resources to consider the Development Application, the application be assessed not by Council but by an independent assessor with heritage, planning and engineering expertise		Awaiting response
May	4	<b>Cyclists not dismounting at St Peters Park</b> - Despite signage and barriers requiring cyclists to dismount on the path on the eastern side of St Peters Park, cyclists continue to ride putting elderly pedestrians exiting from Francis Xavier Retirement Village at risk of serious injury.	Council's Sustainable Transport Project Co-ordinator advises Council will conduct a desktop review of the area including the design of the barrier. Council has collaborated with the NSW Police Force to enforce existing regulations. We will request further action	Closed for Council

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		Precinct to request Council to reassess this issue including the design of the barrier.	from the NSW Police Force to address this matter. Additionally, our Rangers and Parking Officers will continue to monitor the area and enforce the regulations.	
	5.c.	<b>Wendys Secret Garden, Tax Deductible Status</b> - Wendys Secret Garden is now on the Register of Cultural Organisations, meaning that donations to the Wendy Whiteley Secret Garden Trust are now tax deductible. Resolved: THAT Lavender Bay Precinct requests Council to urgently install relevant technology in Wendys Secret Garden to facilitate donations. Unanimous	Council's Service Unit Manager, Customer and Communications has advised that Council is currently working with third-party provider 'Donation Point Go' to enable charity donations via their system. In parallel to this, also is working on the development of the QR code signage and installation to allow convenient on-site donations. An interim solution for online donations is available on Council's website: <a href="#">Support Wendy's Secret Garden - North Sydney Council</a>	Closed for Council
	6	<b>Bradfield Park</b> - Resolved: THAT Lavender Bay Precinct a) reminds Council as trustee of the statutory Bradfield Park Trust, councillors have a duty to act in the utmost good faith to protect the trust property; b) the acquisition of statutory trust land under the general power of acquisition i.e. The Land Acquisition (Just Terms) Act, has not been tested in court; and c) advises Council the extent of that general power should be tested before any question of compensation arises. Unanimous	Council's Director Open Space and Infrastructure has advised Council (the elected body) is the trustee of the statutory Bradfield Park Trust. Council's Manager Council & Committee Services has advised an option is to contact a Councillor and have them move this as a Notice of Motion.	Closed for Council

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<b>April (held in May)</b>	5	<b>1 Henry Lawson Avenue, McMahons Point</b> - Resolved: THAT Lavender Bay Precinct requests monies set aside in 2022/23 for the demolition of 1 Henry Lawson Avenue and conversion to parkland be reinstated, be included in the Operational Plan & Budget 2024/25, and be given top priority.	Council's Strategic Project Master planner has advised that Council is currently in the process of preparing a DA for the demolition of the existing building that is currently on-site at 1 Henry Lawson Avenue, McMahons Point. Due to the history and complexity of the site, it is anticipated this may take some time to progress, potentially 6-8months. Given this timeframe, the funds have been returned to reserve rather than sit in a capital works budget, where it may remain unspent for the best part of 12 months. The funds have remained allocated to this project. Once the DA process has been completed the tender process will follow. A budget adjustment will be undertaken when Council is in a position to start the tender process.	Closed for Council
	9.c	<b>DA 101/21/5, 206 Blues Point Road McMahons Point (Commodore Hotel)</b> - Several concerns including extended opening hours, loss of car parking, and increase in gambling.	Council's Senior Assessment Officer has advised that the precinct's comments are noted and will be considered as part of the assessment report prepared for the application.  Note: this is a modification application and makes no application to alter approved operational hours or overall patron capacity but does include a request to refine the operational time and capacity of the lower ground floor of the Gaming room."	Closed for Council
	9.d	<b>DA 5/22/3, 24 East Crescent Street McMahons Point</b> - Resolved: THAT Lavender Bay Precinct notes this is a highly sensitive site and urges Council to reject this application and	Council's Senior Assessment Officer has advised that the application is being assessed and the matters the committee has raised are being considered	Closed for Council

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		adhere to the original conditions B1, C43(c), C45(f), D8, F3 and F4 of DA 5/22 which prohibit demolition prior to construction.		
	9.e	<b>DA 85/24, 1 Warung Street McMahons Point</b> - Resolved: THAT Lavender Bay Precinct objects to this DA on the following grounds: <ul style="list-style-type: none"> <li>i. The site is within the buffer zone of the Sydney Opera House, a UNESCO world heritage site.</li> <li>ii. As the DA involves complete demolition of the building, the existing use rights may be extinguished, and the proposed development may be prohibited under R3 zoning.</li> <li>iii. If the development is not prohibited, then Precinct requests any DA for this site be referred to the Design Excellence Panel.</li> <li>iv. The overall building height and lift overrun should not exceed the current height permitted under the LEP i.e. 8.5 metres.</li> </ul>	Council's Senior Assessment Officer has noted the Precinct Committee comments. The application is currently in the early stages of assessment, and I start the preliminary assessment in June the Precinct submission will be considered in the assessment along with all other submissions/referrals.	Closed for Council
March	4.c	<b>Degradation of Harbour foreshore adjacent to McMahons Point Wharf</b> - The degradation of this iconic parkland is a continuing issue. Resolved: THAT Lavender Bay Precinct requests, through the Chief Executive Officer, that, Council's Director Open Space and Infrastructure, be invited to address Precinct on this issue and other issues relating to parklands. Unanimous	Council's Director Open Space and Infrastructure confirmed the attendance at the Precinct Committee meeting on 27 June 2024	Closed for Council
	8.c	<b>Lavender Bay Secretary</b> - EJ advised, that due to work commitments, she was unable to fulfill the requirements of	Comments noted	Closed for Council

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		Lavender Bay Secretary and regrettably tendered her resignation. The Chair, on behalf of Precinct expressed his thanks to EJ for her hard work and support she had provided to Precinct. JS advised she was willing to accept the role of Acting Secretary.		
February		<p><b>Old Boat Shed at 1 Henry Lawson Avenue</b> - The Council erected a fence around the boatshed to allow for demolition so that it can be incorporated into the parklands. The sliding access gate on the fence used to be padlocked but is now open; and it appears that people are not getting into the boatshed, and the Chairman has had it suggested to him that there are squatters potentially occupying the boatshed. Does the council have a plan for demolition of the Old Boat Shed? The demolition and security of the property really needs to be assessed and prioritized before someone gets injured.</p> <p>Motion: The Precinct would like to be briefed by an Officer at Council regarding what the plan is to resolve this and get the issue fixed. Passed Unanimously</p>	<p><b>UPDATE (4 June 2024)</b> Council's Strategic Project Masterplanner has advised that Council officers have checked the gate in the security fence and as of the time of inspection it was observed to be locked</p>	Closed for Council
		<p><b>Harbour Foreshore Area (Adjacent to McMahons Point Wharf)</b> - The area is continuing to deteriorate and is now churned up mud and dirt; cars continue to drive on this area, and they continue to park on the grass and the Harbour foreshore (often to get photos of their car and the Harbour foreshore in the background). The iconic foreshore is now being ruined and does not look good for our community; Chairman would like to know if the Council Can put bollards or stone blocks down on the surface like they</p>	<p><b>UPDATE ( 12 June 2024)</b> Council's Capital Delivery Program Coordinator has advised that Council is currently investigating suitable solutions to prevent cars from driving onto the grassed area. Two solutions currently investigated include the installation of bollards or the placement of sandstone blocks. Prices for both options are being sourced and once obtained will be presented to the Director of</p>	Open/Ongoing

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		did in Clark Park to prevent cars from driving onto the area and damaging it further; particularly with any rain.	Open Space and Infrastructure for budget consideration.	
		<b>Milsons Point Linear Bike Ramp</b> - Motion: This Precinct strongly opposes in the strongest of terms the use of Bradfield Park North for a Bike Ramp and opposes the use of the land to be given to Transport NSW for building a Bike Ramp. Precinct is aware of the legal advice that Council has obtained in regard to the Bike Ramp and we expect that Council would adhere to it. Passed Unanimously.	Council's Public Project Interface Manager has advised that TfNSW has advised that they will use the powers conferred by the Roads Act to assume control of Bradfield Park for the cycle ramp project. This is despite Councils oft-stated opposition to the impact on Bradfield Park. Unfortunately, there are no available practical mechanisms to prevent the use of the park by TfNSW.	Closed for Council
		<b>Milsons Point Foreshore Area</b> - This area is not looking great Motion: Can Council rectify the issue at all and assist with cleaning this area up and making it more presentable and looked after. Passed Unanimously.	Council Manager Parks & Reserves request that the Precinct Committee provide further information and, the exact location of the area that needs to be cleaned.	Closed for Council