



Sketch by renowned late local artist Peter Kingston

North Sydney Local Government Area Lavender Bay Precinct

MINUTES

Thursday 25 July 2024

Starting at 7.00 pm

**McMahons Point Community Centre
165 Blues Point Road, McMahons Point**

Chair: RS KC
Secretary: JS

1. WELCOME

The Chair welcomed 14 people to the meeting and recorded 8 apologies. In particular, the Chair welcomed JD, to speak about the traffic implications of the Western Harbour Tunnel and the Warringah Freeway Upgrade on North Sydney. See Agenda Item 6.3 below.

2. MINUTES OF LAST MEETING

The minutes of the meeting held on 27 June were read and approved.

3. MATTERS ARISING

3.1 Update from Council's Director Open Space on issues raised at the June meeting

- i) *Status of the DA preparation for 1 Henry Lawson Avenue*
Reported. "Resources have been allocated to this project and work will commence on the DA documentation in August."
- ii) *Status of discussions with Transport for NSW re revesting of Bradfield Park South*
Reported. "TfNSW have now mapped the declarations, encumbrances and land ownership within South Bradfield Park and have presented this to Council officers. We are now looking to provide a briefing to Councillors in relation to this land and the next steps".
Please see Resolution in paragraph 3.2 b, (ii) below.
- iii) *Status of discussions with Transport for NSW re replacement of the 3,000 trees removed for the Warringah Freeway Upgrade*
Reported. "The next tree replacement group meeting with TfNSW will occur on the 31 August I will provide the Precinct with an update following this meeting".

3.2 Update on Summary of Actions by Council

An update is now available on Council's website at

<https://www.northsydney.nsw.gov.au/downloads/file/3532/summary-of-actions-2024-lavender-bay>

Precinct considered the update and responded as follows:

- i) *Degradation of harbour foreshore parkland i.e. the land adjacent to McMahons Point Wharf and tip of Bradfield Park South (the area south of Broughton St resumed in 1987 for the Harbour Tunnel construction).*

Resolution

Lavender Bay Precinct advises these sites, located within the UNESCO buffer zone of the Sydney Opera House, are both in a shameful state. They URGENTLY require a world class masterplan akin to the Headland Park in Barangaroo and Precinct requests Council (organisation) to do so and treat this issue as a matter of priority.

UNANIMOUS

- ii) *Revesting of Bradfield Park South to North Sydney Council*

Under the Sydney Harbour Tunnel (private Joint Venture) Act 1987, Bradfield Park South was leased for thirty years to Transfield and Kumagai for the purpose of building the Harbour Tunnel. On expiration of the lease, June 2023, the land would be transferred from private to government ownership, the contemplation being that the land would be revested as parkland to the previous owners, North Sydney Council. (Refer section 13 of the extract from the Sydney Harbour Tunnel (private Joint Venture) Act 1987 attached in Appendix A).

It was never contemplated that the land would be appropriated by Transport for NSW for other purposes.

In April 2024, CM requested a Report be prepared for Council on revesting the land – that Report is outstanding.

Resolution

Lavender Bay Precinct resolved that Council (organisation) seek to have the Governor proclaim the land be revested immediately in the previous owner i.e. North Sydney Council in accordance with s13(2) of the Sydney Harbour Tunnel (private Joint Venture) Act 1987.

UNANIMOUS

Precinct noted that under the current Council (the elected body) staffing at Council had been disrupted with three General Managers and 50% staff turnover resulting in significant loss of corporate memory. The onus was now on Precincts to provide the corporate knowledge and support Council executives during this challenging time for the LGA.

- iii) *Wendys Secret Garden – Tax Deductible Status*

Precinct expressed its appreciation to Council that QR code signage has been installed in the garden to facilitate donations.

4 REPORT FROM THE CHAIR

4.1 1 Warung Street, McMahons Point

The Chair reported it was disappointing he had not received a response to his letter to the Mayor expressing residents' concerns about the handling of this Development Application.

4.2 Save Our Sydney Harbour Campaign

The Chair reported the petition to remove dilapidated structures from the harbour had now been launched and required 20,000 signatures to have the issue discussed in Parliament. Residents were encouraged to sign the petition and to advise their friends etc of the issue. Access to the petition is available as follows:

<i>Online at</i>	<i>Or scan the QR code</i>

4.3 Transport for NSW's cycle ramp at Milsons Point

The Chair reported that late last year the NSW Premier delivered what many regarded as the best Bradfield Oration ever. However, what he didn't say was that in a few months Transport for NSW's chainsaws and bulldozers would move in and destroy the aesthetics which were so important to Bradfield. The B family on learning of Transport for NSW's plans are most unhappy that Bradfield's vision for Bradfield Park will be destroyed.

The Premier, quite rightly, was deeply concerned at the hypocritical position in which he had been placed by the actions of Transport for NSW. He organised a meeting, chaired by his Senior Policy Adviser, and to be attended by a representative of the Transport Minister, TA, and three representatives of the Community Cycle Ramp residents' group. It was a confidential meeting, known only to the above-mentioned attendees. The Transport Minister's representative at the meeting was one of her Media Advisers, not a professional technical transport executive. On the morning of the scheduled confidential meeting an article appeared in the gossip column of the Sydney Morning Herald (SMH). The article was based on prior information supplied to the SMH by the Transport Minister's office. The puerile article, peddling false facts and mischief, is consistent with Transport for NSW's 'communication' propaganda throughout the entire period of the project, commencing in late 2020.

5 McMAHONS POINT VILLAGE MASTERPLAN

5.1 Implementation of the Masterplan

Precinct noted that work had commenced within the last few days on the western side of Blues Point Road between Union Street and north of King George Street. It was unclear what work was being done and how it related to the Masterplan.

Resolution

Precinct resolved to invite the Project Manager to attend the August meeting of Precinct and provide an update on implementation of the Masterplan.

5.2 Required maintenance work

Resolution

- a) Blues Point Road pedestrian crossing south of King George Street requires repainting.
- b) The consistent water leak outside the Commodore Hotel requires attention.

6 COUNCIL ISSUES

6.1 Local Planning Laws

Noted

6.2 NSW State Government Housing Policy

Noted

6.3 Traffic chaos in North Sydney due to the Western Harbour Link

JD addressed the meeting and advised that residents have long been concerned about the impact on the North Sydney CBD and adjacent suburbs by the design of the entry and exit points for the Western Harbour Link. The channelling of traffic through narrow local streets simply to get to the entry for the tunnel is concerning. Berry Street would be the on-ramp for both the Western Harbour Tunnel and the Warringah Freeway.

As the Beaches Link has been abolished, there is no entry from the North to the Western Harbour Tunnel. This traffic will need to make its way to Berry Street, travel north and then head south to enter the tunnel.

The recent traffic concerns at Rozelle demonstrate the planned chaos from the transport planners of Transport for NSW, which gave priority to routing more toll-paying traffic into the Transurban highway system.

The Environmental Impact Statement for this thoughtless design indicated that every intersection in North Sydney would fail. North Sydney CBD and its surrounding streets would simply be an overground traffic interchange. What a fiasco.

Access to the Western Harbour Tunnel should NOT be through North Sydney.

Precinct agreed to invite PF and CS to address the August meeting of Precinct and invite other Precincts, where practical, to attend.

Resolution

Council to URGENTLY proclaim the problem in the loudest possible terms to the Premier and insist the design MUST be changed.

Further information for residents:

Map of the Western Harbour Link and Warringah Freeway

Tunnel alignment from Birchgrove to Cammeray

7 DEVELOPMENT APPLICATIONS

7.1 1 Warung Street, McMahons Point

DA 85/24

This Development Application continues to be concerning for various reasons including:

- i) whether existing “use rights” can be transferred to a new building;
- ii) a new building should be assessed against Council’s planning controls; and
- iii) the building is within the heritage conservation area, the modern design is not compatible with the area.

Resolution

i) To repeat Precinct’s resolution at its June meeting i.e.:

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.

&

ii) THAT the Visual Assessment protocols enunciated in the Land & Environment Court Practice Note must be followed when photographing the site.

UNANIMOUS

7.2 Commodore Hotel

Precinct noted the DA modifications included internal layout changes, relocation of back of house areas, relocate kitchen, amended stair layout, rationalisation and refurbishment of existing bar areas and reconstruct roof with supporting concrete slab. This DA was currently under assessment.

An application had been submitted to the Liquor Licensing Board to change the licence boundaries – submissions close on 16 August 2024.

7.3 19 Northcliff Street, Milsons Point 2061

DA 148/2024

Enclosure of rooftop terraces for residential units at the second-floor level, side extension to No. 19 and minor internal reconfiguration of residential units.

Noted

8 GENERAL BUSINESS

8.1 New Parking Meters

“Precinct News Winter 2024” advised new cashless parking meters and “Touch N Go” boxes were being installed throughout the LGA. The article suggested the only way to pay was via smartphone and this was a concern.

Post Meeting clarification

There are now two different physical structures to pay for parking:

1. **Parking meters**

- Pay by scanning a credit/debit card or via a smartphone.
- Note you cannot insert a credit/debit card.
- No buttons, access via a Touch Screen.



2. **“Touch N Go” boxes**
- Pay by smartphone only.
 - Located on power poles.



In addition to the physical structures, you can pay online via the PayStay App.

Further information is available on Council’s website at:

But be careful. Instructions for using the old parking meters may still be on Council’s website!

8.2 Expansion of Parking Meters

It appears that parking meters may have been installed on a short section of Blues Point Road near St Peters Park between Blue Street and Lavender Street where previously there were no meters.

Resolution

Lavender Bay Precinct objects to any expansion in the use of paid parking in the LGA.

UNANIMOUS

9 DATE OF NEXT MEETINGS

Thursday 29 August 2024

The meeting closed at 9.00pm.

RS KC
Chair, Lavender Bay Precinct

30 July 2024

Extract from Sydney Harbour Tunnel (private Joint Venture) Act 1987

The Joint Venturers are Transfield (SHTJV) Pty. Limited and Kumagai Gumi Co., Ltd.

12 Vesting of land etc in the Commissioner

(1) On the date of assent to this Act, the land shown:

- (a) coloured yellow, or*
- (b) hatched green with green edging,*

on the plan referred to in Schedule 3 vests in the Commissioner for an estate in fee simple, freed and discharged from any trusts, obligations, estates, interests, contracts, charges, rates, rights-of-way or other easements existing immediately before that date.

13 Revesting of land in previous owners

(1) The estate in fee simple of the land vested in the Commissioner by operation of section 12 (other than land in respect of which compensation has been paid as referred to in section 12 (7)) shall not be disposed of otherwise than in the manner prescribed by this section.

(2) The Governor may, by proclamation published in the Gazette, declare that any part of the land vested in the Commissioner by operation of section 12 shall be revested in the person in whom that part of the land was vested immediately before the land was so vested in the Commissioner.

(4) Upon publication of a proclamation under subsection (2), the land described in the proclamation shall vest in the person specified therein for an estate in fee simple, subject to all trusts, obligations, estates, interests, contracts, charges, rates, rights-of-way and other easements then existing.