

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


Month	Item	Actions	Council's Reply	Status
October	2	Wendy's Secret Garden Lavender Bay Precinct request that Council as leaseholder must address the issue and make safe the slope so that garden workers can access the remainder of the leased area.	Sent request to Supervisor of Parks and Garden	Open/Ongoing
	3.	Parking Meters Precinct concerned that the Parking Meters mobile phone App is intrusive and doesn't suit those users less tech savvy, the system doesn't recognise registration plates with less than 5 alpha/numeric figures, the new system charges an additional service fee, the old meters are bound up and unusable	North Sydney Council's website has information on how to use the new Parking meters including videos and FAQ's Meters have a minimum of 1 alphanumeric. This is same with PayStay Guest and PayStay App. 8.25% Service Charge: Council pays for the costs associated with administering, providing, controlling, maintaining and regulating the pay parking system. The service fee is separate to the parking fee as it is a fee	Closed for Council

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			<p>associated with specific payment methods provided by Orikan Digital Services • Additional benefits of PayStay App – Pay for only what you park – Opt in to reminders – Top-up remotely – Wayfinding – NOTE: Registration with the app is NOT a requirement to park in North Sydney LGA.</p> <p>All of the redundant 'old' meters that were bagged meters were removed by 18th September 2024.</p>	
	3.	<p>Alfred St Milsons Point Precinct asks that these places be made available especially at busy market days and on weekends.</p>	<p>Public Projects Traffic Engineering Officer responded that the 10 parking spaces were temporarily removed due to the Sydney Harbour Bridge Cycleway project. Transport for NSW currently uses this area for deliveries. As such, it may not be feasible to reinstate these spaces on weekends because their delivery schedule may conflict with operational hours. During meetings with North Sydney Council, Transport for NSW has advised that this is a temporary arrangement and that they are using the minimum amount of space required to support their works</p>	<p>Closed for Council – for further information contact Transport for NSW</p>
	7.	<p>Olympic Pool Levy or Rate hike? It was reported that Council is seeking to raise the general rate through IPART to raise funds to pay for the pool. Precinct is opposed to a general rate increase to manage the pool funding shortfall and instead suggests that Council raise a special one-off "Pool Levy" to be applied exclusively to the pool debt and perhaps extend over a few years.</p>	<p>Feedback noted. Residents will be able to have their say on our website regarding the proposed North Sydney Council Special Rate Variation (SRV) – submissions close Friday 10 January 2025. Learn the options being proposed and provide feedback.</p>	<p>Closed for Council</p>

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September	5 (a)	19 Lavender St. (290/2023) Precinct objects and is concerned this DA is an overdevelopment, negatively affecting the heritage features of the building and compromising tree cover.	Noted	Closed for Council
	5(b)	Commodore Hotel (101/2021/5) Precinct objects to this DA and what has happened to the site generally. Far from being an alteration and addition, the building has been largely demolished. It is very hard to understand what the latest changes constitute. However, we do object to the change from a community hotel to an expanded venue for live and noisy music, surrounded as it is by a residential area. We object to the loss of on-site parking, the expanded gambling and gaming activities and increased licenced hours of operations. No evidence has been tendered from Police or noise experts.	Noted	Closed for Council
August	5.2	Masterplan for the public foreshore from Kirribilli through to Sawmillers Reserve. Lavender Bay Precinct resolved that, as a matter of urgency, the new Council inspect the sites and, in conjunction with Precinct, fast forward a Masterplan	Council's Acting Director Open Space and Infrastructure has advised that Council has adopted Masterplans for Bradfield Park & Kirribilli Foreshore, and for the Lavender Bay Parklands. Both these Masterplans were prepared with a high level of community involvement, and both have not been fully implemented yet, due to funding constraints. Preparation of a Masterplan for Blues Point Reserve and Henry Lawson Reserve has been proposed in recent years; however, this has not proceeded to date due to funding priorities. There are	Closed for Council

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			no current plans to prepare a Masterplan for Sawmillers Reserve.	
	6.2	<p>35 East Crescent Street, Lavender Bay Precinct resolved to object to this proposal on the grounds that the magnitude of the proposed works is too big for the footprint of this property. The DA fails to address many issues including:</p> <ul style="list-style-type: none"> • the impacts of the proposed development on the landscape and streetscape and the existing and future amenity of the locality • the adequacy of a suspended driveway to support its right of way for carrying loads of building spoil and material; • the impact of the proposed height and mass of the new building on existing views, sunlight, privacy and value of neighbouring properties <p>In addition, the property is landlocked and the level of impact that will be sustained throughout the demolition and construction phases of this proposed development is concerning. For example, as there is no direct driveway access to enable large machinery and materials to be either brought to or removed from the site, a large crane will be required resulting in substantial public safety risks and compromises at street level on Bay View Street.</p>	Noted by Council's Executive Assessment Planner	Closed for Council
August	6.2	<p>26 East Crescent Street, McMahons Point – Request asking Council to ensure the development meets the fire requirements</p>	Noted by Council's Assessing Officer	Closed for Council

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	7.1	DA Tracker Precinct noted the extensive changes introduced into Council's website, not least in the DA Tracker portal much-used by members of Precinct. While the file naming system presented in the portal may assist conformity between official users, the lack of conformity between the onscreen presented file description and downloadable file name can pose a source of confusion to members of the public using that portal to make submissions to Council. To better assist lay users, for example, could the downloadable "Document Set number" filename be incorporated into the onscreen filename, or vice versa?	Council's Team Leader Application Services has advised that they will take this up with the vendor to see what can be done. UPDATE 31/10/24 A response from the vendor advised that the request to include a document description in the filename was not feasible.	Closed for Council
July	3.2i	Degradation of harbour foreshore parkland adjacent to McMahons Point Wharf – urgently require a world class masterplan akin to the Headland Park in Barangaroo and request Council to do so and treat this issue as a matter of priority.	Council's Director Open Space and Infrastructure has advised Council's current Delivery and Operational Program does not include the development of a masterplan as requested. Council will be reviewing these documents in late 2024, which would be the appropriate time to include this. Council will consult with the community of the development of these documents.	Closed for Council
	3.2ii	Revesting Bradfield Park South – resolve that Council seek to have the Governor proclaim the land to revested to NSC	Council's Director Open Space and Infrastructure has advised 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.	Closed for Council
	5.2	Maintenance – Blues point road pedestrian crossing south of King George Street requires painting.	Council's Service Unit Manager Public Presentation has advised the line marking at Blues Point Road has been completed and the water leak has been stopped.	Closed for Council

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		The consistent water leak outside the Commodore Hotel requires attention.		
	6.3	Traffic due to Western Harbour Link – request Council to urgently proclaim the problem to the Premier to insist the design MUST be changed.	Council's Director Open Space and Infrastructure has advised Council is continually making representations to all levels of government in relation to this issue.	Closed for Council
	8.2	Expansion of parking meters – precinct objects to the expansion of paid parking, new meters have been installed on a short section of Blued Point Road near St Peters Park between Blue St & Lavender St where previously there were no meters.	Council's Engineering Project Manager has advised the new meters are not in the same location as the old meters, but there is no additional paid parking spaces. The parking bay numbers are going to be removed in due course as the new parking meters use car registration numbers instead. Please follow the street signs for parking limits.	Closed for Council
June	4.3	Degradation of harbour foreshore parkland adjacent to McMahons Point Wharf - 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	Council's Director Open Space and Infrastructure has advised resources have been allocated to this project and work will commence on the DA documentation in August.	Closed for Council

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		Headland Park in Barangaroo and Precinct requested Council (organisation) to do so		
	4.4	Revesting of Bradfield Park South to North Sydney Council - 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. 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.	Closed for Council
	4.5	Two for One Tree replacement policy - 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. Council's Director Open Space and Infrastructure has advised the next tree replacement group meeting with TfNSW will occur on the 31 August, the Precinct will be provided with an update following this meeting.	Closed for Council
	6.1	Bradfield Park North - 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	Council notes the Precincts minutes.	Closed for Council

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		Transport progressing its controversial linear cycle ramp to the NSW Heritage Council.		
	9	1 WARUNG STREET, McMAHONS POINT - 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	Councils DA officer will be providing an update separately which we will send through to the precinct.	Awaiting response
May	4	Cyclists not dismounting at St Peters Park - 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. Precinct to request Council to reassess this issue including the design of the barrier.	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 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.	Closed for Council
	5.c.	Wendys Secret Garden, Tax Deductible Status - 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	Closed for Council

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			is available on Council's website: Support Wendy's Secret Garden - North Sydney Council	
	6	<p>Bradfield Park - Resolved: THAT Lavender Bay Precinct</p> <ul style="list-style-type: none"> 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. <p>Unanimous</p>	<p>Council's Director Open Space and Infrastructure has advised Council (the elected body) is the trustee of the statutory Bradfield Park Trust.</p> <p>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.</p>	Closed for Council
April (held in May)	5	<p>1 Henry Lawson Avenue, McMahons Point - 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.</p>	<p>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</p>	Closed for Council

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			when Council is in a position to start the tender process.	
	9.c	DA 101/21/5, 206 Blues Point Road McMahons Point (Commodore Hotel) - Several concerns including extended opening hours, loss of car parking, and increase in gambling.	<p>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.</p> <p>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."</p>	Closed for Council
	9.d	DA 5/22/3, 24 East Crescent Street McMahons Point - Resolved: THAT Lavender Bay Precinct notes this is a highly sensitive site and urges Council to reject this application and adhere to the original conditions B1, C43(c), C45(f), D8, F3 and F4 of DA 5/22 which prohibit demolition prior to construction.	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
	9.e	<p>DA 85/24, 1 Warung Street McMahons Point - Resolved: THAT Lavender Bay Precinct objects to this DA on the following grounds:</p> <ul style="list-style-type: none"> i. The site is within the buffer zone of the Sydney Opera House, a UNESCO world heritage site. 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. 	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

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		<ul style="list-style-type: none"> iii. If the development is not prohibited, then Precinct requests any DA for this site be referred to the Design Excellence Panel. iv. The overall building height and lift overrun should not exceed the current height permitted under the LEP i.e. 8.5 metres. 		
March	4.c	Degradation of Harbour foreshore adjacent to McMahons Point Wharf - 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	Lavender Bay Secretary - EJ advised, that due to work commitments, she was unable to fulfill the requirements of 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.	Comments noted	Closed for Council
February		Old Boat Shed at 1 Henry Lawson Avenue - 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.	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	Closed for Council

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		<p>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>Harbour Foreshore Area (Adjacent to McMahons Point Wharf) - 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 did in Clark Park to prevent cars from driving onto the area and damaging it further; particularly with any rain.</p>	<p>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 Open Space and Infrastructure for budget consideration.</p>	<p>Closed for Council</p>
		<p>Milsons Point Linear Bike Ramp - 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.</p>	<p>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.</p>	<p>Closed for Council</p>

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		<p>Milsons Point Foreshore Area - 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.</p>	<p>Council Manager Parks & Reserves request that the Precinct Committee provide further information and, the exact location of the area that needs to be cleaned.</p>	<p>Closed for Council</p>