

## Summary of Actions Arising (SOA) Waverton 2025

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. A new standing item has been added to highlight actions relating to the Noakes Boatyard.

[General Meeting actions](#)

[Noakes Boatyard actions](#)

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** -
  - a) Sits outside of Council's jurisdiction
  - b) Response given by Council and awaiting Precinct's reply
  - c) Council has completed related works/tasks

**(Note:** These subcategories are only applied from 2025 onwards)

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)

## General Meeting Summary of Actions (SOA)

Month	Item	Actions	Council's Reply	Status
		<b>Noakes Boatyard</b>	See standing item below	Ongoing standing item
February		<p><b>NSC proposed rates increase</b></p> <p>The Precinct requested the Council to arrange for a representative of the Waverton Precinct to give evidence at the Council discussion next Monday to decide on this issue.</p>	<p>To register to speak at a Council Meeting, individuals need to apply <a href="#">online</a>. However the Public can <a href="#">attend</a> a Council meeting.</p> <p><a href="https://www.northsydney.nsw.gov.au/council-meetings/attend-council-meeting">https://www.northsydney.nsw.gov.au/council-meetings/attend-council-meeting</a></p>	Closed for Council
		<p><b>Carradah Park maintenance</b></p> <p>The meeting requested the Council to update the twenty-year-old DA for Carradah Park to permit a possible different approach to the Larkin Street strip.</p>	<p>Council staff are in the process of preparing a landscape plan for the section of park adjacent to the road verge, which will be provided to the Precinct and notified to adjacent residents. We also note that the vegetation was prescribed as part of a DA for Carradah Park.</p>	Open/Ongoing
		<p><b>MLC building in North Sydney</b></p> <p>The meeting called on the Council to press for the inclusion in this critical project – at the very heart of the city centre – of significant public facilities, including a multipurpose public space (city hall).</p>	<p>Response from the Service Unit Manager Development Services, Thank you for your positive suggestion in regard to this DA. The MLC building is a State listed Heritage item, and this places substantial physical constraints on what can be provided within the existing building fabric. The MLC building currently features an auditorium and this could possibly be the center of some form of public space/civic use. This space is similar in size to the Hutley Hall at Council Chambers. In the current plans this space remains. The suggestions of the Precinct will be put to the applicant for response. If the applicant agrees, the acceptance of dedication or other form of permitted use for civic purposes would have to be carefully considered</p>	Closed for Council

Month	Item	Actions	Council's Reply	Status
			<p>in terms of cost and benefit to Council going forward. However, it is a suggestion that warrants further exploration.</p>	
		<p><b>DA for 52 McLaren Street (Redham School).</b> Waverton Precinct requested that Council introduce comprehensive measures to ensure that private schools pay for their use of community assets and contribute to the community through the sharing of their spaces and facilities with the public.</p>	<p>North Sydney is one of the densest education precincts in the country, with 21 primary and secondary schools and two universities within the 10.5km<sup>2</sup> boundary. The NSW Local Government Act (1993) provides exemptions for land used for charitable, religious, or educational purposes. Section 555 of the Act outlines various categories of land exempt from rates, including land used for educational purposes by schools, colleges, or universities. Under the Act, Council is unable to charge rates to schools or universities.</p> <p>At the Council meeting of 9 December 2024, Mayoral Minute MM01: Invitation to non-rateable educational institutions to voluntarily pay rates, and preparation of a policy to guide and regulate intensive “operational”/timetabled use of Council parks by private schools recommended that Council invite private schools and the Australian Catholic University to voluntarily pay rates (or an equivalent in-kind contribution) on their property holdings within the North Sydney local government area to contribute to maintenance of Council assets including roads, footpaths, and open space.</p> <p>Under the Local Government Act Council has no authority to enforce schools or religious organisations to pay rates.</p>	<p>Closed for Council</p>

## Noakes Boatyard Summary of Actions

	Actions	Council's Reply
<b>Standing item - Noakes</b>	<b>Noise pollution and air pollution</b> resulting from the use of a pressure washer on the hardstand area	The <a href="#">EPA</a> is the appropriate regulatory authority responsible for the administration of noise pollution and air pollution under the Environmental Protection License and Protection of the Environment Operations Act, 1997.
	<b>Air pollution</b> resulting from paint fumes in Munro Street and the surrounding area	The <a href="#">EPA</a> is the appropriate regulatory authority responsible for the administration of noise pollution and air pollution under the Environmental Protection License and <i>Protection of the Environment Operations Act, 1997</i> . <b>December 2024</b> – Environmental reports have been assessed by the EPA. The EPA has permitted spray painting activities to re-commence in Shed 3/4.
	<b>Carbon filtration system</b>	Council has received concerns that the carbon filtration system has been constructed near the wash bay. The EPA Environmental Protection License required the installation of a CFS, however, work commenced prior to development consent being obtained in accordance with s 4.2(1)(a) of the <i>Environmental Planning and Assessment Act, 1979</i> . December 2024 – Council has received a Development Application through the NSW Planning Portal to install a Carbon Filtration System. The Development Application will be notified in accordance with Council's Community Engagement Protocol.  <b>January 2025</b> – DA 368/2024 is currently under assessment. The latest information is available on Council's application tracker website - <a href="https://masterview.northsydney.nsw.gov.au/Home/Disclaimer">https://masterview.northsydney.nsw.gov.au/Home/Disclaimer</a> .
	Fire safety order  <b>Update Fire Control System</b> The meeting welcomed the implementation of improved fire protection, but requested the Council to investigate the following aspects of the Noakes proposal: - Was a DA	A Fire Safety Order as issued on 27 July 2021. The matter has been referred to HWL Ebsworth Lawyers. A building certification and fire safety consultant, engaged by HWL Ebsworth Lawyers to assist them in advising, has carried out an independent "peer review" of the adequacy of the fire safety order. The consultant has completed their review and made recommendations to Council concerning the extent of compliance with the Fire Safety Order.

	Actions	Council's Reply
	submitted before or after the installation of the fire control system?	<p>A meeting was conducted between Council staff, Council's legal representatives, consultant fire experts, the owners and the operators of the Boatyard on 23 July 2024, to discuss compliance with the Fire Safety Order and set timeframe for work and the provision of required information and certificates. The meeting was conducted on a without prejudice basis. The meeting had a positive outcome in which all parties agreed to collaborate in achieving fire safety compliance on site.</p> <p>Following the meeting, Council and their legal representatives continue to work towards achieving an appropriate fire safety solution. Council take this matter seriously and further information will be provided to the community at the first available opportunity.</p> <p><b>January 2025</b> – A further meeting was conducted between Council staff, Council's legal representatives and the owners and operations of the boatyard to discuss compliance with the Fire Safety Order on 17 January 2025. The meeting was conducted on a “without prejudice” basis and had a positive outcome. A strong intent to resolve these issues was demonstrated. Further information will be provided to the community at the first available opportunity.</p> <p><b>February 2025</b> –</p> <ol style="list-style-type: none"> <li>1. Council issued the Fire Safety Order in response to fire safety concerns of the community. A Development Application is not required to carry out works that are the subject to an Order in accordance with cl 29 of Schedule 5 of the EP&amp;A Act.</li> <li>2. The hydraulic fire safety system designs are required to be prepared by registered practitioners and reviewed by Council.</li> <li>3. Fire safety system performance and maintenance obligations are contained s 81 and s 89 of the <i>Environmental Planning and Assessment (Development Certification and Fire Safety) Regulation 2021</i>. A site-specific plan is not required to be provided to Council.</li> </ol>
	<b>Spread of fire to adjoining property</b>	<p>Council has received concerns about the potential risk of fire spreading from 6 John Street to nearby buildings/ properties.</p> <p>Council engaged a building certification and fire safety consultant to assess the risk. The assessment concluded that the risk of fire spread from Noakes Boatyard to</p>

	Actions	Council's Reply
		<p>nearby buildings/ properties, including the closest property at 16-18 Munro Street, does not exceed the limits prescribed by the BCA. Accordingly, circumstances do not exist for Council to issue an additional Fire Safety Order on the basis of fire spread risk, as this risk does not exceed the relevant criteria.</p>
	<p><b>Fire on barge in Berrys Bay</b></p>	<p>Council is aware of the fire that occurred on a barge during the evening of 19 August 2024. The barge was located on the water and the fire did not spread to the land. Council is the regulatory authority for fire safety in the built environment, however, that jurisdiction does not extend beyond the Mean High Water Mark. The Port Authority of NSW is the relevant regulatory authority for fire safety on the water. Transport for NSW (Maritime) is the relevant regulatory authority for marine incidents.</p>
	<p><b>Hard stand area</b> A temporary enclosure has been constructed on the hard stand area without development consent</p>	<p>Council has received concerns that a structure (temporary enclosure) has been constructed on the hardstand.</p> <p>The structure has been erected without development consent, in contravention of s 4.2(1)(a) of the <i>Environmental Planning and Assessment Act, 1979</i>. Council has taken enforcement action. An inspection on 25 October 2024 confirmed the unauthorised structure had been dismantled.</p>