

**North Sydney Local Government Area
Lavender Bay Precinct**

MINUTES

Thursday 27 February 2025

Starting at 7.00 pm

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



Sketch by renowned late local artist Peter Kingston

Chair: Robert Stitt KC Robert@StittQC.com.au
Secretary: Joan Street lavenderbayprecinct@gmail.com

1. WELCOME

The Chair welcomed 30 residents to the meeting and recorded 12 apologies.

2. GUEST SPEAKER - Ms Zali Steggall OAM MP, Member for Warringah.

Zali Steggall in her address advised:

- Cost shifting by to State Government to Councils needs to be addressed through a combination of regulatory reform, budgetary provision and appropriate funding.
- North Sydney Olympic Pool needs to be remedied, and she will seek federal funding.
- Her office is the gateway for the community to Commonwealth services.

In answering questions, the following were raised:

- 36,000 North Sydney voters have been transferred to Warringah.
- The independent members in Federal Parliament are aligned in terms of values but vote independently.
- In Australia, Senate outcomes often don't reflect population proportions due to equal state representation and no party majority.
- Residents appreciated Ms Steggall's support in establishing the National Anti-Corruption Commission. Ms Steggall advised it needed fine-tuning for better transparency and the bar might be too high.
- It was disappointing that Ms Steggall gave her "full support" to the Real Independents¹ in the local Council elections. This has resulted in a voting block of political councillors rather than community-oriented councillors and decisions that reflect the interests of a few rather than the broader community. This has caused a deterioration in democracy, with no discussion or dissent at Council. Despite this, Ms. Steggall mentioned her engagement with Mayor Baker was positive.
- Local infrastructure contributions, also known as developer contributions, are charged by councils when new development occurs. They help fund infrastructure like parks, community facilities, local roads, footpaths, stormwater drainage and traffic management. A resident queried whether they were compulsory or negotiated.

¹ <https://www.therealindependents.com.au/endorsements>

Post meeting note:

There are 2 forms of local infrastructure contributions²:

- **“Section 7.11 contributions:** Charged where there is a demonstrated link between the development and the infrastructure to be funded. Councils prepare contributions plans that specify what infrastructure will be provided and approximately how much it will cost. This is used to calculate a contribution rate, usually charged per dwelling or per square metre. Councils that want to charge a contributions rate above the threshold set by the minister (PDF, 290 KB) must submit their plans to IPART for independent review, amend per the minister’s advice, and approve the plans. Section 7.11 was previously known as section 94.
- **Section 7.12 levies:** An alternative to s7.11 contributions and charged as a percentage of the estimated cost of the development. The maximum percentage that can be charged in most areas is 1%. A small number of areas charge a higher percentage. Section 7.12 was previously known as section 94A.”
- The bilateral agreement between the Commonwealth and NSW whereby the Commonwealth accepts recommendations on Commonwealth listed heritage items from NSW, has resulted in the destruction of the heritage values of the Sydney Harbour Bridge by Transport for NSW’s linear cycle ramp. This bilateral agreement needs to be amended.
- Insurance affordability is a key concern in many communities. The government’s cyclone reinsurance pool has delivered some relief, but the cost savings generated have been offset to varying extents by other cost increases. This is a challenging issue.
- The current energy debate in Australia, often polarised along political lines, primarily centres around how to replace aging coal-fired power stations with a mix of renewable energy sources like solar and wind, potentially with battery storage solutions, while also considering nuclear power. Ms Steggall supports renewables while concerns about wind turbines’ maintenance costs and environmental impact were raised. The energy debate is complex and ongoing with significant discussion about the costs, reliability and environmental impacts of each option.

The Chair thanked Ms Steggall for her engaging and stimulating discussion on issues very relevant to the community.

3. MINUTES OF LAST MEETING

The minutes of the meeting held on 30 January were read and approved.

4. MATTERS ARISING

4.1 Council Meeting 10 February 2025: Proposal for Special Rate Variation

The secretary provided an update on Precinct’s submission to IPART advising that North Sydney Council fails to meet IPART’s conditions for the granting of a Special Rate Variation (SRV). The submission was currently being drafted. The secretary will circulate a summary to Precinct to aid those who wish to make their own IPART submission. Precinct’s final submission will also be provided.

4.2 Sydney Harbour Bridge Cycle Ramp

Precinct noted that Transport for NSW had advised it will not extend night works for the cycle ramp construction.

²<https://tinyurl.com/cyhk8s5m>

4.3 Fire Hose Reels on the boardwalk near Luna Park

Precinct noted the fire hoses on the Boardwalk were the responsibility of Luna Park and they had been advised of the inoperable fire hoses.

Residents advised that the fire hose at the Lavender Bay Wharf was also an issue.

4.4 Noise disturbance from modified cars and motorbikes

At the last meeting Precinct resolved to request the Environment Protection Authority (EPA) to extend its current noise camera trial to include McMahons Point, Lavender Street and Milsons Point.

Post Meeting Note

The EPA has advised:

- 1) The Fines Act prescribes what fines can be issued. Currently there is no legislation to cover noise from modified cars. The NSW Government has begun a noise camera trial with cameras installed in Bayside and Wollongong Council areas. The trial is likely to extend until mid-to-late 2025. The next step would then be legislation.
- 2) The police currently can issue a vehicle defect notice.
- 3) The Police Minister could issue a directive to North Sydney Police to conduct a specific operation and pull over all “noisy” vehicles. In this instance the drivers can be directed to take their vehicle to an EPA checking station. However, the challenge is that the offending modified exhaust can be removed before and then replaced after inspection, so this is not likely to be effective.
- 4) Individuals can report noisy vehicle pollution through the EPA’s online Report to EPA service.

5 REPORT FROM THE CHAIR

Henry Lawson Reserve, Mc Mahons Point

It is pleasing that Council has returned this area and installed sandstone blocks to prevent motor vehicles parking on the reserve.

6 RUBBISH IN WATERWAYS

Mary Curran thanked Precinct for its support of the “Save our Sydney Harbour Campaign” petition which had now been submitted to Parliament.

Residents were also advised of Council’s HarbourCare program which supports volunteers concerned about pollution in Sydney Harbour. Details are available on <https://www.northsydney.nsw.gov.au/help-environment-1/harbourcare-1>

7 DEVELOPMENT APPLICATIONS

1 Henry Lawson Avenue, McMahons Point

DA 410/2024

Submissions close Friday 4 April 2025.

<https://masterview.northsydney.nsw.gov.au/application/ApplicationDetails/010.2024.00000410.001/>

Following two judgements from the Land & Environment Court prohibiting development on this site, 1 Henry Lawson Ave, McMahons Point (Lot 1 in DP915829) was compulsorily acquired by the state government in June 2021. Surrounded on both sides by Henry Lawson Reserve and Blues Point Reserve, this parcel of land was transferred to North Sydney

Council as part of the Land Transfer Program. This land is, and has been for many years, zoned Public Open Space. This zoning prohibits the erection of structures such as the public amenity toilet block and storage shed, and a coffee facility proposed in this DA. After the land was transferred to North Sydney Council the Council agreed with the community that it would remain Public Open Space. Acquisition of this land will achieve the government's, Council's and the community's long-term vision of continuous foreshore parkland in the Henry Lawson and Blues Point Reserve.

A DA is required for the demolition, conservation of the slipway which has heritage value, remediation of the site and landscaping is needed to convert this area into continuous foreshore parkland.

Henry Lawson Reserve is one of the most iconic parklands in Sydney providing unparalleled views of Luna Park, the Sydney Harbour Bridge and the Opera House. It is located within the United Nations World Heritage Protection Buffer Zone. This was established to prevent any development on the relevant harbour foreshore areas so as to preserve its world heritage status and value as a tourist attraction for Sydney and Australia.

The community was astonished with Council's current DA which proposes an amenities block, kayak storage, a coffee facility, pavements and footpath, new pedestrian boardwalk and a public viewing platform, none of which was ever envisaged or is appropriate for this iconic site.

The state acquired the site and transferred it to North Sydney Council to complete Henry Lawson Reserve, not to have a de-facto café and associated commercial movements.

Henry Lawson Avenue is a narrow street leading to the wharf and the bus traffic makes it difficult to park in the street. So, anything other than passive recreation as envisaged by the State, Council and the community for decades is not appropriate in this area.

There is an amenities block in the adjacent Blues Point Reserve and in nearby Quibaree Park. Kayak storage and launch facilities are also available in nearby Quibaree Park.

Lavender Bay Precinct resolved:

- 1) To support the demolition of the buildings on this site, the retention of the heritage items and restoration to parkland
 - 2) To strongly oppose the provision of an amenities block, kayak storage, a coffee facility, pavements and footpath, new pedestrian boardwalk and a public viewing platform,
- UNANIMOUS

8 GENERAL BUSINESS

8.1 105-153 Miller Street, North Sydney, former MLC Building DA 387/2024

Submissions close Friday 14 March 2025

<https://masterview.northsydney.nsw.gov.au/application/ApplicationDetails/010.2024.00000387.001/>

Residents noted a development application has been lodged which proposes:

- Restoration of the Miller Street wing (one side of the building).
- Replacing the Denison Street wing with a new 22-storey building.

The plan includes new retail spaces, a public terrace, and changes designed to make the street level livelier and more accessible.

Docomomo Australia (a national not-for-profit organisation run by volunteers involved in architecture, academia and conservation) has made a submission in which it objects to the

adaptive reuse of the building and in particular to “the removal of the original First Floor and its incorporation into the proposed Ground Floor colonnade which fundamentally changes the design of the building by changing the proportions of the slab block on its Ground Floor pilotis.”

Docomomo submits that “the proposed alterations to the building are too extensive for a heritage-listed building of State significance and that the retention of more of the original building fabric and fundamental design, with respect to the relationship of the slab block to its supporting pilotis, should be required in any alterations to such a significant building.”

In addition, the Heritage Council at its meeting on 4 December 2024 commented

- “The curtain walling makes an important contribution to the building’s significance. It is important that the replacement curtain wall replicates the fine detailing of the original to avoid adversely impacting on the aesthetic significance of the Miller Street wing.
- The focus for the Miller Street wing should continue to be conservation of its key heritage features in accordance with its status as a state heritage listed item.”

Lavender Bay Precinct resolved:

- I) To support Docomomo’s submission and the above points from the Heritage Council meeting on 4 December 2024.
- II) To encourage residents to consider the Development Application and make their own submissions.

Precinct noted that 10 submissions are required for the matter to be referred to the North Sydney Local Planning Panel.

UNANIMOUS

Post Meeting Note

8.2 Low and mid-rise housing reforms

The State Government has finalised the Low and Mid-Rise Reforms, that will take effect on 28th February. These reforms introduce new planning controls designed to significantly increase density across the state in areas close to train stations and nominated town centres. The changes will have major impacts on our LGA.

Information is available on <https://tinyurl.com/2c2d3y5b>

9 DATE OF NEXT MEETINGS

Thursday 27 March 2025

GUEST SPEAKER: Ms Jaimee Rogers, Liberal Candidate for Warringah



Robert Stitt KC
Chair, Lavender Bay Precinct

2 March 2025