

**MINUTES: WAVERTON PENINSULA WORKING GROUP MEETING HELD IN THE SUPPER ROOM ON 30 MARCH 2021 AT 5.00PM.**

**PRESENT**

Councillor Mutton in the Chair.

**Staff:** Rob Emerson, Director Open Space & Environmental Services  
David Banbury, Landscape Architect/Projects Co-ordinator  
Peita Rose, Governance Officer (Minutes)  
Josh Jongma, Governance Coordinator

**Citizen Members:** Iain Bartholomew, Waverton Precinct  
Ian Grey, Chair, Waverton Precinct (via Zoom)  
Bruce Donald, Waverton Precinct (via Zoom)  
Sid French, Waverton Precinct (via Zoom)  
Ken Robinson, Co-Chair, Union Precinct (via Zoom)  
Mary Curran, Co-Chair Union Precinct (via Zoom)  
Bernard Smith, Lavender Precinct (via Zoom)  
Genia McCaffery, Edward Precinct (via Zoom)

**Visitors:** Alan Edenborough, Sydney Heritage Fleet  
Joan Street, Sydney Harbour High Line

**Apologies** were received from The Mayor; Felicity Wilson MP, Member for North Shore; Kevin Alker, Waverton Precinct; Mary Ann Hamilton, Heritage NSW.

At the commencement of business (5.06pm) Councillors present were:  
Councillor Mutton in the Chair.

**1. Welcome**

Councillor Mutton welcomed all present. Round-table introductions were made. He would also like to welcome two people who are not members but are joining because of their associations: Joan Street who has recently been appointed to the Berrys Bay Community and Stakeholder Working Group, as well as Alan Edenborough who is from the Sydney Heritage Fleet.

## 2. Minutes

The Minutes of the previous meeting held on 25 November 2020, copies of which had been previously circulated, were taken as read and confirmed.

Voting was unanimous.

Councillor Mutton tabled for information, the Notice of Motion that he put forward at the Council meeting of 22 March 2021, with respect to Berrys Bay. At that meeting Council unanimously resolved that the land at Berrys Bay, as defined in the plan included with the Notice, should come within Council's care and control.

Councillor Mutton tabled a media release from Felicity Wilson MP, the Member for North Shore (refer Attachment A), announcing the formation of the Berrys Bay Community and Stakeholder Working Group. Two members from Council would be represented on the group. It was likely these positions will be filled by Robert Emerson, Director Open Space & Environmental Services, and David Banbury Landscape Architect/Projects Co-ordinator. Cr Mutton expressed his view that those two people are extremely well qualified to speak on these matters on behalf of Council.

## 3. Matters Arising

Ian Grey from Waverton Precinct raised the matter that in Item 3 matters arising, paragraph 2, it states that he said, "*there are ongoing concerns about the amount of tradespeople (over 200) using the site every day*". Ian advised the tense is wrong and that he is actually concerned about the number of tradespeople *forecast* to be using the site every day".

Ian also noted in relation to the wording, "*it appears there will be a dedicated car park which he would like to see kept for use by the Coal Loader Platform once the works are completed*", that the carpark should be for use of the other public open space facilities in the area as well, for example the Sydney Harbour Heritage fleet if they come to that corner of the Bay.

It was agreed that the wording of the previous minutes could be changed to reflect the above.

## 4. Berrys Bay

Item 4. e) of the Agenda was brought forward:

### e) Sydney Heritage Fleet / Museum of Sydney Harbour proposal

Councillor Mutton stated that Alan Edenborough from Sydney Heritage Fleet has been invited to attend this meeting to give a broad outline of the proposal that could see the Heritage Fleet housed in Berrys Bay.

AE presented to the Working Group the concept that in its broad sense, is that Berrys Bay would become the new home of the Sydney Heritage Fleet and under the umbrella of the *Museum of Sydney Harbour*.

Whilst it is based in Berrys Bay, the Museum of Sydney Harbour concept is that, in addition to housing the Heritage Fleet vessels, the Berrys Bay site is a 'portal' or point from which tours to various parts of the harbour can be taken.

Bruce Donald from Waverton Precinct stated that it is important that the title of the underlying land comes to Council, so there would need to be a structure whereby the operator of the lands had tenure, by way of some kind of an assignment or lease from the Council, whilst the underlying land remains a part of the Waverton Peninsula Reserve Trust, as a coherent part of the Waverton Peninsula to be managed in that context.

BD also stated that there were concerns in regards potential vehicular traffic generation, given the site is located at the end of a road with limited capacity. He stated for this to be the absolute centre for the whole Museum of Sydney Harbour operations, raises a question about the dimension and scale of the operation, in terms of the generation of traffic in and out of Waverton Peninsula, on Balls Head Road, only a two lane road.

Alan Edenborough stated that the way they see the proposal working *is* that the site tenure would be via a lease with Council. Also, that the model for the Museum was that most of the visitors would arrive (and depart) via water, via tour pick-up points in the Sydney CBD.

Councillor Mutton asked Council's Director Open Space and Environmental Services to talk about care and control, and how the State Government is managing these land issues at the moment.

Council's Director Open Space and Environmental Services stated that Council is currently advocating for the land transfer to Council. For these types of proposals that come forward, then Council would be providing the lease and overseeing management of those sites.

Alan Edenborough commented that they would be seeking a reasonably long lease.

Genia McCaffery from Edward Precinct asked is there going to be a proper Masterplan put in place for the operation of the Fleet so that they can have confidence that the commitments given to the community are spelt out?

Council's Director Open Space and Environmental Services stated that Council would require a Masterplan and other necessary instruments controlling how the site will be managed, to give the community confidence.

Genia McCaffery would like to make sure that they are involved as a community and that controls are in place to ensure the outcome is something that everyone is happy with.

Alan Edenborough stated that their last site that was proposed by the government was in Darling Harbour and an arrangement was put together where the lease was detailed but it was limited with no extension. They would see a very similar operation with the current proposal, where the lease would control how we ran the site, the hours it could be open and the traffic volumes. That would be all signed over before handed to the Fleet.

Ian Grey asked Alan Edenborough did they have any interest in the Dolphin Wharf?

Alan Edenborough stated they had no interest in the Dolphin Wharf.

Ken Robinson from the Union Precinct stated that they received a presentation from the Heritage Fleet but are concerned about the scale of the development. KR saw a number of potential increases in scope once proposal was in place such as there is a marina and what's to stop further development of a Marina? Also, the scope of workshop activity and what's to prevent it becoming a more intense workshop area, which will be a problem for some of those around Berrys Bay. He also stated that the extent of which we are through making some commitment, are we not excluding any other options for use of the Bay once it is handed back to Council after the Harbour Tunnel has been built?

Council's Director Open Space and Environmental Services stated the controls would be through a Masterplan and ultimately through a lease, that is how you control the extent / scope / intensity of works, and that is how it could be done in this instance.

The Director noted that the Heritage Fleet is a good fit for Berrys Bay and may exclude some other types of uses that have been put on the table before for Berrys Bay, that the community has strongly rejected. Council thinks the community should be proactive on this proposal.

Mary Curran Co-Chair Union Precinct stated that she concurs with what everyone says. They wouldn't want what they have at The Spit i.e a large marina. They would be happy with a small marina that was part of the heritage fleet operations. They don't want any large spray painting, grinding or similar activities on vessels that are inappropriate and may cause health issues (noise, fumes, pollution) for the community and the environment.

Bernard Smith from the Lavender Precinct asked Alan Edenborough about his mentioning that the Quarantine Boat Depot could possibly be integrated into the SHF proposal or an expansion of the Heritage Fleet of the museum onto that site?

Alan Edenborough stated that [the Depot site] is a wonderful part of the story of the Harbour and it needs museum interpretation, and that is what they would like to do with it if offered tenure. In terms of how they would use the wharf at the depot, it would be useful for their own vessels and they are not considering expanding. The small slipway would be also useful for the SHF, and the wooden boat proponents if they became involved. AE sees the site primarily as a recreation area on the broader foreshore walk.

Council's Director Open Space and Environmental Services stated the Quarantine Boat Depot was purchased by the community for the community, and the community has yet to determine how that site will be used. It's a work in progress. Also, that Council's tenure was currently only for the area above the former mean high-water mark. The reclaimed section of the site was subject of Council's advocacy for care & control of the other Berrys Bay sites referred to earlier in the meeting.

Sid French from the Waverton Precinct asked whether the procedure would include preparing an EIS and a Heritage Impact Statement for the site, and in particular, in regards to Environmental Impact the concern is using heritage vessels to do tours, and the idea of having coal fired steam engines firing up every morning in the Bay when there is no wind and the black smoke hanging around. SF suggested putting filters on the chimney tops while they are steaming up until it blows clean smoke.

SF also noted on behalf of the people of lower section of Balls Head Road, that they had requested that the Precinct represents request a Green Roof on any carparking. It needs some form of cover to avoid 65 cars having reflections going back to the surrounding public and residential areas. Also in relation to the slipway of the Quarantine Depot, it currently would be completely non-compliant as a slipway under current licencing rules because if anything drops from it, it could foul the water, and with climate change and sea level rise it is going to be progressively harder to make such slipways functionally viable.

Alan Edenborough stated that with regard to pollution control, they are well aware of EPA requirements and there are techniques now that you can build into a small slipway like that which allow anything that drops to be caught.

AE also stated that in regard to the smoke generated from steaming, they are going to be raising steam, but they won't be doing it every day. As it is once every couple of weeks which is the average use they will get, they will comply with all the regulations of emissions and they use the highest-grade coal they can get. He suggested using a calendar so that the community will know which days they will raise steam. They will intersperse the steamers with other vessels.

Iain Bartholomew from the Waverton Precinct stated there are five people on the Berrys Bay Community and Stakeholder Working Group and it will be interesting to see the way that process is handled. The first meeting is planned to be held before the end of April so they will be able report back after that.

a) Land transfer

Council's Director Open Space and Environmental Services stated that for all the parcels of land noted earlier that Council is advocating for these to come into Council's control. RE advised that he and Council's General Manager have a meeting on 31 March with Doug Parris, Project Director of the Western Harbour Tunnel and they are seeking to have the land transfer included in an agreement with Council for the WHT project. Council is losing 15,000m<sup>2</sup> of public open space at the Cammeray Golf Course for the Western Harbour Tunnel and the Warringah Expressway upgrade. There is 16,000m<sup>2</sup> of potential public open space on Berrys Bay. Council sees that as a solution for the government condition of development consent that says they have to find new public open space for the public open space lost.

Ian Grey stated that when the motion was moved at the last Waverton Precinct meeting about the WHT temporary use of the site, it was stated that there were four things that they really wanted Transport for NSW to give consideration to in relation to advanced works, these being:

- i) the car park;
- ii) maintaining foreshore access around the WHT site;
- iii) a decision in relation to repurposing of Woodleys Shed if it is not required for the WHT; and
- iv) any wharf built for the project be kept for ongoing public use (subject to designs be appropriate).

IG stated that these four elements is what they really want them to focus on before the Western Harbour Tunnel work commences.

Council's Director Open Space and Environmental Services stated there is no significant progress on these aspects. However, Council officers meet with the Western Harbour Tunnel officials on regular basis and continue to reinforce all the things that the precincts and the Waverton Peninsula Working Group have raised about early works and other objectives. The response has been to date that all will be made clear when a tenderer has been selected and that the tenderer will determine how they are going to manage the site.

b) Early public access to select areas (Woodleys shed, carpark)

Discussed in 4. a) above.

c) Public access around Western Harbour Tunnel (WHT) site compound

Discussed in 4. a) above.

d) Community & Stakeholder Working Group for design of public lands post-WHT

Noted earlier in Item 2.

Furthermore, Councillor Mutton stated that they should do whatever they can to make the two groups (*Berrys Bay Community & Stakeholder Working Group* and the *Waverton Peninsula Working Group*) work in the same direction to achieve the same objectives.

## 5. **Coal Loader Wharf**

### State Heritage listing

DB advised that the proposed State Heritage listing of the Coal Loader (which includes the landward portion as well as the historic jetty) has progressed since the last meeting. Mary Ann Hamilton, Heritage Officer with Department of Premier & Cabinet has provided some words to be tabled at this meeting:

*“Could you let the group know that the Recommendation to list report is scheduled to go to the Heritage Council on 6 April 2021. Following this the Heritage Council recommendation will be forwarded to the Minister. Also...a suite of site specific exemptions have been developed to assist with the ongoing management of the land based site and to assist with the management of the process of making safe, stabilisation and investigation of the historic pier with a view to a future adaptive reuse and interpretation of the pier.”*

DB advised that Council officers have been working closely with Mary Ann on the applicable exemptions and she has also received exemption requests from the owners of the heritage jetty (TFNSW – Maritime).

Council’s Director Open Space and Environmental Services stated the heritage listing assessment report considered by the State Heritage Register Committee on 6 April will be for the wharf / jetty and the Coal Loader land.

#### Adaptive re-use scheme

Council’s Landscape Architect / Projects Co-ordinator stated that Transport for NSW has been considering the scheme that Council presented. They have engaged expertise within the heritage timber bridge building team, and they have engaged an external consultant who specialises in this area and who does 3D modelling. A meeting has recently been held between Council officers and TFNSW officers and their consultants to look at some preliminary concepts. Further meetings will be held to review and comment on the concepts in more detail. Also, further engineering input is required. Obtaining an appropriate balance between the heritage fabric and the new layering will be important.

Councillor Mutton asked Landscape Architect/Projects Co-ordinator to present a report to the next meeting that sets out what he thinks are the next steps that are going to take place, to help the group to get a good understanding of what needs to be done. A broad concept of what the scheme is in his mind and when he thinks they should be tabling that. A clear understanding of the scope and a measure of the time of when it is to be done.

## **6. Quarantine Depot**

### Status update

Council has purchased the Quarantine Boat Depot; however settlement won’t occur until the remediation is completed on the site. The site managers for the NSW Government are required to lodge a development application for the remediation, and that hasn’t been lodged as yet. However, they are undertaking some building maintenance works. The original schedule for settlement was to be in June, but as the DA for the remediation has yet to be lodged and the remediation has therefore yet to commence, it is likely that date will slip.

**7. General Business***Weed Control for the Peninsula*

Bruce Donald stated that as the Peninsula lands are of great significance, they deserve a specific budget for their management as there is a lot that needs to be done on a continuous basis, for example in regards. need for control of weeds such as Privet, African Olive and Asparagus Fern. The area needs dedicated resources to preserve these lands.

DB also stated he would like to see for the next meeting that we consider the general wider Plan of Management for the whole of the Peninsula and how it will be budgeted over time.

Council's Director Open Space and Environmental Services stated that there is a need for a Plan of Management for the broader Waverton Peninsula and that will probably occur once Council has a bit more insight as to what is going to happen with these other lands on Berrys Bay. The Director also advised in regard to Bush Regeneration on Waverton Peninsula, Council is currently allocating \$96,000, which is a mixture of contract work, Council staff, volunteers and maintaining the bushland on the Waverton Peninsula and Carradah Park. For the non-bushland portion of Carradah Park and the Coal Loader site, Council has horticulturists assigned to its maintenance and is currently spending \$99,473, which is for a team of two, one day a week. There is always more that can be done, but there is an existing allocation of money for the Waverton Peninsula.

*Shade on the Coal Loader Platform*

Bruce Donald stated there is a need for additional shade, which was amply established by the last Artisans Market.

Council's Director Open Space and Environmental Services stated that there has been \$200,000 allocated for a shade system over the colonnade for the next financial year, and that is going through the budgetary process now at Council.

[Post meeting note from Council's Landscape Architect: in addition, the colonnade is to be planted with grape vines per the original concept. However, the shade system will provide flexible shade in the interim period until the grapes are satisfactorily established. Additional trees have been planted along eastern apron (pathway and seating area adjacent to Balls Head Drive) and more are planned for this location to supplement the existing trees and the silver wattles (the latter which are starting in various stages of senescence). Additional moveable shade umbrellas will be made available for use during events in the central open section of the platform where appropriate.]

*Dolphin Wharf*

Ian Grey noted his understanding that money had already been paid to the NSW Government to demolish the Dolphin Wharf. However, it is in fact part of the Masterplan that it remains and is mooted for adaptive reuse.



Council's Landscape Architect noted that a report was prepared some years back looking at how the wharf could be adaptively reused in line with the master plan objectives. Also noting that the report, which was mentioned at the last working group meeting was intended to be attached to the minutes of that meeting. However, it was inadvertently left off and would instead be attached to the minutes of this meeting. Refer Attachment 2.

Councillor Mutton stated that the Dolphin Wharf is to become a standing item on the agenda to report on progress on that matter.

Councillor Mutton suggested the Waverton Peninsula Working Group meetings be held monthly until further notice.

Cr Mutton also stated that standing invitations be made to the people who belong to the Berrys Bay Community and Stakeholder Working Group, as reflective to our desire to work with that group to achieve the objectives, and a standing invitation to the Heritage Fleet to attend for Q & A's as necessary.

Genia McCaffery stated a preference that everyone be invited to the meeting in person rather than the meetings being held via zoom.

Councillor Mutton suggested that the meeting be held in a room with more space to help facilitate this request.

Next Meeting Date to be confirmed.

The Meeting concluded at 6.35pm.

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**CHAIRPERSON**

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**GENERAL MANAGER**