

Summary of Actions Arising (SOA) 2019 - Union Precinct

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
December	OB	Compliance with DA 1164/90 at Noakes Boatyard - BM tabled an email from North Sydney Council confirming that North Sydney Council had advised Noakes that they were in breach of the DA by spray painting the Young Endeavour over the water. BM left a copy of the correspondence from Council's Team Leader Building Compliance dated 8 November 2019 with the Secretary as the Council had not recorded the correct facts regarding spray painting over several weeks rather than on one day. This incomplete report to be noted to Council.	Noted by Council's Team Leader Building Compliance	Closed for Council
November		Ex-Waverton Bowling Club Site - IM was asked about the status of the old Waverton Bowling Club. He stressed he wanted the site to be retained by the community and included as part of Waverton Park.	Noted by Council's Director Open Space and Environmental Services. Precinct Committee to note that Crown Lands has granted Council an additional 12 months lease for the site, until 31 October 2020.	Closed for Council

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		He advised that he was not in favour of restoring the current buildings at a cost of \$500,000.		
		North Sydney Olympic Pool - IM noted the decision today regarding the restrictions being placed on crowds at North Sydney Pool which will result in the facility not being available for New Year's Eve and many school swimming carnivals being cancelled. The DA for the works has been lodged but inadequate funding support had been offered by the Federal or State governments to commence the refurbishment.	Noted by Council's Director Property Services. Refer to the DA tracking page , search for DA 347/19 in the search field. Hard copies of the DA documentation are also available to view in Council's Customer Service Centre during opening hours. Submissions close 13 December 2019.	Closed for Council
October	<i>No actions for Council.</i>			
September	<i>No actions for Council.</i>			
August	DAs	Liquor Licence Application - A resident noted that a liquor licence had been applied for premises at 35-51 Mitchell Street, McMahons Point (Dolby building) by Compass Group. KR/MC to follow up whether a DA is required.	Council's Planning Advisor has advised that the site is a catering company and enjoys a catering liquor license for off site activities. Earlier this year the business was granted a different type of liquor license normally associated with a café. Council's Planning Advisor questioned the Office of Liquor Gaming and Racing, they advised that the license applies under the condition that there is no alcohol on site and that there are no customers on site and no functions or hospitality industry activities held on site. That is the current advice Council has received. Any change to the activities to host activities on site will require a Development Consent from Council. None has been sought. Any further enquiries should be directed at the Licensing Authority by mail: Liquor and	Closed for Council

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			Gaming NSW GPO Box 7060, Sydney NSW 2001 or phone 1300 024 720.	
	GB	<p>Compliance with DA 1164/90 at Noakes Boatyard - The following resolution was put to the meeting and was approved by unanimous consent: That North Sydney Council issue a notice to complete re 6 John Street -DA 1164/90 to facilitate compliance and the building of the public jetty pursuant to Condition D51 and that North Sydney Council consider a noise abatement order as current noise levels exceed those permitted, Condition 34(i) Munro Street - 49 DBA, Dumbarton Street - 45 DBA and John Street - 57 Db.</p>	<p>Precinct Committee's resolution is noted by Council's Manager Environment and Building Compliance. The appropriate regulatory action is being instigated with regards to the condition of consent relating to the jetty. Additionally, residents have been updated via the spokesperson regarding how to report noise breaches to enable the most appropriate regulatory action to be instigated.</p> <p>UPDATE (29 May 2020) To date numerous updates have been provided to the community both verbally and in writing via the spokesperson(s) regarding the regulatory action taken to date that includes PIN's and the current Order.</p> <p>The subject Order that has been issued requires the operation of the boatyard to comply with its conditions of approval, in particular Condition D34B(i) and D50. The Order is now the subject of an appeal to the Land and Environment Court".</p>	Open/Ongoing
	OM	AN noted that Council/NBN had fixed the concrete footpath in Victoria Street and expressed her thanks to Council.	Compliments noted.	Closed for Council
	OM	Compliment - A unanimous vote of thanks was given to the Council for making North Sydney CBD a non-smoking area and asked if it could be extended to public reserves, such as Sawmillers Reserve.	Compliments noted.	Closed for Council

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July		<p>DA 154/2019 - 35 Clifton Street, Waverton - Alterations and additions including a two level rear addition, new secondary dwelling and car park. Closes 5 July. JS whose property adjoined the DA property spoke against the DA citing, amongst other things, a proposed very narrow driveway of 2.7m which was a pedestrian access, loss of light and loss of a street tree. KR noted that he lived nearby and would be lodging a personal submission. Reflecting the Precinct Committee's concerns about the proposed DA, the following motion was passed unanimously: The Union Precinct Committee will make a submission opposing the development due to the driveway width and its amenity effects, the potential loss of a street tree, a reduction in heritage values of the conservation area and loss of solar access (inadequate shadow diagrams). (Action KR).</p>	<p>Comments noted as a submission by Council's Senior Assessment Officer.</p> <p>The Precinct Committee and residents who are interested in the outcomes of this application are invited to register their email addresses on Council's DA tracking facility. Notify me</p>	Closed for Council
		<p>Fishing line and hook hazards on Sawmillers Reserve - The Chair noted that the issue of fishermen's litter has been raised previously by this and other Precinct Committees and advised that the Council has resolved to invest in an education program in conjunction with the Fisheries Department. The program will include warning signs, ranger/departmental inspector visits, and education for fishermen about litter disposal. The main concern is fishhooks and the danger posed for dogs. Noted that several signs had been secured to seats in the reserve during June.</p>	<p>Precinct Committee's comments noted by Council's Manager Ranger and Parking Services. Monitoring of fishing sites will continue.</p>	Close for Council
		<p>Water discharge from Commodore Hotel - Noted that Council had determined that water from the refrigeration equipment was being piped into the storm water and</p>	<p>Council's Environmental Protection Officer has advised that works have been carried out and discharge ceased from Commodore Hotel. Inspected on 4, 12 and 15 July</p>	Closed for Council

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		requested that the hotel rectify the problem by pumping the water to sewer. Noted that water was still being discharged and that Council take action to fix the problem.	2019 and no discharge coming from the Hotel. If matter reoccurs from the business, suggest members of the Precinct Committee call Council on 9936 8100 when noticing discharge to assist with further investigations.	
		Council's Code of Meeting Practice - Although nearly all public submissions were against the draft, Council adopted a new Code of Meeting Practice. This involves a public forum prior to each Council and Committee meeting. The following motion was passed unanimously: Union Precinct Committee expresses its extreme disappointment about the new procedures in the Code of Meeting Practice, which deprives the community of the opportunity to address Council in line with long standing practice.	Council's Manager Governance and Committee Services has included Precinct Committee's proposed motion in report to Council.	Closed for Council
		Ex-Waverton Bowling Club site - Update on Council's intent to merge the site into Waverton Park - The Chair advised that the Council wants the bowling club site, which is State Crown Land, to be reabsorbed into Waverton Park, and that Council has a 6-month interim lease to look after the site while the future of the site is resolved. Council was seeking ideas as to the best use of the site and Union Precinct would seek to lodge a submission after its next meeting. To this end the Precinct seeks an extension of time beyond 24 July to allow discussion at our next meeting. GM suggested a men's shed would be a good idea, but residents are asked to come forward with other suggestions. (Action KR)	Council's Manager Integrated Planning and Special Projects advised the Precinct Committee via email (24 July 2019) that unfortunately an extension for Stage 1 could not be provided, this is because the timeframe is very tight to complete the whole engagement, due to the short-term nature of the lease. Council received a significant number of suggested uses for the site from the key stakeholders invited to participate in Stage 1. Stage 1 feedback has been collated and used to inform a wider engagement at Stage 2, which will involve prioritising proposed options. It is intended to report the Stage 2 outcomes to Council at its September 2019 meeting.	Closed for Council

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			Further information about Stage 2, including the feedback deadline will soon be available at https://yoursay.northsydney.nsw.gov.au/ex-waverton-bowling-club-site . Full details will be provided to all Precinct Committees in due course.	
		Proposed traffic speed controls in Union Street - Noted that Council has approved a proposal to install three traffic calming devices (speed cushions) to slow down traffic in Union Street between Dumbarton St and Woolcott Street. The location of the controls was indicated in a diagram presented at the meeting. Council is thanked for approving this. The cutting of the corner in Union St near Woolcott Street was also noted by the meeting. Opportunities for fixing that problem will be raised with Council staff. (Action KR).	UPDATE (22 April 2020) Council's Traffic and Transport Engineer has advised that re-instating the line marking in Union Street up to Woolcott Street can be considered when the speeding issue in Union Street is treated. If the Precinct Committee's concern is related to the intersection of Woolcott Street and Euroka Street, it will be considered under LATM Action plan T.74, LATM 1 Precinct Committee's comments noted by Council's Manager Traffic and Transport Operations. Installation of the speed cushions is on hold pending outcomes of a surface/speed cushion friction analysis to be undertaken as soon as possible, as requested by the Traffic Committee. UPDATE (30 April 2020) Council's Traffic and Transport Engineer has provided a report on the options for traffic calming on Union Street. This report is based on recommendations from an external Traffic Consultant which followed community consultation in March/April 2019.	Open/Ongoing
June		DA 107/2019 - 4 Holt St, McMahons Point - Demolition of existing building and construction of 3 storey office premises. Closed 31 May. Opposition was	Comments noted as a submission by Council's Assessment Officer.	Closed for Council

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		<p>expressed by several owners of adjacent properties as four terraces in Union Street would be adversely affected. The main concern was that the development would breach the height limit, having a significant impact on the existing views of the Union Street terraces. Concerns were also raised about the proposed use of the building as an office, and that the number of parking spaces (only 4 or 5) was inadequate for the likely number of workers who would not necessarily commute by public transport. The Chair mentioned that concerned residents should make individual submissions, as many had done, and that a site visit can be requested so that the Council Assessment Officer can observe the impacts first-hand. Reflecting the Precinct's concerns about the proposed DA, the following motion was passed, with 1 abstention: The Union Precinct Committee opposes the development as it exceeds the height limit and has adverse impacts on the views of nearby residential properties and on parking and traffic in the area.</p>		
		<p>DA 1164/90 - Noakes Boat Yard - Status of Condition D51 (public jetty). The meeting was informed that the construction of a public jetty was a condition of the original 1990 DA and that the Council has resolved formally to make the developers comply with this. The following motion was passed unanimously: The Union Precinct Committee commends the Council for its resolution to ensure every step will be taken so that the developers comply with the original DA consent.</p>	<p>Compliment noted by Council's Team Leader Compliance.</p>	<p>Closed for Council</p>

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		Other issues raised were - The current blocking of parking (with Council barricades) on Henry Lawson Drive and how long this would last.	On 22 July 2019, Council's Manager Traffic and Transport Operations has inspected the parking and all was clear.	Closed for Council
		Other issues raised were - The status of the proposal for traffic calming in Union Street. Chair undertook to find out any information.	<p>Council's Manager Traffic and Transport Operations has advised that the outcomes of the community consultation on the Union Street speed cushions were reported to the Traffic Committee on 14 June 2019 where it was recommended and subsequently adopted by Council at its meeting on 24 June 2019:</p> <p><i>1. THAT Council notes the outcome of the community consultation with regards to proposed speed cushions in Union Street. (4.2)</i></p> <p><i>2. THAT subject to an urgent road surface/speed cushion friction analysis being undertaken and if found to be satisfactory, Council installs three (3) rows of speed cushions in Union Street, McMahons Point as per the attached plan. (4.2)</i></p> <p>Council officers are currently seeking a consultant to undertake the surface friction analysis.</p>	Closed for Council
May		DA57/2019 - 6 Johns Street, McMahons Point - The Chairman noted that the advertising period had closed and that there were in excess of 400 submissions. The Chair thanked WM for preparing the excellent submission on behalf of the Precinct. A video prepared for the signs against DA 57/19 was provided. The Chair noted that the applicant Chris Stannard of Stannard Marine Pty Limited had been invited to attend the meeting, however despite accepting the invitation failed to turn up. NSC would be assessing the submissions, however no time frame was provided as to when they would make a recommendation.	Comments noted by Council's Executive Assessment Planner.	Closed for Council

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		<p>DA 1164/90 - 6 John Street McMahons Point - BM gave a presentation to the meeting following her meeting with Council officers. Council were still procrastinating regarding the jetty and were seeking legal advice. Noted that a submission from BM/NG and a brief by GB addressing the "substantiality complete argument" had been provided to NSC. The schedule of breaches of the DA conditions are still being assessed by NSC and the meeting expressed the concern over these lengthy delays for no apparent reason. The Chair noted that she was meeting two councillors on Friday to discuss this matter and other concerns.</p>	<p>Relates to advice provided in item 1 of April Summary of Actions. Comments noted by Council's Team Leader Building Compliance. Further updates regarding this matter will be provided to the Precinct Committee when they become available.</p> <p>UPDATE (28 May 2019) Council at its general meeting held on 27 May 2019, resolved the following (NoM01): <i>1. THAT Council take all necessary compliance action to enforce the conditions of consent of DA 1164/90 for redevelopment of the existing boat maintenance facility at 6 John Street, McMahons Point.</i> <i>2. THAT, in particular, such compliance action includes enforcement of the public benefit condition D51 which required the developer to "provide a public jetty extending from land below John Street, approximately in the location of the former sea baths, subject to the design and position being acceptable to Council".</i></p>	Closed for Council
April		<p>DA1164/90 - On the separate matter of DA1164/90 where a public jetty was required to be built on the Noakes site, MC advised that she has followed up with NSC several times about progress on this but has received no updates on progress. NSC is asked if it could update Precinct on status of public jetty.</p>	<p>Council's Team Leader Environment and Building Compliance has advised that Council staff are currently liaising with all parties regarding the construction of the public Jetty. Union Precinct Committee is assured that Council is actively working resolve this matter, and further updates will be provided to the Precinct Committee when they become available.</p>	Closed for Council
		<p>Precinct Satisfaction Survey - returned to Council. It was noted in the survey response that Council staff were very helpful in the process of keeping the precinct active.</p>	<p>Compliment noted by Council's Manager Integrated Planning and Special Projects.</p>	Closed for Council
		<p>Fishing line and hook hazards on Sawmillers Reserve - The issue was raised by MS of discarded fishing lines and fish hooks found at Sawmillers Reserve and other</p>	<p>Council's Manager Parks and Reserves has advised that Council is currently working with DPI Fisheries Officers to have signage installed and undertake a detailed</p>	Closed for Council

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		<p>areas having to be removed from dogs who had ingested them - on leash as well as off leash. A vet in Milsons Point has removed several fishing lines and fish hooks from dogs. Precinct Committee is concerned about the fishing lines and fish hooks, as well as human waste and rubbish in the foreshore areas and would appreciate advice from Council on any proposals to manage this littering and waste problem, especially the matter of fishing lines, hooks and other materials. We would also ask if Council could contact Fisheries officers to see if anything can be done on this matter through the recreational fishing licence process.</p>	<p>education program to the fishers in the area to help prevent this occurring into the future.</p> <p>Council's Manager Ranger and Parking Services has advised that Rangers have been visiting fishermen at night time to speak about the litter and the damage to dogs. Signs have arrived from the Department of Primary Industry who are willing and happy to help arrange for them to be erected at suitable locations around the waterfront. Rangers have seen Water Police inspecting fishing licences on Waterways wharves. Council Rangers will continue to visit fishermen during the next few weeks.</p> <p>At its meeting held on 29 April 2019, Council, via a Mayoral Minute (MM02), resolved the following:</p> <ol style="list-style-type: none"> 1. <i>THAT Council erects fishing education signage in all foreshore parks and reserves used by fishers.</i> 2. <i>THAT Council staff undertake a comprehensive Education Campaign which includes increased and regular visits from Rangers.</i> 3. <i>THAT Council request visits from Fisheries Compliance Officers to the most affected parks and reserves.</i> 4. <i>THAT Parks staff monitor litter from fishers over the period and report back to Council as to whether the campaign has successfully eliminated fish hooks from foreshore parks and reserves.</i> 5. <i>THAT Council staff liaise with Canada Bay and Lane Cove Councils to ascertain if they have adopted any effective measures to regulate fishing areas.</i> 6. <i>THAT following the education campaign period, Council liaise with concerned local residents and in particular Ms Taylor and Ms Marsden, to gauge if there have been any improvements in behaviour at Sawmillers Reserve.</i> 	

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			<p>7. THAT Council seek information regarding the legality of fishers using multiple rods and the definition of recreational fishing.</p> <p>8. THAT Council staff prepare a report which identifies the extent of the issues associated with recreational fishing.</p>	
March		<p>Engineering Matters - Discharge from the Commodore Hotel is causing consistent water/effluent overflow down Blues Point Road, which is hazardous for pedestrians. Could NSC advise on whether it is able to request this to be fixed?</p>	<p>Council's Manager Environmental and Building Compliance has advised that Council is actively liaising with the proprietor of the property to resolve the matter and has been advised that a plumber has been engaged by the Commodore Hotel to investigate the source of the water discharge.</p> <p>UPDATE (11 June 2019) Council's investigation revealed that excess water from an ice machine was connected to the stormwater outlet. A plumber has attended and connected the ice machine discharge to sewer. Council officer will monitor to ascertain if this resolves the matter.</p>	Closed for Council
		<p>Traffic Management - Various traffic management issues in the Precinct area were raised.</p> <p>a) These included the dangerous red light at Bay Road/Pacific Highway combined with the green light at McLaren Street which is confusing for motorists and whether these lights could be better synchronised.</p> <p>b) Other matters included the operation of the dangerous corner at Union Street/Dumbarton Street/Carr Street and whether traffic calming in Union Street to connect with Carr Street could be considered.</p>	<p>Council's Manager Traffic and Transport Operations has advised the following:</p> <p>a) All signalised intersections come under care and control of Roads and Maritime Services. In addition, Pacific Highway which is a state road is under control of RMS. The Precinct can forward their suggestions to the RMS at https://rms.nsw.gov.au/contact-us/</p> <p>b) Traffic calming on Union Street has been considered in the LATM Action Plans and is included in the 2018/19 Traffic Facilities Program. Council will be undertaking community consultation shortly regarding this proposal and Union Precinct will</p>	Closed for Council

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		<p>c) MC to ask NSC if possible, to have a speaker from NSC to explain future traffic plans and keeping residential streets safe.</p>	<p>receive a notification inviting their comments as part of the consultation.</p> <p>c) To ensure the most effective use of staff time, Traffic and Transport Operations staff will only attend Precinct meetings where the Precinct has requested information on current specific projects or issues. An attachment for the Precinct Committee, explaining Council's role with regard to Traffic Management with useful links, has been sent in the Precinct mail. This information would be of benefit to Union Precinct Committee in the first instance and covers the broad topics they have raised.</p>	
February		<p>DA 395/2018: 1 Henry Lawson Ave, Demolition of existing house and construction of new dwelling plus slip ways - While this DA is not within Union Precinct, it is part of the peninsula and recommended by NSC to Union Precinct for consideration. The meeting unanimously agreed that this DA is not in keeping with the area and should be opposed. The meeting endorsed a request to council to apply to State Government to purchase the land in accordance with the stated desire of this government to acquire open space to ensure its availability for the public. Submission completed and emailed to NSC.</p>	<p>Comments noted as a submission by Council's Team Leader Assessments.</p>	<p>Closed for Council</p>
		<p>DA 359/14/2: 5 Bank St, Modifications to existing DA - This DA was rejected by DRP on 7/01/2019 but a further DA 359/14/3 was submitted on 31 January. Notification re this has not yet been sent out. Several residents spoke to the new DA and advised that in their opinion, it is substantially the same as the rejected one</p>	<p>Comments noted by Council's Planning and Development Advisor.</p>	<p>Closed for Council</p>

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		and allegedly covers construction that has already been undertaken at least in part. In addition, the requested modifications could indicate an intention to allow the 2 buildings to operate as 2 separate residences which does not comply with existing planning laws in this area. Note is made that this DA had not been advertised on the agenda and therefore the applicant was not given an opportunity to address the Precinct. A motion was proposed that Union Precinct submit an objection once the DA has been officially notified if the date does not allow it to be presented at the March meeting. This motion was carried with 23 votes for, 1 against and no abstaining votes.		
		Sawmillers beach access: Council Officers will inspect and advise - Union Precinct would also like to thank NSC for installing a water/drinking fountain at the existing tap in Sawmillers.	Compliment noted by Council's Manager Parks and Reserves	Closed for Council
		Waverton Bowling Club has been placed into liquidation - The club is on Crown Land with a lease arrangement with State Government. Waverton Precinct and other Waverton community groups are planning to meet to discuss options. Union Precinct asks NSC to approach the relevant State Government authority to seek assurance that the land remains zoned for recreational and community use. This motion was supported unanimously.	Council's Executive Planner has advised that the club lease is one direct from the NSW Government, and the issue is currently before Council for consideration of further action. The Precinct Committee will continue to be informed, alongside other interested Precinct Committees and the Combined Precinct Committee, when updates arise.	Closed for Council
October 2018		DA 3/2019 - 6 John Street McMahons Point - It is the unanimous decision of the Union Precinct that Council take steps to minimise breaches of the approved DA	UPDATE (27 March 2019) Council's Executive Assessment Planner has advised that DA 57/19 for 6 John Street, McMahons Point - <i>To</i>	Closed for Council

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		(1164/1990). Union Precinct also asks Council to refuse DA 3/2018, as a floating dry dock in Berrys Bay would not be consistent with the character of the surrounding area.	<i>construct a floating dock facility to service commercial vessels up to 1000T in weight. The structure will be located on the south-western side of the site, both on land and at the land/water interface</i> - was lodged with Council on 5 March 2019 and is currently on public exhibition, with a formal notification and verbal advice provided to the Union Precinct Committee. This DA has been referred to internal Council departments and external stakeholders. Due to the Designated Development status, all submissions are strictly due by 23 April 2019.	