

# UNION PRECINCT



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## Minutes - Wednesday 1 September 2021 held online at 7.30 pm

Chair: MC & KR, Secretary MCH Treasurer: ID. Meeting chaired by MC;  
minutes by MCH

Present 14 - as per attendance sheet.

Apologies: AC, JL, MM

The online meeting was called to order at 7.32 pm.

### 1. **Apologies and Minutes of previous meeting**

[Precinct Minutes available on Council website](#)

KR moved to accept the minutes. KH seconded it.

Discussion of Council response to previous minutes.

Precinct resolved to keep a note of matters of importance that need to be followed up at the top of the agenda for subsequent meetings.

### **Summary of actions**

DA217/21, 2 Commodore Crescent, McMahons Point Construction of a carport and associated works

Council's Student Town Planner has advised that DA217/21 is not a modification to the previous DA at this address i.e. DA217/21 is an entirely separate application to DA132/20. The proposal seeks to construct a carport, accessed via Commodore Crescent. The existing garage space will be converted to a workshop/storage space under this DA.

Noted

### Noakes Fire audit

Council's Team Leader - Business Compliance has advised that the Fire Safety Audit, Annual Fire Safety Statement and the docking of the Supercat are three separate matters:

- a) Fire Safety Audit - which lead to Council issuing an upgrade Fire Safety Order is a standard operating procedure. Fire Safety upgrades are frequently undertaken, either voluntarily or via privately commission Fire Safety Audits, to existing buildings within the North

Sydney Local Government Area as a way for building owners to identify what measures they may need to install to upgrade their existing system. The Order Council issues is an instrument that permits the works to be done. As a standard procedure, Council allows a nominated period of 2 years to complete the works outlined within a Fire Safety Audit.

- b) Annual Fire Safety Statements (AFSS) - this is annually engaged by owners of the building to provide certification that any existing measures within the building are maintained and are functional. The AFSS is not an indication of compliance or noncompliance with current Building Codes. The submission of AFSS is statutorily the responsibility of building owners. In this regard, Council staff are in the process of liaising with the owners of the building to submit a current copy of the AFSS to Council for record.
- c) Supercat blocking the Noakes driveway - this is not a fire safety matter but rather a matter of conditions of approval. Staff are in the process of investigating the matter.

Based upon the evidence available to Council, it has been determined that there are no immediate public risks warranting Council issuing Emergency Orders. Council will continue to investigate and liaise with Noakes to achieve the level of fire safety upgrade recommended by the Fire Safety Audit.

**Precinct notes the three separate matters and hopes the following questions address this correctly.**

**Precinct is concerned that the Council has determined that there are no immediate public risks when there is no evidence available in the form of the Annual Fire Safety Statement to make that assessment.**

**Precinct members have serious concerns about the high risk of fire and consequences.**

**Precinct reiterates its question from the minutes of the previous meeting that were not responded to in the summary of actions.**

- **What is the impact on insurance of non-compliance? Does the liability then rest with Council?**

**The summary of actions says Council staff are in the process of liaising with the owners of the building to submit a current copy of the AFSS to Council for record. When does Council expect to complete this work? How long does the owner have to be compliant and submit the Fire Safety Statement? What is the explanation as to why an owner**

cannot submit what is supposed to be an annual fire statement for five years? Is there a process or communication breakdown?

Precinct asks given that a fire statement has not been submitted for five years, can Council seek an audit as a matter of urgency?

As can be seen from the comments and questions above, Precinct is worried and anxious about the potential safety issues resulting from a lack of fire certificate and would like Council to confirm that it is doing its utmost to have the situation rectified as soon as possible. Precinct would also like the Summary of Actions to reopen this item and not have it as Closed for Council.

North Sydney Olympic Pool redevelopment progress

Precinct thanked Council for providing a report to public but asked that it be enhanced to include performance against timeline and importantly performance against budget in the public documents provided at each Council meeting.

2. Development Applications/Modifications

- **DA 249/21**, 130 Blues Point Road, McMahons Point Alternations and additions including dormer window – *Submissions due 17 September*

Noted.

The following approvals were noted.

- **DA 465/16**, 80 Blues Point Road, McMahons Point – discussed in May
- **DA 190/21**, 3 Commodore Cres, McMahons Point – discussed in July

3. **Warringah Freeway upgrade**

Discussion around the removal of trees around Cammeray Golf Course. The Precinct discussed the petition that was shared <http://chnq.it/yS2HWfC9FB> and there was concern from members that the State Government is attacking North Sydney amenity.

**Precinct is appalled at the removal of 700+ trees as part of the development of the freeway. Precinct reinforces our objection to the process and encourage Council to redouble their efforts to do something about it.**

4. **Harbour bridge cycleway**

The linear approach has been confirmed over the spiral option by TfNSW. A design competition will be underway in September. This will be funded out of the TfNSW budget and not Council.

## 5. **Cycle route from North Sydney to Bradfield Park**

Discussed at traffic committee, proposed stopping cycling on the pavement along the highway between Blue and Arthur Streets and requiring cyclists to use Miller and Lavender Streets.

**Precinct passed a unanimous motion to request that Council implement the original advice to the traffic committee and rescind the ban. Council should allow continued use of the highway by cyclists implementing a 10km/speed limit and slow signs. It should be emphasised that it's a shared path.**

It was noted that the alternative (up Lavender and Miller Streets) is not as safe as going along the highway. Some members were also concerned that Council's reaction to conflicting uses of public space was to ban one group over another - this does not make for a harmonious community and we should be looking for ways for different groups to co-exist.

## 6. **Relevant Council Meeting matters**

- **Election of Deputy Mayor:** Kathy Brodie was elected for the balance of the Council term  
**Noted.**
  
- **Berrys Bay:** Council resolved to send a delegation (Crs Gibson, Keen and Mutton) to meet with the Premier to seek to the transfer of Government land on the western side of Berrys Bay to Council prior to commencement of the Western Harbour Tunnel.  
**Precinct supports the delegation.**
  
- **Noakes Boatyard:** Council agreed to seek compliance with the terms of the LEC Orders, investigate fire safety compliance concerns raised by residents, and reiterated its commitment to pursuing compliance with the DA condition for the provision of a public jetty.  
**Precinct supports Council in seeking compliance on the above matters. See above questions re Noakes Fire Audit.**

## 7. **Combined Precincts Committee update**

KH provided a report on several of matters that were raised at the Combined Precinct Meeting of the 17/08/2021. Specific points raised related to:

1. Local Council Elections scheduled for the 4 Dec 2021 with a plan to elect 10 Councillors and the anticipated governance commencing in 2022.
2. The number of Wards in North Sydney LGA was recently reduced to two wards. Discussion was raised with a view to initiate a referendum to enable the possibility of returning to three Wards at the time of the next Council election in 2024
3. A member of the North Sydney Council Access & Inclusion Co-ordinator provided a report to the CPC about the extent of Homelessness and related housing matters in the NSLGA.
4. Western Harbour Tunnel issues were raised about the development proposal on North Sydney LGA in particular about the planned removal of 700 mature trees – this created grave concern amongst other matters connected with the proposed / planned WHT development.
5. Proposal to develop a Cycle way at Milsons Point leading onto the Bridge raised further controversy
6. The Aboriginal Heritage Office related and related matters relating to North Sydney Council ATSIC Protocols and Guidelines document is up for review from 2014. A Draft document has been prepared to address Aboriginal Culture and heritage in the North Sydney LGA. Responses invited by the 19/9/21.
7. The North Sydney Council Precinct Review is still in progress but has been held over until after the coming Council Elections.
8. Administration support and possible social media meeting platforms were discussed given the need for virtual meeting given the circumstances of the COVID pandemic.
9. Precincts were requested to provide planned agenda items to North Sydney Council five days prior to planned local precinct meetings.
10. Informal concerns were raised about vested interests and large-scale development application proposals in the North Sydney LGA.
11. **The next CPC meeting is scheduled for 19/10/21 at 7pm.**

KH also referred the meeting to the Precincts E-News of the 27/8/21 that covered a wider range of 20 plus Precinct related matters for the reference and follow up details and action by interested parties. MCH

noted this is distributed along with the minutes and/or agenda to Precinct members.

## **8. Any other business**

Blues Point Road - Metro is starting to do community engagement about future activity around where the shed currently is. MC has attended a meeting with them and will invite Metro to attend a Precinct meeting in the future. It is not clear whether the use of the site will be decided by North Sydney Council or the NSW State Government.

## **9. Next meeting 6 October 2021**

Meeting closed 8:52pm

Signed as a correct record

Chair