

8.1. Call on the State Government to urgently transfer ownership of Berrys Bay foreshore lands to Council prior to the March 2023 State Election

Call on the State Government to urgently transfer ownership of Berrys Bay foreshore lands to Council prior to the March 2023 State Election

For at least three decades, Council and the community we represent, has been calling on the State Government to transfer ownership, care and control of the foreshore lands at Berrys Bay, Waverton to Council in order to ensure public access to the public foreshore in perpetuity.

In 1999 Council adopted the Waverton Peninsula Masterplan prepared by Clouston - https://www.northsydney.nsw.gov.au/Business_Projects/Public_Domain_Infrastructure/Waverton_Peninsula_Strategic_Masterplan

The vision in that plan has been delivered in stages by successive Councils, most recently with the completion of the Coal Loader Platform Green Roof in March 2018. This celebrated regional open space is a direct result of the vision set out in the Waverton Peninsula Masterplan (Clouston, 1999).

In March 2021, as a result of the toll road project known as the Western Harbour Tunnel, the State Government established the Berrys Bay Community and Stakeholder Working Group. The group was established as “part of a commitment from Transport for NSW [TfNSW] to create new public open space alongside the delivery of the Western Harbour Tunnel and Beaches Link.” (source: <https://www.transport.nsw.gov.au/news-and-events/media-releases/new-community-group-for-berrys-bay>)

In February 2022, after decades of lobbying the State Government, North Sydney Council purchased the Quarantine Depot site from the State Government for \$2.3million. The purpose of Council buying the site was to expand community open space and to provide a vital link into Balls Head and to the Berrys Bay foreshore. This site had been identified in the Waverton Peninsula Masterplan (1999) and the purchase of the site by Council not only delivered part of the original vision and plan, but ensures that the site will remain in community ownership and not at risk of sale for development by future State Governments.

From 30 September to 23 October 2022, TfNSW exhibited a draft “master plan and vision” for Berrys Bay. Unsurprisingly, the State Government commissioned Berrys Bay masterplan is consistent with the community and Council’s long term vision for the Waverton Peninsula adopted almost 30 years ago.

In December 2022, the Premier announced that Stage Two of the Western Harbour Tunnel project will use Tunnel Boring Machines to construct a section of the tunnels under Sydney Harbour (between Birchgrove/Rozelle and Waverton).

On 9 February 2023, just over 7 weeks from the State Election and 22 days before the commencement of the “caretaker period”, the Minister for Roads, issued a media release stating that “Construction on Berrys Bay is expected to start later this year with the foreshore

parkland set to open in 2024, given that the site is no longer required for the Western Harbour Tunnel project. Member for North Shore Felicity Wilson said the next step in the development of the Berrys Bay master plan is a detailed design, where there will be further opportunities for input from the local community. “

The final masterplan is supported by Council and the community. However, this announcement does not provide certainty to the community that the project will be delivered nor that the land will be transferred to Council after the election.

In 2010 the former Member for North Shore, Jillian Skinner, MP promised the return of these lands to Council and the community. It is understood that the current State Member supports that position. If the State Government is committed to transferring the land to Council on behalf of the community, there is no need to wait until after the election and completion of the proposed park.

The return of these lands has been long promised to this community, under various State Governments. There is no reason for delay. The time for action and to deliver ownership of the land to the community is now.

I therefore recommend:

- 1. THAT** Council urgently write to the Premier seeking the immediate transfer of the Berrys Bay foreshore lands held by the State Government to Council prior to the State Election.
- 2. THAT** Council write to the Leader of the Opposition seeking a commitment that, if elected, to urgently transfer the Berrys Bay foreshore lands held by the State Government to Council to ensure public access for the people of NSW to the Sydney Harbour foreshore in perpetuity.

COUNCILLOR ZOË BAKER
MAYOR