

7.1. Waverton Peninsula Working Group - Minutes 24 November 2020

AUTHOR: Peita Rose, Governance Officer

ENDORSED BY: Rob Emerson, Director Open Space and Environmental Services

ATTACHMENTS:

1. Minutes - 24 November 2020 [7.1.1 - 6 pages]

PURPOSE:

This report presents the Minutes of the last meeting of the Waverton Peninsula Working Group held on 24 November 2020.

EXECUTIVE SUMMARY:

The Minutes of the Waverton Peninsula Working Group are attached for information.

FINANCIAL IMPLICATIONS:

Nil.

RECOMMENDATION:

1. **THAT** Council receives the Minutes of the Waverton Peninsula Working Group held on 24 November 2020.
2. **THAT** should Council adopt any of the specific projects/proposals recommended in the minutes of the Waverton Peninsula Working Group held on 24 November 2020, a report be prepared detailing proposed costings, timelines and implications to existing workload and the adopted Delivery Program.

LINK TO COMMUNITY STRATEGIC PLAN

The relationship with the Community Strategic Plan is as follows:

- 5. Our Civic Leadership
- 5.2 Council is well governed and customer focused
- 5.3 Community is informed and consulted

BACKGROUND

In accordance with the Waverton Peninsula Working Group Charter:

10.4 A report on the proceedings of Working Group meetings are to be submitted to the next available meeting of Council for endorsement, including all recommendations. Any Councillor, irrespective of whether that Councillor is a member of that Working Group, may be the mover or seconder of a motion to confirm the proceedings of a Working Group meeting.

CONSULTATION REQUIREMENTS

Community engagement is not required.

DETAIL

This report presents the Minutes of the last meeting of the Waverton Peninsula Working Group held on 24 November 2020. The Minutes are attached for information.

Minute Book Page No 7

MINUTES: WAVERTON PENINSULA WORKING GROUP MEETING HELD IN THE SUPPER ROOM ON TUESDAY 22 SEPTEMBER 2020 AT 5.00PM.

PRESENT

Councillor Mutton in the Chair and The Mayor, Councillor Gibson.

Staff: Rob Emerson, Director Open Space & Environmental Services
David Banbury, Landscape Architect/Projects Co-ordinator
Stephen Beattie, Manager Development Services (via Zoom)
Melissa Dunlop, Governance Co-ordinator (Minutes)

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

Guests (via Zoom): Richard Hayes, Director, Advisory & Transactions - Property & Development NSW, Department of Planning, Industry and Environment (DPIE)
George McHugh, Senior Manager, Advisory & Transactions - Property & Development NSW (DPIE)
Doug Parris, RMS
Paul Pokorny, MV Cape Don Society

Apologies: Councillor Keen
Iain Bartholomew, Waverton Precinct
Kevin Alker, Waverton Precinct
Ms Felicity Wilson MP, Member for North Shore
Mary Ann Hamilton, Senior Heritage Operations Officer - Heritage NSW
Gareth Collins, Director, Centre for Urban Design - Transport for NSW
Jonathon Hain, Project Manager, Advisory & Transactions - Property & Development NSW (DPIE)
Tim Smith, Director Heritage Operations, Heritage NSW

At the commencement of business (5.06pm) Councillors present were:

Councillor Mutton in the Chair and The Mayor, Councillor Gibson.

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1. Welcome

Councillor Mutton welcomed all present. Round-table introductions were made. Councillor Mutton read a tribute to Bruce Burns, a former member of this Group, who passed away recently.

2. Minutes

The Minutes of the previous meeting held on 22 September 2020, copies of which had been previously circulated, were taken as read and confirmed.

The Motion was moved by Ian Grey and seconded by Bruce Donald.

Voting was unanimous.

3. Matters Arising

Ian Grey raised the matter of Woodleys Shed and whether this building was required by Transport for NSW in relation to the Western Harbour Tunnel project. Mr Grey believes it should be repurposed or renovated for public use – would like to get the whole area Heritage listed.

There are ongoing concerns about the amount of tradespeople (over 200) using the site every day as there is inadequate parking on Balls Head Road. 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.

It is noted that the Western Harbour Tunnel project will impact the Foreshore Walk, with no way to join Balls Head and McMahons Point/Waverton Oval. A bridge/link would be appreciated.

There was concern regarding the Quarantine Depot buildings purchased by Council, as the wharf is still owned by RMS with no plans for its upkeep/use outlined.

Councillor Mutton asked how the definition of the land had been determined. Richard Hayes from DPIE advised that there was a Masterplan for the entire site including government-owned land and while the government needed to use the land, it should remain in government ownership.

Bruce Donald requested that the NSW Government transfer blocks of land to the Waverton Peninsula Trust. Richard Hayes advised that Transport for NSW were leasing the land from DPIE.

The Mayor, Councillor Gibson, arrived at 5.28pm during discussion of Matters Arising.

4. Western Harbour Tunnel

Bruce Donald moved a Motion,

THAT the Working Group recommends that all parcels of land in Berrys Bay be transferred under the care and control of North Sydney Council prior to the commencement of the Western Harbour Tunnel project, acknowledging the possibility that part of those lands may be required for occupation under leaseback from Council for the project.

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The Motion was put and carried 8/3.

Resolved to recommend:

THAT the Working Group recommends that all parcels of land in Berrys Bay be transferred under the care and control of North Sydney Council prior to the commencement of the Western Harbour Tunnel project, acknowledging the possibility that part of those lands may be required for occupation under leaseback from Council for the project.

Doug Parris from RMS provided an update on the Western Harbour Tunnel (WHT) project. The Environmental Impact Statement was exhibited from January to March 2020 and planning approvals are expected in December 2020.

The procurement process for construction and work on the WHT will start in the second half of 2022.

Woodleys Shed is included in the site and other buildings/land can be used. It will need to be determined how Contractors want to use the site when the Procurement process is undertaken. The Shed is within the footprint of land included in the Masterplan.

In relation to Ian Grey's concerns about the Foreshore Walk, Mr Parris advised that the RMS is willing to explore options with Council.

Mr Parris confirmed the location of the car park for the tradespeople working on the project but it is hoped that the majority of the workforce will travel by ferry from Glebe Island, to ease congestion in the local area.

A Motion was moved by Ian Grey,

THAT the Working Group urge the Department of Transport to give consideration to advancing works related to the Western Harbour Tunnel (WHT), specifically:

- i) the car park;
- ii) an alternative to the foreshore walk (rear access);
- 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.

Voting was unanimous.

Resolved to recommend:

THAT the Working Group urge the Department of Transport to give consideration to advancing works related to the Western Harbour Tunnel (WHT), specifically:

- i) *the car park;*
- ii) *an alternative to the foreshore walk (rear access);*
- 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.*

The Director of Open Space & Environmental Services advised that the Director of Engineering & Property Services meets with Doug Parris from RMS and Richard Hayes from DPIE on a regular basis. He also advised that 29,000 sqm was lost at Cammeray Golf Club as a result of the WHT/Warringah Expressway project.

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There was also a 16,000 sqm offset partial loss at Berrys Bay with an interface agreement between local and State Government at the time of construction and completion, including land at Berrys Bay, Cammeray Golf Club, Anzac Park and St Leonards Park.

Councillor Mutton noted this was a serious loss and the community expects the State Government to make up for the loss of open space.

Genia McCaffery raised a Motion to request that the State Government will ensure no net loss of open space. Councillor Mutton advised he believes this is a separate issue and Ian Grey agreed with this statement.

Rezoning

Once the land is transferred, it is suggested the Waverton Peninsula Working Group work with the Stakeholder Reference Group being created by DPIE (under Richard Hayes) to consider the planning process and zoning, then the structures involved.

Design Process

In relation to the Stakeholder Reference Group, Richard Hayes advised expressions of interest had been received, an initial assessment had been carried out and shortlisting was underway.

5. Coal Loader Wharf

Council's Landscape Architect/Projects Co-ordinator provided an update in relation to the State Heritage Listing and adaptive re-use scheme for the jetty.

There has not been much progress since the last meeting in September 2020. The Heritage Office hoped to get a report to the December Heritage Committee meeting. The next meeting is in February 2021 and more work is required in relation to site-specific exemptions which will form part of the listing. New standard exemptions will be received from the Heritage Office in December.

In relation to the jetty, further investigations are being undertaken in relation to the existing structure, delayed by internal restructuring within Transport for NSW.

Bernard Smith asked if heritage submissions had been received – none received to date.

Sid French advised the current plan was to build a new jetty to the south-west but believes the money would be better spent on repurposing the existing jetty for RMS to reconsider.

Bruce Donald commented on the lack of progress and believes the State Government is not engaging with Council.

Paul Pokorny advised a meeting has been scheduled with Cape Don on 2 December 2020 with representatives from the State Government. The preferred option is a wharf to the north of the Coal Loader jetty but he believes this land may be owned by the Navy.

6. Quarantine Depot

The Director of Open Space & Environmental Services advised that thanks to Richard Hayes from DPIE, Council has been able to purchase the Quarantine Depot for \$2.3 million. Settlement will not occur until remediation work has been carried out. Council had agreed to this plan and it will be 4-5 months before settlement. Property NSW is undertaking the remediation work. The purchase was made possible through

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Public Space Legacy Program funding. Council put in an application for \$4.1 million for acquisition and repurposing.

Ian Grey advised he was pleased there is a deal in place, as the Group has been advocating for this purchase for some time. He noted there was a Maritime wharf right out the front, which would require right of way and would like this wharf included in the site.

The Mayor congratulated the Director of Open Space & Environmental Services and Richard Hayes from DPIE for their efforts in relation to this matter.

7. **Waverton Bowling Club**

The Director of Open Space & Environmental Services advised that an Aboriginal Land Claim was received from Metro Aboriginal Land Council in relation to the Waverton Bowling Club site. Council has provided a submission in relation to continued occupancy and the need for the land to remain public open space. The Auditor for Aboriginal Land Claims provided a recommendation to Rob Stokes that the claim not proceed. A further claim was received on 6 November 2020 and there is more work to be done. NSW Land Council lodged the claim on Metro's behalf. Initially the land was for Public Recreation, then there was a lease to the Bowling Club directly with the Crown to bring the parcel back into greater Waverton Park for Council's care and control, and finally an Aboriginal land claim was lodged. Council has renewed their lease for another year (third one-year lease) which commenced in November 2020 whilst the review of the Claim is being undertaken. Council will provide another submission based on the previous Aboriginal land claim with updated information.

Genia McCaffery left the meeting at 6.14pm, during discussion of this Item.

Bruce Donald advised that the submission from Council did not include any community input (Waverton Precinct). Believes the Group needs better education to understand the criteria for applications for land claims and the motive for the claim.

Councillor Mutton advised that he had dealt with Aboriginal land claims in the past in his profession and they can prove difficult to dismiss.

The Director of Open Space & Environmental Services advised that Council had undertaken extensive consultation about how to re-use Waverton Bowling Club with the majority of submissions wanting the land to be used for public open space.

Richard Hayes from DPIE and Doug Parris from RMS left the meeting at 6.25pm, prior to the discussion of General Business.

8. **General Business**

Dolphin Wharf

Bruce Donald raised the matter of Dolphin Wharf. Ian Grey advised that BP had paid for the demolition of Dolphin Wharf in the park and two boats moored there to be moved. It is noted the South Steyne is being maintained and the owners of the vessels are leasing the wharf from Maritime NSW. There are concerns that Noakes might lease the wharf as a holding bay for their operations.

The Director of Open Space & Environmental Services advised that the Masterplan recommends that the Dolphin Wharf remains and is adaptable for re-use – possibility for public ferry use.

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Ian Grey believed that it was agreed with BP that the wharf be removed.

Council's Landscape Architect/Projects Co-ordinator advised that it was decided to adaptively re-use public assets, in the same way as the Coal Loader wharf.

Bruce Donald advised that the current thinking of Waverton Precinct was that the Dolphin Wharf was not suitable for restored public space.

Ian Grey wanted to reiterate that the Group sees the removal of the Dolphin Wharf as part of the revitalisation of Berrys Bay.

An update on the Coal Loader Wharf will be provided at the next meeting.

9. Next Meeting Date

A date to be confirmed in late March 2021.

The Meeting concluded at 6.40pm.

CHAIRPERSON

GENERAL MANAGER

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