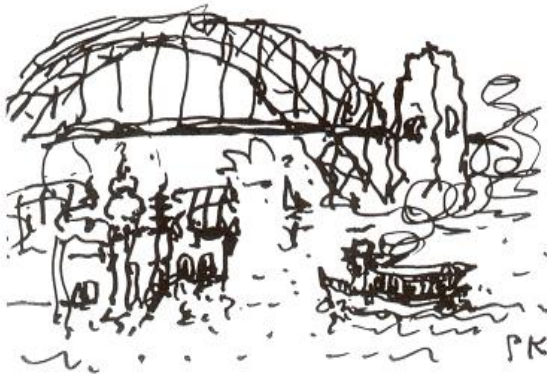


Minutes of Meeting

Thursday, 25 August 2022

Starting at 7 pm



Sketch by renowned local artist Peter Kingston

McMahons Point Community Centre  
165 Blues Point Road, McMahons Point

Chair: RRS [Robert@StittQC.com.au](mailto:Robert@StittQC.com.au)  
Acting Secretary: BPS [lavenderbayprecinct@gmail.com](mailto:lavenderbayprecinct@gmail.com)

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**1. Welcome, apologies, 28 July minutes**

There were 26 attendees, including 2 Councillors, and 9 apologies, including the Precinct Chair. IC chaired the meeting. The meeting accepted the minutes of the 28 July meeting.

**2. Chair's report**

**Floating Dry Dock LEC decision:** The Precinct Chair reported (through the Acting Secretary) that the [judgment](#) of the Chief Judge of the Land and Environment Court (to refuse DA 57/19 for a floating dry dock) was based on factual findings, supported by expert evidence, making it difficult, if not impossible, for the decision to be appealed.

The decisive factor which led directly to the decision was the indisputable size of the dry dock, which is too big and in the wrong place. That issue was determinative. The dock, if approved, would have changed the nature of Berrys Bay.

The protection of Sydney Harbour takes precedence over everything else so far as environmental concerns. The decision relied on a judgment of the Hong Kong High Court (which is made up of Australian and UK judges, including Murray Gleeson, a previous Chief Justice of Australia). That principle should be regarded as permanent and decisive.

**Motion:** That the Lavender Bay Precinct Committee thank Council for supporting the community in resisting the development application. Passed without objection.

**Motion:** That the Lavender Bay Precinct Committee thank its members for supporting the lengthy community campaign to save Berrys Bay. Passed without objection.

### 3. State Government items

**Harbour Bridge cycle ramp:** JC and IC met with Transport for NSW (TfNSW) representatives in early August and saw a copy of a TfNSW presentation to the Heritage Committee Approvals Committee. TfNSW have completed 30% of the detailed design, with final design expected in May 2023. A Review of Environmental Factors/ Environmental Impact Statement is planned, but not a development application.

Although the community-led Bradfield Park Central design was rejected by TfNSW on the basis of relatively steep curves, it appears that the TfNSW detailed design has similar gradients and radii, with concerns about E-Scooter speeds. Cyclists heading east of Milsons Point (30%) will need to double back along Alfred Street South.

Community members continue to pursue the Bradfield Park trust deed, heritage concerns and the need for approval from the Federal Minister for the Environment.

**Motion:** That the Lavender Bay Precinct Committee request Council, as the holder of Bradfield Park in trust for the public, to require a development application for the construction of any cycle ramp landing in Bradfield Park. Passed without objection.

### 4. Council items

- (a) Community garden in French Street:** Further to our discussion in July (item 6(c)), Council has advised that they wrote to the local State Member, the Minister for Transport, and Transport for NSW regarding a “care and control” approach, with no success. Council does not have the budget to purchase, remediate and convert the land.
- (b) Local Government NSW Annual Conference:** Further to our discussion in July (item 8(b)), the Acting Secretary has submitted a suggested motion to Council for consideration at its meeting on [12 September](#).
- (c) Council meeting [22 August](#):** Council resolved to exhibit an amended Code of Meeting Practice to allow the Public Forum to be held as part of the Council meeting. Council also resolved to operate under the amended Code during the exhibition period as a trial, and commence Council meetings at 7pm.
- (d) Council consultations:** Neutral Bay Community Centre Joint Strategic Plan 2022-24 ([feedback](#) closes Tuesday 30 August), Draft Disability Inclusion Access Plan 2022-26, stage 2 ([feedback](#) closes [Monday 12 September](#)) and Family and Children’s Issues Survey ([survey](#) closes [Thursday 22 September](#)). These items were not discussed, but were included in the meeting notice.
- (e) Precinct System review:** Council’s Precinct System Review memo dated 17 August was distributed to all members. Attendees were reminded that nominations for the four working groups close on Sunday 4 September.

## 5. Development applications

(a) **Shop 1, 182-186 Blues Point Road, McMahons Point (209/22)**: Change of use to neighbourhood shop (nail and beauty). Submissions due Friday 19 August. The meeting would prefer continuation of the pop-up community space, but noted the application. [The application was approved on 2 September.]

(b) **35 Bay View Street, Lavender Bay (214/22)**: Swimming pool and deck, and associated works. Comments due Friday 19 August.

The meeting heard that the pool is proposed to take the place of a water feature, that an amendment for a pool had previously been rejected, and that the pool would increase site coverage above 50%. Other concerns included privacy impacts, use of a neighbour's wall for timber battens, and removal of the DA sign on 12 August.

**Motion**: That the Lavender Bay Precinct Committee object to the development application on the grounds of excessive site coverage, adverse privacy impacts and use of a neighbour's wall. Passed without objection.

(c) **24 East Crescent Street, McMahons Point (5/22)**: Demolition of residential building and works, and construction of a residential flat building comprising five dwellings and associated works. Precinct discussed the application in January and amended plans in March. Further amendments were submitted on 29 July and 18 August. Comments due Friday 26 August.

The meeting heard that there were 20 objections to the original application, noting many non-compliances, and that the latest amendments have not addressed the concerns of the Design Excellence Panel and the community. These include excessive height and insufficient setbacks. The new garage entrance would dominate East Crescent Street.

**Motion**: That the Lavender Bay Precinct Committee object to the proposed development on the grounds of excessive height, insufficient setbacks, domination of Middle Street and a dominant garage entrance on East Crescent Street. Passed without objection.

(d) **4 Warung Street, McMahons Point (235/22)**: Alterations and additions to house. Comments due Friday 9 September. The meeting noted the application.

## 6. Position of Secretary

The meeting Chair reiterated the need to fill the vacant position of Secretary. Without a Secretary, Precinct would cease to function. All members are asked to consider nominating themselves and/or talking to a friend about taking on the role, possibly on a shared basis.

## 7. Community items

(a) **Wendy's Secret Gardening**: Gardening mornings are planned for Saturdays 3 September and 1 October. RSVP to [Ian C](#) by the prior Wednesday.

(b) **North Sydney Garden Competition**: 12 categories including best balcony, best courtyard and best indoor garden. [Entries](#) close Tuesday 30 August, with judging to take place from Monday 19 September to Friday 30 September.

## 8. General business

- (a) **Tents in Bradfield Park North:** The matter was raised at the 22 August Council meeting and has been referred to Ranger Services and Community Services.
- (b) **Walkway between 25 and 29 East Crescent Street, McMahons Point:** This public right of way is on land forming part of Strata Plan 21014 at 33 East Crescent Street.
- (c) **Public art in Bradfield Park North:** The fox terrier statue and memorial drinking fountain are outside the area proposed for the cycle ramp.
- (d) **Olympic Pool redevelopment:** There has been a \$2.6m approved variation to the \$53.5m construction contract, with a revised practical completion date of July 2023. Reopening is expected to be late 2023.
- (e) **Planning Panel transparency:** While discussing current development applications, the meeting heard concerns about the transparency of Local Planning Panels. There is only one community representative, and deliberations are held in closed session. Prior to the introduction of Local Planning Panels, decisions were made by elected Councillors in open session. The meeting agreed to suggest a motion for the Local Government NSW conference calling for a greater degree of transparency for Local Planning Panels.

The meeting closed at 8.13pm.

Next meeting: 7pm, Thursday 29 September.