

Lavender Bay Precinct Committee

Minutes of the Meeting

Thursday, 28 September 2023

Starting at 7pm



Sketch by renowned local artist Peter Kingston

McMahons Point Community Centre
165 Blues Point Road, McMahons Point

Chair: Robert Stitt Robert@StittQC.com.au
Secretary: Emily Jaques lavenderbayprecinct@gmail.com

1. **Welcome / Apologies / Minutes of 31 August meeting**

7 apologies noted. Minutes of the 31 August meeting passed unanimously.

2. **Chair's report**

- **Berry's Bay Dry Dock-** The council has suggested that they only brought it back for maintenance and it's been subsequently removed but the fact that the Council did it contrary to the court order. It has now been removed; it was there until the 20 of September. Council said that they imposed a fine to Noakes Boatshed regarding bringing the dock there, and there is the potential for it to happen again in the future.
- **1 Henry Lawson Avenue, Boat Shed Solar Panels-** It's become derelict and it's right on the Harbour foreshore and should clearly be incorporated into the foreshore. The building is partly demolished, and what is more concerning is that they have erected three brand new solar panels. Why and Who installed these? **Precinct Note:** We have raised this at several meetings and each time we do it's that it's been allocated to the project coordinator, and they will let us know in due course, but nothing is happening, and we have no timeline or indication as to when this structure will be demolished and incorporated into the Reserve. We would like a timeline.
- **Linear Cycle Ramp-** We have put together a fantastic alternative and even though 8000 people have signed the petition and many people have tried to stop the project, it is still proceeding, and we have failed. The community has incurred a lot of costs (legal costs, and other costs) that have been paid by local members of the community. **Precinct Note:** Should we as a community pay some small contribution to these costs?
- **Park between Victoria Street and Mitchell Street-** Up in the park there was an incredible amount of broken glass, and the Chair was notified by members of the community. We notified the Council, and they were fantastic in their response. **Precinct Note:** We would like to note that the Council came almost immediately, they cleaned it up, and the park resumed back to normal functioning as usual.

- **Renewal of the lease of Wendy's Garden-** We as a Precinct have always supported Wendy's Secret Garden and we will continue to do so. The lease has another 23 years and it's dependent on Council meeting all guidelines. The roadway is collapsing and needs to be repaired but has been denied by Council. One of the conditions of the lease is that they must maintain this to keep the lease for the continued period. We would like Council to start the process again and take steps to safeguard the area. It's going to be expensive to fix it, but Wendy isn't going to pay to fix it.

Resolution: Precinct would like to ask Council to attend and repair to the pressing infrastructure needs on the Harbourview Crescent, we need to have some action and an update on the Taxable-Deductible Recipient status. Council needs to take all necessary and relevant things for this to happen. **Carried Unanimously.**

Resolution: Is the Council going to want to continue to look after it when Wendy is gone? This is in the terms of the lease; and it's going to need to require upkeep. We would like to ensure that the Council will continue to upkeep the garden because we are highly favourable of Wendy's Garden and always have been. **Carried Unanimously.**

- **Wendy Whiteley-** Wendy advised Council that they needed to hire a second gardener, and they have since done that. The issue with the garden is it always needs 2 people there. The council has applied for a Tax-Deductible Recipient status, and they were denied as they didn't fit the criteria. We are going to need this to attract funds. Wendy is spending more of her personal money to fix additional areas in the garden and it involves hiring a landscaper and stone workers. There is a trust fund setup which should be able to be used to assist Council in looking after the garden, but currently Wendy is paying for everything except one gardener. What is going to happen after Wendy is gone? Do the people want the Garden? This is why Wendy has come to the Precinct today. Wendy asked Council if Wendy's Garden was in the master plan, and they said no.

3. State Government items

- **Harbour Bridge Cycle Ramp:** There are considerable costs that have been absorbed by members of the local community in legal fees, and many more. Some residents of the community have spent over twenty thousand dollars Resolution: We as the Precinct would propose to donate \$1,500 to contribute to these costs, and we would like to ask the Council if we as the Precinct can use our allowance to contribute towards this. Carried Unanimously.

4. Council items

- **24 East Crescent Street (DA Number 5/22)** - The North Sydney Local Planning Panel has resolved to grant approval for the demolition of an existing residential flat building and construction of a 5 storey residential flat building of 5 dwellings with basement parking for 7 vehicles, landscaping and associated works, and strata subdivision of the completed development at the above site, subject to conditions.

There were 67 objections, and we passed three unanimous decisions by this Precinct. All of these were ignored by the Council and the planning community. There are issues and setbacks with Middle Street, and there should have been a compliance scheme. It violates DCP guidelines. There are issues to do with the presentation of East Crescent Street. There are issues to do with privacy of the residents in the existing building. We are disappointed that our feedback has not been considered, and we are disappointed that the Council is selective in applying it's DCP. Does the community representative actually represent our community and our interests?

Motion: The approval of this DA against the approvals of the community is disappointing and unsatisfactory, particularly since the approval included non-compliance with DCP guidelines. Every time this happens it weakens the DCP. The Precinct would like to know the reasons why the Design Excellence Panel endorsed a scheme that did not comply with guidelines. **Carried Unanimously.**

5. Development applications

- **68 Alfred St South, Milsons Point (34/22/3):** Precinct Notes.
- **24 Waiwera Street, Lavender Bay (322/20/4):** Section 4.55(2) Modification to approved application, external and landscape changes to approved development, Area Architects Pty Ltd. Due Date for submissions: 6/10/2023. Precinct Notes.
- **180 Dwellings in the MLC Building:** We have discussed this at Precinct in the past and it's nice to see that maybe it won't be empty for a while and can potentially be re-purposed. The scoping report for the proposed redevelopment of 105-153 Miller Street can be viewed at the following DPE page. <https://www.planningportal.nsw.gov.au/major-projects/projects/105-153-miller-street-north-sydney-mlc-btr>. Approval will be sought for 340 apartments comprising a mix of studio, 1, 2 and 3 bed layouts, common area amenities including a recreational rooftop, playroom, gym and squash courts (existing), 100 car parking spaces and 2500sqm retail space fronting Miller Street. **Motion:** In principle, The Precinct supports the concept of the building being adaptively re-used.

6. Community items

- **Floating Dock:** The Floating Dock in Berry's Bay has disappeared again, but it's arrival without a DA should be noted.
- **Wendy's Secret Garden.** There will be a volunteer gardeners' and working bee- please contact Ian Curdie or the Secretary.

7. General Business

- **Cyclists- Blues Point Road on the Eastern side St Peter's Park:** Precinct would ask Council to construct or implement a safer process to require cyclists to dismount and not proceed at speed because pedestrians are at risk and have been knocked down. **Carried Unanimously.**
- **Piato Restaurant:** continuing to impede on the footpath and are spreading at a vast rate. **Carried Unanimously.**

Next meeting: 7pm, Thursday, 26 October 2023.