



Sketch by renowned late local artist Peter Kingston

**North Sydney Local Government Area
Lavender Bay Precinct**

MINUTES

Thursday 26 June 2025

**McMahons Point Community Centre
165 Blues Point Road, McMahon's Point**

Chair: Robert Stitt KC Robert@StittQC.com.au
Secretary: Joan Street lavenderbayprecinct@gmail.com

1. WELCOME

The Chair welcomed 36 residents to the meeting and recorded 7 apologies. In particular, the Chair welcomed residents from Euroka Precinct.

2. MINUTES OF LAST MEETING

The minutes of the meeting held on 29 May were read and approved.

3. MATTERS ARISING

3.1 1 Henry Lawson Avenue, McMahon's Point DA 410/2024

The Precinct was provided with additional information relating to the Development Application on 25 June. Given the significance of the matter, one day's notice was insufficient to allow for informed discussion. As a result, the item was deferred. The Precinct agreed to communicate via email and, if necessary, to convene an additional meeting to consider the matter fully. The closing date for input was 1 August 2025.

3.2 Parking at the end of Blues Point Road

Precinct noted that its request to consider:

- i) restricting parking in this area to a 2-hour limit, Monday to Sunday, day and night; and
 - ii) excluding resident parking permits from this area,
- is currently under review by Council's Traffic Team. Should any changes be deemed necessary, recommendations will be submitted to the Local Traffic Committee for consideration.

3.3 Motorised bicycles

Precinct noted its resolution to *enquire from Council what actions it was taking to lobby the NSW State Government on safety issues relating to these motorised bicycles* had been referred to Council's Traffic Department.

In addition, Precinct noted there were two separate issues:

i) Aesthetics – Visual pollution from abandoned hired e-bikes

The proliferation of hired e-bikes (such as Lime bikes) left abandoned throughout the Local Government Area (LGA) has created significant visual pollution. This issue arises from the lack of adequate regulation or designated return zones, resulting in e-bikes being left haphazardly on footpaths, in parks, and near public infrastructure. The unsightly presence of these bikes detracts from the visual amenity of the area and contributes to a perception of neglect and disorder. It is understood that the State Government is currently reviewing this issue.

ii) Safety:

While e-bikes are theoretically limited to 25 km/h, this speed restriction is relatively easy to override. As a result, many e-bikes operate at unsafe speeds on roads, footpaths, and through parklands, posing a significant safety risk to motorists, cyclists, and pedestrians.

4. WENDYS SECRET GARDEN

Wendy's Secret Garden is a much-loved and celebrated community treasure, and the Precinct recognises how fortunate we are to have access to such a unique and inspiring haven. Ensuring the garden's long-term security and faithful stewardship in line with Wendy's vision is of critical importance.

It was reported that:

- The garden is currently leased to North Sydney Council under a 30-year lease with an additional 30-year option.
- The garden holds Deductible Gift Recipient (DGR) status and provides financial reporting to the Australian Charities and Not-for-profits Commission (ACNC).
- Council is the Trustee under an existing Trust Deed. The Trust's objective is the ongoing maintenance of the garden in accordance with Wendy's vision. However, no trustees have been appointed to date and no Trust meetings have been held. Wendy is eligible to be appointed as a trustee and may nominate an alternate. Wendy can also nominate a community member acceptable to NSC.
- Regarding the future of Wendy's house, Wendy has expressed that it is not suitable as a museum and wishes it to remain a family home.
- The Trust requires capital support, and a philanthropic entity is needed to raise, invest, and manage funds for the garden's long-term sustainability.

The Precinct expressed its deep appreciation to Wendy for her extraordinary contribution and expressed a strong desire to support efforts that will safeguard the garden in accordance with her wishes.

Lavender Bay Precinct resolved to advise Council (Mayor and Councillors) and the Executive (CEO) THAT:

- 1) Wendy's Secret Garden be maintained in accordance with Wendy's original vision and intent;
- 2) North Sydney Council work with Wendy to appoint Trustees and to convene and report on regular Trust meetings;
- 3) A philanthropic arm be established to endow the Trust with sufficient resources to secure the long-term future of the garden.

UNANIMOUS

36 FOR

0 AGAINST

0 ABSTAIN

5. NOAKES BOATYARD: FAILURE TO MEET FIRE SAFETY REQUIREMENTS

Precinct noted that

- Since 2021, Noakes has repeatedly failed to comply with fire safety requirements. Of particular concern is the storage of toxic and combustible materials on the eastern side of the site, which is set back from the water. This location is extremely difficult for fire trucks to access and entirely inaccessible to fire boats, creating a serious fire hazard and posing a significant risk to public safety and the surrounding environment.
- Council has been aware of the severe fire hazard at Noakes for an extended period but has consistently failed to exercise its regulatory powers to ensure compliance. Notably, a Fire Safety Certificate was not issued for five years, and when one was eventually provided, it was signed by an individual who was not properly qualified to do so.

Lavender Bay Precinct resolved to request that Council (Mayor and Councillors) and the Executive (CEO and Director of Planning) to:

- 1) ensure that Noakes is brought into immediate compliance with all applicable fire safety requirements; and
- 2) in the event that compliance is not achieved within an appropriate timeframe (to be measured in months), support the issuance of a Stop Work Order against Noakes and, if necessary, initiate proceedings in the Land and Environment Court to secure compliance.

UNANIMOUS

36 FOR

0 AGAINST

0 ABSTAIN

6. NORTH SYDNEY OLYMPIC POOL

Lavender Bay Precinct noted the presentation by [REDACTED], North Sydney Council's Manager of Leisure & Aquatics, to the Combined Precincts Committee (CPC), as circulated with the agenda for this meeting.

Precinct welcomed the inclusion of metrics projecting Gym and Swim School participation, as well as overall operating performance. Notably, the forecast of a cumulative operating surplus of \$841,000 over ten years was encouraging. Precinct also appreciated the transparency around the assumptions underpinning this modelling, and the insight into the diverse range of programs proposed.

It was noted that the Manager advised the CPC that the absence of dedicated parking would remain an ongoing challenge for the facility.

Precinct also noted that while the Operating Business Plan projects an operating breakeven by the second year of operations, when the Cost of Capital is factored in, projected losses amount to over \$12 million in the first three years and more than \$25 million over ten years. Considering these projections, Precinct wishes to support Council in pursuing a more sustainable financial outcome. It considers that access to the Strategic Plan would provide a valuable foundation for such engagement.

Accordingly, Lavender Bay Precinct resolved to request that Council (Mayor and Councillors) and the Executive (CEO and Director of Open Space & Infrastructure) release the Strategic Plan to Precinct, with redactions made where necessary to protect any commercially sensitive or confidential information.

UNANIMOUS

36 FOR

0 AGAINST

0 ABSTAIN

7. NOISE DISTURBANCE FROM MODIFIED CARS AND MOTORCYCLES

Precinct noted that this ongoing noise nuisance:

- remains a significant concern affecting thousands of residents in McMahons Point, Lavender Bay, and Milsons Point.
- Residents will continue to advocate for the installation of noise-detecting cameras through the local state member and potentially the state Minister for the Environment.
- is not being addressed effectively by current signage, which merely asks motorists to slow down—despite the issue being primarily one of noise, not speed.
- could be better managed through the installation of prominent, hard signage clearly stating that the area is RESIDENTIAL and that noise and anti-social behaviour will not be tolerated.

Precinct encourages all affected residents to continue to report noisy speeding vehicles and disruptive gatherings in parks to both the Police and Council. The more complaints received, the more pressure there will be on authorities to take meaningful action to resolve this persistent issue.

8. REVISED DRAFT 2025-29 DELIVERY PROGRAM and 2025-26 OPERATIONAL PLAN

Precinct noted the submission to Council from Lavender Bay Precinct and that Council will consider the matter at its Extraordinary General Meeting on 30 June 2025.

It was further noted that the current four-year budget is an interim measure. A revised financial plan will be developed in 2025–26, following further community consultation and updated financial modelling. It was therefore essential that residents remain alert to this issue.

9. COMBINED PRECINCTS COMMITTEE: MINUTES 17 JUNE 2025

Precinct noted the minutes of the Combined Precincts Committee meeting held on 17 June circulated with the agenda.

10. DEVELOPMENT APPLICATIONS

3 Walker Street, Lavender Bay, NSW 2060

DA357/2024

Noted

7 Victoria Street McMahons Point 2060

DA105/2025/1

Lavender Bay Precinct resolved to advise Council

THAT it objects to the current Development Application due to its scale and bulk, significant excavation and overshadowing of 2 Mitchell Street.

- Scale and bulk:** The scale and bulk of the proposed dwelling is an overdevelopment of the site that will have unreasonable amenity impacts to neighbouring properties. The proposal also has excessive bulk at the front and appears as a 3-level residence from Victoria Street.
- Significant excavation concerns:** The deep excavation raises concerns about potential structural, and possible vibration impacts, on adjoining dwellings and the broader stability of the site.
- Construction disruption:** Such intense excavation over 60 weeks in a residential area with narrow streets will cause significant disruption.

- iv) **Privacy of 2 Mitchell Street:** The development's rear extensions and reconfigured windows are likely to significantly reduce privacy for adjacent homes. The addition of elevated rear-facing windows and terraces would allow direct overlooking into neighbouring private open spaces and internal living areas.
- v) **Overshadowing of 2 Mitchell Street:** The development will probably result in excessive overshadowing, especially in the morning and late afternoon, thereby reducing access to natural sunlight for surrounding dwellings. This will negatively impact residential amenity.

Lavender Bay Precinct respectfully requests that Council refuse the Development Application in its current form.

UNANIMOUS 36 Against, 0 For, 0 Abstain

47 East Crescent Street, Lavender Bay NSW 2060

DA150/2025

Lavender Bay Precinct resolved to advise Council

THAT it objects to the current Development Application as the scale and bulk of the proposed dwelling is an overdevelopment of the site that will have unreasonable amenity impacts to neighbouring properties in terms of visual bulk and view loss. In addition, the proposed development contravenes North Sydney Council's LEP and DCP and the significant excavation is a concern. Objections include:

- i) **Height:** The proposed rear dormer with a maximum building height of 9.79m exceeds North Sydney Council's LEP prescribed maximum building height limit of 8.5m.
- ii) **Site coverage:** The proposed development has a site coverage of 70%, which significantly exceeds the maximum allowable 50% as stipulated in the Development Control Plan (DCP) for sites of this size. This non-compliance contributes to overdevelopment of the site and reduces opportunities for landscaping, deep soil planting, and adequate stormwater management.
- iii) **Driveway:** The proposed driveway width of 5.9m exceeds the DCP's requirement of 2.5m.
- iv) **Ceiling height:** The proposed ceiling heights for the kitchen and dining areas are 2.57 metres, which does not comply with the Development Control Plan (DCP) requirement for a minimum finished floor-to-ceiling height of 2.7 metres. This non-compliance compromises internal amenity, natural ventilation, and overall design quality, contrary to the objectives of the DCP.
- V) **Side set back:** The Development Control Plan (DCP) requires dwellings within the R2 Low Density Residential zone to maintain appropriate side setbacks to preserve amenity, privacy, and spatial separation between buildings. The proposed ground floor rear addition fails to comply with this requirement by having a nil setback to the eastern side boundary. Furthermore, the proposed courtyard at the basement level also has a nil setback to the western boundary.
- vi) **Loss of view and amenity:** The proposed overdevelopment of the site, including its excessive bulk and non-compliant building height, will significantly and adversely affect both the visual amenity and outlook from the public domain and from private properties on the opposite side of Waiwera Street. In particular, the development will result in the loss of water views currently enjoyed by these properties, representing a substantial reduction in residential amenity.

- vii) **Solar Access:** The proposed north-facing dining area on the ground floor, as well as the existing living rooms, will fail to achieve the minimum 3 hours of direct solar access between 9:00 am and 3:00 pm on the winter solstice, as required by the DCP.
- viii) **Significant excavation concerns:** The extent of excavation raises concerns about potential structural, and vibration impacts on adjoining dwellings and the broader stability of the site.

Lavender Bay Precinct respectfully requests that Council refuse the Development Application in its current form, due to its failure to meet planning objectives and the adverse impacts it would have on the local community.

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3 Commodore Crescent, McMahon's Point NSW 2060

DA159/2025

Noted

11. GENERAL BUSINESS

Euroka Precinct reported that discussions regarding its future are ongoing. Several options are under consideration, including:

- Merging with one or more adjacent Precincts,
- Reverting to the former Union and Edward Precinct boundaries, and then possibly merging,
- Continuing as Euroka Precinct.

Viable options will be developed and proposed to the affected Precincts. The final decision will rest with the members of those Precincts.

12. DATE OF NEXT MEETINGS

Thursday, 31 July 2025



Robert Stitt KC

Chair, Lavender Bay Precinct

29 June 2025