

Summary of Actions Arising (SOA) Lavender Bay 2025

This document is North Sydney Council's response to actions arising from Precinct Committee Minutes. On receipt of the minutes, actions are numbered and allocated to relevant Council Officers for response.

To effectively manage and provide clarity, all actions are allocated a status when reporting to Precinct Committees in response to their minutes. There are three categories:

- **Awaiting Response** - action allotted to Council Officer - response awaited.
- **Open/Ongoing** - action allocated to Council Officer, initial response provided. Matter ongoing and further response/update to be provided at later date.
- **Closed for Council** - Council either completed related works/tasks or has taken all reasonable steps within its power to resolve issue (for example when matter is beyond its jurisdiction). If the Precinct Committee feels Council can take further steps, they can request Council reopen action.
 - a) Sits outside of Council's jurisdiction
 - b) Response given by Council and awaiting Precinct's reply
 - c) Council has completed related works/tasks**Note:** These subcategories are only applied from 2025 onwards)

Questions or concerns re content of this document should be directed precincts@northsydney.nsw.gov.au

Month	Item	Actions	Council's Reply	Status
July		Blues Point Road Precinct wishes to advise Council that significant amounts of rubbish regularly accumulate behind parked cars in this car park. Precinct requests that the area be cleaned on a regular basis to maintain cleanliness and amenity.	Request has been sent to Street cleaning team	Awaiting Response
June	4.	Wendy's Secret Garden The Precinct advise the Council that: 1) Wendy's Secret Garden be maintained in accordance with Wendy's original vision and intent;	We recommend the Precinct writes directly to the Mayor and/or Councillors to raise their proposal for a new approach to the maintenance and management of Wendy's Secret Garden.	Closed for Council

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		<p>2) North Sydney Council work with Wendy to appoint Trustees and to convene and report on regular Trust meetings;</p> <p>3) A philanthropic arm be established to endow the Trust with sufficient resources to secure the long-term future of the garden.</p>		
	5.	<p>NOAKES BOATYARD</p> <p>Precinct request:</p> <p>1) that Council ensure that Noakes is brought into immediate compliance with all applicable fire safety requirements; and</p> <p>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.</p>	<p>Fire Safety Order - A Fire Safety Order was issued on 27 July 2021 to carry out twenty-eight (28) fire safety upgrades to the existing buildings, including in respect of the fire hydrant system.</p> <p>The matter has been referred to HWL Ebsworth Lawyers. A building certification and fire safety consultant, engaged by HWL Ebsworth Lawyers to assist them in advising, has carried out an independent "peer review" of the adequacy of the Order. The consultant has completed their review and made recommendations to Council concerning the extent of compliance with the Fire Safety Order.</p> <p>Multiple meetings have been conducted on a "without prejudice" basis with the relevant parties and there has been a positive outcome and progress to address the Fire Safety Order items.</p> <p>The number of fire safety items has been substantially reduced. Documents and designs in relation to the remaining fire safety system items have been reviewed by Council and the registered practitioners are the finalising the designs.</p>	Closed for Council - c

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			<p>Fire Safety Certificate - The Precinct noted, 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. A Fire Safety Certificate is a document issued by a building owner to confirm all fire safety measures (eg. exit signs, fire hydrants etc) required by the Fire Safety Order have been installed. Council has not received a Fire Safety Certificate for the building as not all the fire safety measures required by the Fire Safety Order have been installed.</p> <p>Fire Safety Statement - It is assumed the abovementioned reference to a Fire Safety Certificate may have intended to be a reference to a Fire Safety Statement. A Fire Safety Statement is issued annually by the building owner to confirm an accredited practitioner (fire safety) has inspected, assessed, and verified the fire safety measures that are currently installed in the building are capable of performing. Council has received Fire Safety Statements for the site in preceding years. Council has also received a current Fire Safety Statement. The Statement has been duly signed by an accredited practitioner.</p> <p>Stop Work Order - A Stop Work Order is an Order issued to stop building work or subdivision work carried out in contravention of the EP&A Act.</p>	

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			Council can issue a Stop Work Order in specific circumstances detailed in Schedule 5 of the EP&A Act. These circumstances include when building work is being carried out in contravention of the EP&A Act or in a manner that would affect the support of adjoining buildings. Circumstances do not exist for Council to issue a Stop Work Order to stop carrying out building work. The building work, that is occurring at the site, is not being carried out in contravention of the EP&A Act as it is required to be undertaken to comply with the terms of the Fire Safety Order.	
		NORTH SYDNEY OLYMPIC POOL Lavender Bay Precinct resolved to request that Council release the Strategic Plan to Precinct, with redactions made where necessary to protect any commercially sensitive or confidential information.	Request forwarded to Director of Open Space.	Awaiting Response
May	3.2	Delivery Program and Operational Plan (DPOP) The Precinct resolve to advise Council (Councillors) and Executive (CEO), as Council cannot comply with the Local Government Act 1993, that it seeks the Minister's approval for an extension of one year to satisfactorily develop, following comprehensive community consultation, its new strategic planning including the Delivery Program.	Submission considered. The submission and response was included in the submissions table attached to the DPOP report tabled at the 30 June Council meeting.	Closed for Council -
	3.3	1 Henry Lawson Avenue, McMahon's Point DA 410/2024 The Precinct resolve to request Council (Councillors) and Executive (CEO, Director, Planning & Environment and Service Unit Manager Development Services) to prepare two	Request has been sent to Planning who are reviewing. No restoration of the site will be undertaken without further community consultation. Please note the	Open/Ongoing

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		Development Applications (DA) per the Foreshore Parks & Reserves Plan of Management (2023) i.e. i) a DA for demolition, and ii) then in consultation with the community, a DA to restore the area to parkland	upcoming Mayoral Minute to be discussed at Council meeting on 28 July.	
	4.	PARKING AT THE END OF BLUES POINT ROAD The Precinct resolve to request the Traffic Committee to consider <ul style="list-style-type: none"> i) Restricting parking in this area to 2 hours, Monday to Sunday, day and night ii) Excluding resident parking permits from this area. 	Request is being reviewed by Council's Traffic team, if changes are deemed necessary, recommendations are then submitted to the Local Traffic Committee for review. For more information about Traffic Committee please visit Traffic Committee – North Sydney Council .	Awaiting Response
	7.1	Motorised bicycles The Precinct resolved to enquire from Council what actions it was taking to lobby the NSW State Government on safety issues relating to these motorised bicycles.	Request forwarded to Traffic Department. In Council's submission to the NSW Upper House inquiry the following actions to address safety issues was recommended: <ul style="list-style-type: none"> 1.1 Expedite and resource new regulations for the sale of e-mobility devices to remove the sale of poor quality li-ion batteries to minimise fire risks. 1.2 Fund and deliver a buyback scheme for low quality e-mobility devices used by food delivery riders. 1.3 Additional resourcing to Police so they can regulate the use of E-bikes and E-scooters, particularly on the footpath. 1.4 Reduce speeds on local roads and commercial districts to 30km/hr to 	Open/Ongoing

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			<p>provide a safe on-road travel environment for riding e-bikes.</p> <p>1.5 Increase funding to deliver separated cycling infrastructure and road safety programs</p> <p>1.6 Work with food delivery companies to ensure food delivery riders are adequately trained and aware of the Road Rules 2014.</p>	
May	3.1	<p>1 Henry Lawson Avenue, McMahons Point</p> <p>Request Council to withdraw the Development Application for 1 Henry Lawson Avenue and to include 1 Henry Lawson Avenue on the Agenda for the next Council meeting.</p>	Request acknowledged by Mayor and forwarded to Planning. Please note the upcoming Mayoral Minute to be discussed at Council meeting on 28 July.	Open/Ongoing
	3.2	<p>Noise disturbance from modified cars and motorbikes</p> <p>Precinct request the Mayor to write again to the Environment Protection Authority (EPA) requesting extension of the current noise camera trial to include Blues Point Road, Lavender Street and Milsons Point.</p> <p>Precinct request Council (Mayor and Councillors) and Executive (Director, Open Space and Infrastructure) to change the zoning at the end of Blues Point Road enabling the installation of a turning circle.</p>	<p>Request acknowledged by Mayor. The EPA have confirmed the trial is closed/completed and now under review. Open Space and Infrastructure have also emailed the EPA requesting a community liaison contact in relation to this matter.</p> <p>The end of Blues Point Road is currently classified as a Shared Zone. A Shared Zone is a road where space is shared by vehicles and pedestrians and where pedestrian priority takes precedence over ease of vehicle movement. Shared Zones require TfNSW approval to ensure they comply with their design requirements. This includes a design to support the implementation of a 10km/h speed limit including paving that is visibly different to normal roads to reinforce the pedestrian priority. Infrastructure which</p>	Closed for Council

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			reinforces vehicle priority such as roundabouts is severely restricted as it would diminish the pedestrian priority and give drivers the impression that pedestrians should be out of the way. In order to implement a roundabout, the speed limit would be required to be increased from 10km/h to 50km/h, the pedestrian priority removed and the paving returned to black asphalt and would reduce safety. From site investigations undertaken, drivers are observed as predominantly giving way to pedestrians and there is a consistently slow vehicle movements within the Shared Zone. This creates a safer, more pedestrian friendly and pleasant environment than was previously in place. For this reason, the implementation of a roundabout within the Shared Zone cannot be supported.	
	5	ESTABLISH A DESIGN REFERENCE GROUP Request Council to form a Lavender Bay Design Reference Panel with representatives from Lavender Bay and Euroka Precincts, senior Council officers, and Councillor(s) to further develop the 2018 Bradfield Park South and 2020 Blues Point Masterplans, addressing issues and opportunities in this precinct, including McMahons Point and the unique foreshore at Bradfield Park South, Henry Lawson Reserve and Blues Point Reserve.	Request acknowledged by Mayor and forwarded to Open Space and Infrastructure. They advised that any request to form a committee needs to be sent to a Councillor to raise at a Council meeting. Council has recently reviewed it's committees and proposed a number of STAR committees. Refer to the 2025-2029 Community Engagement Plan.	Closed for Council - b
	8.	22 Chuter Street, McMahons Point Precinct oppose this DA as i) It does not respect the heritage aspects of this 1880's cottage. ii) It does not align with the form and character of other terraces in the street. iii) The	Noted	Closed for Council - b

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		bulk and scale of the rear of the property is incompatible and inconsistent with neighbouring properties. iv) It has significant negative impact on views from neighbouring properties. v) The proposed driveway entrance of approximately 5m would lead to the loss of two on-street parking spaces and significantly exceed The North Sydney Development Control Plan provision of a 2.5m maximum		
		Holt Street, McMahons Point Precinct request Council to ensure the development does not exceed the height limit.	Noted	Closed for Council - b
	9.1	North Sydney Olympic Pool Lavender Bay Precinct resolved to request Council (Mayor and Councillors) and Executive (CEO, Director Open Space and Infrastructure, Director Corporate Services & Chief Financial Officer) to provide responses to each of the following questions: Questions 1. Total forecast cost to completion. a) Is the total forecast cost to completion i) \$122m (Project budget cost \$91.82 PLUS estimated variations)? or ii) \$203m (Initial Project budget cost \$63.9m PLUS over \$140m in variation claims by ICON reported on 28 April 2025 Council meeting)? b) Does the revised budget include all project management costs and costs to make the pool operational for Council post practical completion, if not what are these costs? c) What is the source of funds for the forecast of \$122m, in terms of Loan funding, Federal government grant, State	Request acknowledged by Mayor, response from NSC's Director Corporate Services. a) As per the May 2025 NSOP project update: document-11490730 forecast cost to completion is \$122m. b) yes c) the project is funded through State and Federal Government Grants, Loan funding, Council funds, borrowing from internal reserves and Developer contributions. There is more information in the September 2024 quarterly review. Quarterly Budget Review - September 2024 d) contingency amounts and variations remain commercial in confidence due to the ongoing nature of the project. Update July <i>1. The revised construction contract sum is currently \$92.21m. The total project costs remain within the</i>	

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		<p>government funding and council funding. Please also provide the outstanding balances against these items to 31 March 2025.</p> <p>d) What is the contingency funding allocation to complete the pool including provision for contract variations below?</p> <p>2. Variations – number and value. In terms of variations, what is the number of</p> <p>a) Approved variations i.e. Council agreed and in revised budget?</p> <p>b) Unapproved variations i.e. Council not yet agreed including (separately) those not yet discussed and those in dispute?</p>	<p><i>forecast costs to completion of \$122m, however Council is aware of further variations claims costed by Icon at \$5.1m that have not yet been submitted.</i></p> <p><i>2. Yes, the revised budget includes project management and design costs, technical equipment, furniture and fittings and funds to operationalize the facility.</i></p> <p>3. Project funding sources is as follows:</p> <table><tr><th>Funding Source - \$122m budget</th><th>Amount, \$m</th></tr><tr><td>TCorp Loan - April 2022</td><td>31.00</td></tr><tr><td>TCorp Loan - July 2024</td><td>20.00</td></tr><tr><td>TCorp Loan - Approved not drawn</td><td>10.00</td></tr><tr><td>Federal Grant</td><td>10.00</td></tr><tr><td>State Grant</td><td>5.00</td></tr><tr><td>Developer Contributions</td><td>5.70</td></tr><tr><td>Internal reserves, including borrowing from other reserves</td><td>40.30</td></tr><tr><td>TOTAL</td><td>122.00</td></tr></table> <table><tr><th>Loan details / Outstanding principal as at 31 March</th><th>Amount, \$m</th></tr><tr><td>TCorp Loan - April 2022</td><td>28.39</td></tr><tr><td>TCorp Loan - July 2024</td><td>19.23</td></tr><tr><td>TCorp Loan - Approved not drawn</td><td>10.00</td></tr><tr><td>Total</td><td>57.62</td></tr></table>	Funding Source - \$122m budget	Amount, \$m	TCorp Loan - April 2022	31.00	TCorp Loan - July 2024	20.00	TCorp Loan - Approved not drawn	10.00	Federal Grant	10.00	State Grant	5.00	Developer Contributions	5.70	Internal reserves, including borrowing from other reserves	40.30	TOTAL	122.00	Loan details / Outstanding principal as at 31 March	Amount, \$m	TCorp Loan - April 2022	28.39	TCorp Loan - July 2024	19.23	TCorp Loan - Approved not drawn	10.00	Total	57.62	
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			4. The current contract sum of \$92.2m is inclusive of all approved variations to date. We are unable to disclose Council's position on variation claims that are yet to be agreed or under consideration as if this information was disclosed it may confer a commercial advantage to Icon in discussions associated related to variation claims on-foot. However, Council believes it has sufficient contingency to complete the pool.	
March	4.2	1 Henry Lawson Avenue, McMahons Point Lavender Bay Precinct resolved: 1) To support the demolition of the buildings on this site, the retention of the heritage items and restoration to parkland. 2) To strongly oppose the provision of an amenities block, kayak storage, a coffee facility, pavements and footpath, new pedestrian boardwalk, public viewing platform and a picnic area. 3) The DA must be assessed by an independently appointed external assessor. 4) Any development on the site requires Ministerial approval.	The Precinct may be informed that as per standing practice for Council matter's, we have engaged an external planner to assess this application. The concerns raised by the Precinct will be treated as a submission and will inform the Consultants recommendation. The application will be reported to the North Sydney Local Planning Panel for determination.	Closed for Council - c
	6.4	Community Strategic Plan 2025 – 2035 Lavender Bay Precinct resolved: i) To advise council NOT to proceed with the "Community Strategic Plan 2025- 2035" until the IPART decision concerning the Special Rate Variation (SRV) is known. ii) When the decision on the SRV is known council, if it then wishes to proceed with the "Community Strategic Plan 2025- 2035", actively involve the community in developing the plan, ensuring it reflects community needs and priorities.	Noted and submitted to Organisational Performance.	Closed for Council - c

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		65 Victoria Street, McMahons Point Lavender Bay Precinct resolved: To strongly oppose this Development Application due to: i) Breach of height restrictions of Clause 4.3 of NSLEP2013, ii) Adverse impact on the streetscape, iii) Adverse impact on the setting of the neighbouring heritage items, and iv) Loss of iconic views to neighbouring properties.	Noted	Closed for Council - c
		Cycle Ramp in Milsons Point To ask Council if it has received the \$2.5 million it agreed with TfNSW in exchange for landowner consent to enable progression of the cycle ramp through Bradfield Park North (ref resolution 5, item 7.1 in Council minute 28 February 2023).	Details of the grant funding agreement with TfNSW were finalised late last year. Council has signed the agreement and sent to TfNSW for their signature. Council expects to receive the funding by EOFY. Once received, these funds will be put into a reserve for Bradfield Park.	Closed for Council - c
February	4.3	Fire Hose Reel Residents advised that the fire hose at the Lavender Bay Wharf was an issue	Firecorp instructed to inspect and carry out necessary repairs to fire hoses.	Closed for Council - c
	5.	Henry Lawson Reserve, Mc Mahons Point It is pleasing that Council has returfed this area and installed sandstone blocks to prevent motor vehicles parking on the reserve.	Feedback has been forwarded and noted	Closed for Council - c
January	3.2	Noise Cameras Precinct resolved to again request Council to make a submission to the EPA for noise cameras to be installed in Milsons Point, Lavender Street, and McMahons Point. Update May Request the Mayor to write again to the Environment Protection Authority (EPA) requesting extension of the	North Sydney Council has requested to be included in any future EPA studies. Precincts are encouraged to independently contact the EPA to ask for specialised locations. For more information visit https://www.epa.nsw.gov.au/your-environment/noise/vehicle-noise/reporting-noisy-vehicle-exhaust	Closed for Council - b

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		current noise camera trial to include Blues Point Road, Lavender Street and Milsons Point.	Update May Acknowledged and sent request	
	7.2	Fire Hose Reels on the boardwalk near Luna Park Residents reported the three fire hose reels on the boardwalk near Luna Park were inoperable.	The Luna Park Boardwalk is managed by Luna Park and NSW Maritime. Email contact for Luna Park is grelations@lunaparksydney.com	Closed for Council - a