

Greenwich Community Association General Meeting

Held at Greenwich Memorial Community Hall, Greenwich Road
17 June 2015

Minutes of Meeting

The meeting opened at 7:35pm

Present: As per the attendance book

1) Welcome

President Tom Gervay welcomed Councillor Pam Palmer, Michael Mason Executive Manager Environmental Services Lane Cove Council, guest speaker Helen Haigh, Bushcare Coordinator Lane Cove Council and all others attending.

2) Apologies

Apologies were received from Mayor David Brooks Horn, Councillor David Karpin and Alan Winney.

3) Confirmation of Minutes of previous meeting

The minutes of the GCA Annual General Meeting held 22 April 2015 were tabled.

Motion: The minutes are accepted.

Moved by Merri Southwood, seconded by Patricia Quealey and passed.

4) Matters arising from the Minutes

Any matters arising from the minutes were discussed during the meeting.

5) Report on the Activities of the Association

a) President's Report

The President reported on his discussion with Mayor Brooks Horn on the St Leonards South Master Plan. There is still no combined approach to the planning of St Leonards as a whole with each of the three Councils proceeding independently of each other. There have been some attempts to work together but without success to date. Lane Cove is still proceeding with the development of the public plaza over the railway line south of the Pacific Highway.

b) Secretary's Report

Since the General Meeting held on 22 April 2015 the following correspondence has been received:

| <i>Date</i> | <i>From</i> | <i>Subject</i> |
|-------------|---------------------------|-----------------------------------|
| 29 May 2015 | Viva Energy Australia Ltd | Response to GCA letter 1 May 2015 |

The following correspondence has been sent:

| <i>Date</i> | <i>To</i> | <i>Subject</i> |
|---------------|--|--|
| 28 April 2015 | The General Manager Lane Cove Council | Lane Cove Council Budget 2015/6 - Bicycle Aspects |
| 1 May 2015 | Mr LA Pfeiffer, Company Secretary, Viva Energy Australia | Gore Bay Terminal, Request for an Urgent Meeting |
| 1 May 2015 | The General Manager Lane Cove Council | Draft St Leonards South Master Plan - SU5759 |
| 22 May 2015 | The General Manager Lane Cove Council | Osborne Park Traffic Study - SU 5586 |
| 3 June 2015 | Minister for Environment | Gore Bay Terminal Fuel Sulphur Content and Licence Conditions |
| 10 June 2015 | NSW EPA | Protection of the Environment Operations (Clean Air) Amendment (Cruise Ships) Regulation 2015 attaching submission |
| 12 June 2015 | The General Manager Lane Cove Council | Protection of the Environment Operations (Clean Air) Amendment (Cruise Ships) Regulation 2015 |
| 17 June 2015 | NSW EPA | Gore Bay Terminal Review of EPA Licence 661 |

c) Treasurer's Report

The Treasurer, Patricia Quealey presented the report:

SUBSCRIPTIONS

Total voting members now is 183, which is similar to numbers at this time last year. Almost half our numbers joined at or just before the AGM in Feb (107). Since then, we receive 30-40 new subscriptions after each Newsletter,

We had a membership drive mid last year which got more people involved. This year, we are hoping our social media initiative will broaden the number of voting members.

\$3575 has been received so far mostly via EFT and cash, which is the trend we want.

OPERATING FUNDS

| | |
|---|----------------|
| Cash in bank | \$5,252 |
| Term deposit balance | \$12,077 |
| Rolled over for another 3 months at interest rate | 1.9% |
| Maturity date | 14 August 2015 |

No unusual expenditure, just Newsletter, Internet provider and reimbursements.

6) Guest Speaker – Helen Haigh, Bushcare Coordinator Lane Cove Council

The Lane Cove Council Bushcare Program is a partnership between the Council and the community to regenerate and manage bushland for the long term. It includes Bushcare Groups, Bush Friends, Backyard Habitat and Wildlife Watch. Bushcare works on bush regeneration, grant projects and bushland projects. It works through local volunteers supported by Council with trained regenerators, established work plans and supplies tools and materials.

Bushcare in Greenwich operates through groups at Manns Point (established 1999), Greendale Park (established 2010), Gore Creek (established 2012) and Jago Street (launching 10 July 2015).

Manns Point is treated as two separate areas - the area at the top and the area by the water and the whole area is in a maintenance stage. Gore Creek has made great progress in the last three years.

Bush Friends are volunteers and work in Shell Park (4), Gore Creek (3) and Greendale Park (3).

Bush regeneration principles are working from good to bad areas to prevent rework, planting and creating habitat for wildlife. Wildlife is returning to regenerated areas.

The benefits to volunteers include meeting new people, discovering and learning, making a contribution, conserving, connecting fragments of remnant bushland, bringing back habitat and connecting with European and Aboriginal history.

Bushcare is on Facebook and all activities are detailed on the Council website.

The President thanked Helen for her presentation and undertook that the GCA will add a link to Lane Cove Bushcare on the GCA website.

7) Notified Business

a) Greenwich Baths DA – Application for a Liquor Licence

Michael Mason Executive Manager Environmental Services Lane Cove Council addressed the meeting:

- Council has received a proposal application for a licence to serve alcohol at Greenwich Baths from Bluefit Pty Limited.
- The Baths is unzoned and therefore this is a permitted use. The neighbours have been notified and an advertisement has been placed in the Village Observer requesting community comment.
- A DA is required because the proposal represents a change of use.
- Council will prepare a report and will submit it to an Independent Review Panel who will consider the report, may hold a public meeting, visit the site, hear from the Applicant and then make a decision.
- Comments from the community have been requested by 19 June but Council will consider any comments received before the end of June.

- It is understood that the Baths is not in a heritage precinct.

A speaker claimed that current the lease document between Bluefit and the Council has recently been changed. It was also asked which party instigated the changes to the lease if any have been made. It was also questioned whether the current lease permits the service of alcohol on the site. Michael Mason undertook to look into these matters and to respond.

If the Council ultimately approves the DA the application for the liquor licence it will then proceed through a Licencing Court process.

Todd McHardy, Managing Director Bluefit addressed the meeting:

- An application for a liquor licence made by the Bluefit Foundation, a charity, was approved for the period December 2013 to January 2014. Another liquor licence application was considered later in 2014 but was later abandoned after community concerns were raised.
- Bluefit won the management contract for the Baths through an open and transparent tender process run by Council two years ago. In a response to community concerns expressed at the time Bluefit entered into a sublease with the previous manager for a period. However this arrangement was not successful and ended acrimoniously. Since that time Bluefit have managed the Baths directly.
- Todd expressed a willingness to be flexible with the arrangements and said he would accept a trial period. In essence he wants to replicate the earlier experience of the liquor licence.
- The Baths has for the first time recently achieved a small profit but will never be strongly commercially viable.
- Bluefit will submit supplementary material amending or further defining the DA proposal, which will be available for community comment.

Councillor Pam Palmer addressed the meeting:

- Pam is a member of the Friends of Greenwich Baths Committee, which meets regularly with representatives of the pool users and of Bluefit. There was some mention of a liquor licence at recent meetings but the first concrete proposal is the one submitted to Council as the DA.
- Pam obtained a redacted copy of the lease for the Baths from Council and passed it on the residents who had expressed an interest.

Motion: The GCA write to Council to request that they hold a public meeting to discuss the proposal for a Liquor Licence at the Baths and hear the community's concerns.

Moved by Liz Gill, seconded by Michael Carr and passed by a majority with some members voting against.

b) Draft St Leonards South Master Plan

Albert and Anita Jubian addressed the meeting:

- Lane Cove Council will hold an Extraordinary Meeting on Monday 13 July 2015 at 7:00pm to consider a report following community consultation on the St Leonards South Draft Master Plan. It is anticipated that Council will support the “medium” proposal.
- Infrastructure, schools and traffic have not been properly considered. The area may eventually have a population of up to 27,000 people.
- People are encouraged to write to Council to object to the proposals.
- Each of the three councils, which cover the area of St Leonards, is looking at its own area with no integration. Lane Cove Council says that cooperation between councils is a work in progress.
- The State Government current plan denotes the area as commercial/medical uses.
- Voluntary Planning Agreements are a concern.

Peter McConaghy addressed the meeting:

- Peter is part of a group of residents who fought against the earlier developments but now recognise that St Leonards is changing. A Master Plan should give residents certainty about the direction of development as opposed to the spot rezoning typified by the Loftex development. The community needs certainty and this group has joined forces to avoid being disadvantaged.
- If Council does nothing then piecemeal development will still occur over time through State Government/Land and Environment Court approvals.
- This group believes that the current proposals provide enough sunlight, that the open space provisions are adequate.
- If there is no plan then there will be no plan for infrastructure, schools etc.
- The State Government wants more development near railway stations.
- The ultimate population of the area is more likely to be in the range of 4-5000.

Discussion ensued and a range of points of view were presented with a recurring theme of an objection to overdevelopment and a questioning of whether it is appropriate for Council to be facilitating the rezoning.

c) Proposed Council Merger

Lane Cove Council is seeking community feedback on Council mergers via an online survey. People are encouraged to communicate their opinions on the proposed mergers and the alternatives via the survey. Council does not support amalgamation. Their view is that larger councils will limit the opportunities for individuals to have a say. One speaker stated that the Victorian experience of council amalgamations had not been a

success and that some of the suggested initiatives for more cooperation and sharing between councils are already working.

d) Cockatoo Island Development

Margaret Campbell, planner for the Sydney Harbour Federation Trust and a Greenwich resident addressed the meeting:

The SHFT operates under Federal rather than State legislation. Cockatoo Island is a World Heritage Site. The proposal is for a dry stack boat storage operation on the southern side of Cockatoo Island. It will have 120 boats in dry storage and berthing for 30 more boats of various sizes. Six staff will operate it. Users and staff will access the site via a shuttle boat service picking up from wharves in the surrounding areas including Greenwich Point wharf. Parking around the wharf may have an impact during busy periods. There is a smaller scale version of the same thing operating at the present time but without the racks.

The proposal has been advertised in newspapers and all State authorities and local councils have been advised. Community comments are being sought by 23 June 2015. Details of how comments can be made are in the newspaper advertisements and on line.

8) Report of Subcommittees

a) Gore Bay Terminal Subcommittee – Merri Southwood, Convener

A full report of the activities of the Subcommittee is included in the attachments to these minutes.

Viva Energy has now officially abandoned the Gore Bay Terminal State Significant Development application. This means that the tank removal and associated work covered by the SSD will not be carried out and the technical data that that would have accompanied the SSD will not now be issued. Viva has stated that they will not store petrol or jet fuel on the site. However they are not prohibited from doing so by any Government agency.

With the demise of the SSD NSW Planning are no longer involved. Lane Cove Council has generally watched from the sidelines.

Motion: That the GCA write immediately to the Mayor and General Manager of Lane Cove Council to request an urgent meeting of GCA representatives, all Councillors and key Council staff. The purpose of this meeting is to advise Council of the key concerns around the operation of the Gore Bay Terminal and to update Council as to community expectations of Council as consent authority for Gore Bay Terminal now that the SSD has been cancelled. The GCA authorises the sub-committee to prepare a report to Council in respect of the matters to be raised at the meeting and to provide this to Council at or in advance of the meeting.

Moved by Merri Southwood, seconded by Michael Ryland and passed.

Current legislation allows for ships berthed in Sydney Harbour to use diesel fuel containing 3.5% sulphur. Ships berthed which have no access to shore power use diesel generators while in port. The EPA is currently proposing to change the regulations to reduce the sulphur content of diesel fuel used by cruise ships in Sydney Harbour to 0.1%. The GCA is of the view that this should apply to all ships including those berthed

at Gore Bay Terminal and has made a submission to this effect to the EPA. The Subcommittee will maintain a watch on this issue and will forge a closer relationship with the White Bay community who has championed this issue in relation to the Cruise Terminal located there and the Kurnell community.

Motion: That the sub-committee be authorised to establish working relationships with representatives of the White Bay and Kurnell communities with a view to acquiring information to assist the community in its advocacy with the EPA for a review of Licence 661 to ensure health and safety of the community and the environment consistent with best practice.

Moved by Merri Southwood, seconded by John Southwood and passed.

The EPA licence under Viva Energy operate the Gore Bay Terminal is due for review by the end of 2015. The GCA has written to the EPA requesting that carry out community consultation as part of the review.

The Planning Assessment Commission decision on the Viva Energy Clyde facility relied on an email from Viva confirming that they would not store petrol at Gore Bay. The Subcommittee will follow up with the PAC on this.

The public float of Viva Australia is continuing and the Subcommittee will monitor its progress and status.

The public meetings that Viva has held in the past have been reduced in size to now include only immediate neighbours of the Terminal.

Motion: That the GCA write to Viva seeking the right to appoint a GCA representative at future Viva Community meetings

Moved by Merri Southwood, seconded by Rod Tudge and passed.

d) Bicycle/Active Transport Subcommittee – Michael Ryland

The Subcommittee has three main areas of focus at present:

- Lane Cove Council 2015 Budget and the allowances for bicycle infrastructure contained within it. The total amount allocated is \$100,000, which is insufficient to deliver the outcomes set out in the Council's Bike Plan. This represents an expenditure of \$3 per resident per year, which is at the lower end and well below similar expenditure of other Councils in Sydney.
- A safe access across River Road between Greenwich Road and the railway. This could also be part of the Master Plan for St Leonards South.
- Uploading more bicycle related information on the GCA website.

e) Social Media – Michael Ryland

The Working Group is seeking additional volunteers of interested people to act as the core group to set up and manage a Facebook page for the GCA. When they have 6-10 people they will start work on planning and setting up the page with a target of going live by September.

f) Newsletter – Liz Walton

The latest print run of the newsletter included an additional 100 copies in order to deliver to the roads in Greenwich North/St Leonards South for the first time. It seemed to be well received by residents of the area and the Executive Committee will review the distribution of the newsletter to include these streets in the future.

9) Councillor's Reports – Councillor Pam Palmer

Lane Cove Council opposes the council amalgamations proposed by the State Government. The Council already achieves the State Government's financial targets and ratios. It doesn't meet the population target.

The Osborne Park Traffic Study – Council has deferred its decision and will re visit the issues on a street-by-street basis.

The St Leonards South Draft Master Plan is the only item on the agenda for Council's meeting on 13 July and the discussions will revolve around resident feedback to the proposals. The selected option may include an additional crossing on River Road. The whole re zoning process has been instigated by residents in the area, which is unprecedented, and in many ways is a pilot project. It is not known how the State Government will react. Lane Cove has met its State Government imposed housing targets with current developments. Council is yet to do a deal on the plaza over the railway at St Leonards.

Council has struck a deal with Winten Property Group include the adjoining commercial strip fronting the Pacific Highway in their residential development.

The permanent shade awnings to the outdoor dining areas at Greenwich shops have commenced.

Work is underway on the Little Lane carpark redevelopment and is causing disruption to access to the Aquatic Centre. The apartments in the development went on sale last weekend and 48 of the 50 apartments sold.

Council has completed a new park in Burns Bay Road, installed improved lighting at Tantallon Oval and the new synthetic playing fields at Blackman Park are being well used.

10) Next Meeting

The next General Meeting will be held on Wednesday 19 August 2015 at 7:30pm at Greenwich Memorial Community Hall, Greenwich Road.

11) Close

The meeting closed at 10:30pm.

Attachment

Gore Bay Terminal Subcommittee Report

Sub-Committee Membership

The sub-committee membership is as follows:

- Jenny Bowen
- Karen Coleman
- Garry Draffin (Joint Deputy Chairperson)
- Tom Lawson
- Penny Mabbutt (Joint Deputy Chairperson)
- Ian Meller
- Stuart Warden (Secretary)
- Han Xiao
- Merri Southwood (Chairperson)

Meetings of the Sub-committee

Since the last GCA general meeting, the sub-committee met on:

- 15 June 2015

Action arising from last meeting

To be discussed below.

Cancellation of SSD for Gore Bay

On 27 May 2015 Viva representatives announced to an invitation only gathering that the SSD for Gore Bay has been cancelled. The decision was made at company level on 27 April.

This means that the planned removal of redundant tanks along the boundary and adjacent to properties will not proceed.

It also means that the extensive reports about the technical detail of the operation such as health reports and risk analyses will not be made available as they would have been as part of the SSD process.

Viva has placed a redacted version of a health report on its website but continues to block release of the full report requested under GIPA three years ago, almost to the day.

Viva management gave verbal undertakings at the meeting that petrol is not currently and will not be stored at Gore Bay but again refused to provide a written undertaking or to seek removal of petrol storage rights from the current EPA licence for Gore Bay.

It was also confirmed that jet fuel will not be stored at Gore Bay.

The Department of Planning has confirmed that it has no current role in respect of Gore Bay with the cancellation of the SSD and that Lane Cove Council is now the relevant consent authority in respect of what happens at Gore Bay.

Lane Cove Council has maintained a watching brief in respect of the terminal through the attendance of its officers at various Viva meetings/presentations but it not been proactive in terms of advocating for the community especially in relation to emergency management.

Given that Council is now the consent authority for what is happening and will happen at the terminal, the sub-committee seeks the approval of the meeting to seek an urgent meeting with all Councillors and key Council officers to outline the community's expectations of Council in terms of ensuring that the terminal is operated to ensure health and safety of the community and the environment. This is particularly relevant in terms of the imminent review of the EPA licence and the draft regulations about reduced sulfur levels in marine fuel.

Resolution sought as follows:

That the GCA write immediately to the Mayor and General Manager of Lane Cove Council to request an urgent meeting of GCA representatives, all Councillors and key Council staff. The purpose of this meeting is to advise Council of the key concerns around the operation of the Gore Bay Terminal and to update Council as to community expectations of Council as consent authority for Gore Bay Terminal now that the SSD has been cancelled. The GCA authorises the sub-committee to prepare a report to Council in respect of the matters to be raised at the meeting and to provide this to Council at or in advance of the meeting.

GCA Letter to Viva and Response

Following the last general meeting the GCA wrote to the Company Secretary of Viva on 1 May seeking information about a range of matters including progress of the Gore Bay SSD, release of the health data, concern about petrol storage and the rumour of a public float of Viva.

No response was forthcoming until after the announcement of the SSD cancellation.

Copies of both letters can be viewed on the GCA website.

Sulfur Emissions

Tankers at Gore Bay do not have access to ship to shore power so pumps and utilities are powered by generators on board the tankers. The generators burn marine fuel that contains sulfur. Viva is permitted to burn fuel to the current International Maritime

Organisation standard which is 3.5% sulfur. The mandated level in the Baltic Sea and along the US and Canadian coast is 0.1% sulfur.

Viva has stated that it requires vessels (where possible) to switch to fuel with sulfur levels below 3.5% when tankers are berthed at Gore Bay but this cannot be confirmed nor is it mandated.

As a consequence of community concern in Leichhardt LGA around health impacts of sulfur emissions at the White Bay Passenger Terminal, the Minister for the Environment has released draft regulations that will require all cruise vessels berthing in Sydney Harbour from 1 October 2015 to burn marine fuel of no more than 0.1% sulfur and all cruise vessels in NSW Ports to do the same from 1 July 2016.

Given that the rationale behind the regulations is to minimise risk from exposure to sulfur, the same logic should apply to the tankers at Gore Bay.

The GCA has lodged a submission to the committee that is drafting the regulations seeking an extension of the provisions to include all commercial vessels including those in Gore Bay. A copy of this submission appears on the GCA website.

Submissions have also been made in similar terms by Friends of Gore Bay and a local health professional.

A letter was sent by the GCA to the Minister for the Environment in the same terms on 3 June 2015.

The GCA also sought support of Council for the GCA submission on 12 June 2015.

EPA Licence Review

The EPA Licence 661 for Gore Bay is due for review in the latter part of 2015. It was anticipated that this would have been done as part of the Viva SSD. Requests to the EPA for over two years to make changes to the licence were met with the response that we needed to wait for the SSD.

Penny Mabbutt and Ian Meller of the sub-committee met with Greg Sheehy, Manager EPA Sydney industry, and Bobb Marr EPA officer with oversight of Gore Bay Terminal on 28 April to discuss the upcoming review. This was before the announced cancellation of the SSD.

The main messages coming out of the meeting were:

1. There is not normally a public consultation process associated with a review. A specific request for a consultation process has been made in the letter referred to below.
2. The EPA licence review process is largely administrative. The EPA is not proactive in terms of seeking out data but has been advised of the Health Risk Assessment report with the Health Department and has agreed to follow up on this. The public can make submissions to the EPA but there is currently a lack of data to work with given the cancellation of the SSD.

3. Prohibition of petrol storage is not a given. The EPA will look to WorkCover for guidance in this respect.

The GCA has written 16 /6/2015 to Greg Sheehy to confirm the main items discussed at the meeting.

Given the need to secure data quickly the sub-committee suggests two initiatives:

1. Approach White Bay residents who have amassed significant amounts of data about emissions, noise, vibrations etc
Greenwich Community Association Gore Bay Terminal Sub-committee
Report to General Meeting 17 June 2015
2. Seek to develop contact with the Kurnell Progress Association in relation to licence conditions for the Caltex petrol storage facility. The licence for this facility is due for review early 2016 and the issues around storage of refined petroleum products must be similar to the issues at Gore Bay.

Resolution sought as follows:

That the sub-committee be authorised to establish working relationships with representatives of the White Bay and Kurnell communities with a view to acquiring information to assist the community in its advocacy with the EPA for a review of Licence 661 to ensure health and safety of the community and the environment consistent with best practice.

Legal Avenues to Appeal PAC Decision on Clyde SSD

The NSW Planning Assessment Commission issued consent for the demolition of storage tanks at Clyde in January 2015. In its reasons for making a determination on Clyde in advance of exhibition of the Gore Bay SSD, the PAC made reference to the fact that the Gore Bay SSD was imminent and that Viva said it had made public commitments not to store petrol at Gore Bay.

PAC did not include in the Clyde consent any conditions around petrol storage at Gore Bay or lodgment of the SSD for Gore Bay.

It is not known if there are any avenues to force a review of the PAC consent for Clyde in an effort to secure more certainty around storage of petrol at Gore Bay.

Advice is being sought as to possible legal avenues to challenge the PAC decision or force a review of operations at Gore Bay Terminal.

Viva Public Float

Viva representatives at the 27 May meeting said they were not in a position to comment on speculation.

It is not known what assets will be included in the float entity.

GCA Representation at Viva Meetings

Viva has now ended its public meetings and has collapsed down the Reference Group following the cancellation of the SSD.
It will now hold meetings of nearby residents every 6 months.

The GCA was represented at these meetings in their original pre-August 2011 format.

Resolution sought as follows:

That the GCA write to Viva seeking the right to appoint a GCA representative at future Viva Community meetings.