

Greenwich Community Association General Meeting

Held at Greenwich Memorial Community Hall, Greenwich Road
21 October 2015

Minutes of Meeting

The meeting opened at 7:35pm

Present: As per the attendance book

1) Welcome

Rob Hunter chaired the meeting in the absence of the President Tom Gervay and welcomed Councillors Pam Palmer and David Karpin, Greg Sheehy and Alex Bowlay, guest speakers from the EPA, residents of neighbouring communities and White Bay and all other members of the Greenwich community attending.

2) Apologies

Apologies were received from Councillor David Brooks Horn, Tom and Meg Gervay, Liz Gill, Ian Meller, Penny Mabbutt, Helen Smith and Tom Lawson.

3) Guest Speakers:

**Greg Sheehy, A/Director, Metropolitan Branch,
Alex Bowlay A/Senior Operations Officer
NSW Environment Protection Authority**

Introduction of Speakers

Merri Southwood introduced the Guest Speakers, noting that the GCA had asked them to speak to the meeting to explain the EPA licence process in relation to the Gore Bay Terminal.

To put the discussion in context Merri outlined the recent planning processes, noting that:

- the EPA licence for the Gore Bay Terminal is required to be reviewed every 5 years and can be reviewed or amendments can be sought at any time within a 5 year period;
- in January 2011 the then owner, Shell, announced it would shutdown the Clyde facility, and this led to planning being undertaken for the site as a State Strategic Development ("SSD");
- the GCA engaged in regular consultation with Shell from then as part of the SSD planning process. There was an expectation at that stage that the site would be redeveloped with some tanks removed, with upgraded chemical facilities, and with crude oil being replaced by marine fuel, diesel, jet fuel and petrol;

- in May 2015 the new owners, Viva Energy, announced they would not be going ahead with the SSD. This has led to a lack of information about what will happen to the site as the scope of the SSD is no longer the measure for what could happen at the Gore Bay Terminal;
- under the licensing process the EPA has invited people to make submissions to its review of the EPA licence for Viva Energy at Gore Bay Terminal by 13 November 2015. The GCA will make a submission. Any member of the community may also make their own submission;
- the purpose of the presentation by Greg Sheehy and Alex Bowlay is to explain the EPA licence review process so that the community can understand what is within the scope of their review and what is relevant to include in any submission.

EPA presentation

Greg Sheehy led the presentation and outlined the nature and scope of the EPA licence review, noting in particular the following points.

Scope of review

The EPA review was advertised in the Sydney Morning Herald on 21 October 2015.

EPA is limited to regulating matters contained in development consents or environmental impacts as per legislation ie air, ground water, noise, odour but not risk in terms of explosion, fire etc.

The Greenwich community has evidenced a high level of interest in the licence review and the EPA has encouraged the owner to be more open in terms of information sharing with community.

In its review the EPA will draw on material prepared by Viva for SSD. They consider that much of the information prepared for the SSD planning process information is still relevant even though it is based on a scope of proposed activities at Gore Bay Terminal that is now no longer applicable. If the EPA considers that material previously provided to EPA is unclear or there has been significant change, they will ask for further clarifying or updating information.

In terms of activities, the main focus of the review is the bulk storage of petroleum products, including the containers.

Fit and proper person test

In its assessment of whether the licensee is a fit and proper person the EPA conducts verification checks (eg company searches) but it does not investigate the financial capacity or capital base of the licensee unless there are indications of problems in this regard.

It can require particular financial assurances in the licence conditions but it generally imposes the same conditions on all licensees in this regard unless it has information suggesting different conditions are appropriate.

Generally it does not require evidence of insurance because the policy terms result in them being of little practical value.

Rating level for fees

The current license is based on permitted levels of emissions etc, and fees are assessed accordingly.

The new rating system is a risk based model. Fees will be assessed on a rating that is a blend of risk of facility and compliance record.

Gore Bay Terminal has been assessed as a high risk facility but the final rating will be determined by a blend of this and corporate compliance record.

Hazard risks

Importantly the EPA review is limited to emissions, noise and the other environmental protections for which EPA is responsible.

EPA is not responsible for assessing or enforcing regulatory requirements relating to hazards such as fire, rescue, workplace injury etc. These are matters for WorkCover (SafeWork), NSW Fire & Rescue etc.

EPA cannot assist the community to obtain access to the hazard analyses prepared by Viva for SSD.

It was noted in the discussion from the floor that the modeling and risk profiling done for the SSD process would need to be updated for the revised scope of activities at Gore Bay Terminal when that was known.

Deodorisers

EPA does not regulate or prohibit deodorisers.

When asked if deodorisers masked emissions that the community should be able to detect for sake of public health, Greg Sheehy expressed his personal view that deodorisers are not effective as masking agents as people can recognize that they are a mask.

EPA regards masking agents as an operational matter for the licensee.

Tanker sulfur emissions

EPA cannot regulate tanker sulfur emissions in the absence of specific regulations that override the permitted Marpol levels.

Emissions monitoring

EPA has seen an earlier draft of the Human Health Risk Assessment Report prepared as part of the SSD process and in their view that earlier draft did not raise significant issues relevant to the EPA licence review.

Greg Sheehy noted that it is important when reviewing reports of that nature to read all of the findings in the context of the report as a whole to avoid aspects being taken out of context or misinterpreted

EPA doubts the efficacy of ongoing boundary monitoring as readings can be thrown out by emissions from other sources. Monitoring at source for VECS will continue and VECS readings are required to be published on Viva's web site.

It is being proposed that monitoring at other potential leakage points would be reduced to every two years.

"Best Practice" requirement

The legislation seeks to ensure that the licensee is complying with "best practice" in relation to environmental protection.

There is no specific definition of "best practice". The EPA implements this in the context of the standards applying under the Act and regulations, and EPA policies. These standards generally look to the British, US CPA and WHO reference points.

There is evolution in this area as a regulation may be compliant with international standards one day and not the next.

Subsequent discussion

The meeting thanked the Guest Speakers who then left the meeting.

In subsequent discussion it was noted that the recent announcement requiring cruise ships (but not container ships) to limit their sulfur emissions to prescribed levels when moored in Sydney were the result of a long and persistent campaign by Leichardt Council in relation to emissions at White Bay. It is expected that a similar campaign will be needed to require the same limit on sulfur emissions for container ships.

4) Confirmation of Minutes of previous meeting

The minutes of the GCA Annual General Meeting held 19 August 2015 were tabled.

Motion: The minutes are accepted.

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

5) Matters arising from the Minutes

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

6) Report on the Activities of the Association

a) President's Report

Rob Hunter noted that since the last General Meeting the GCA had been active on the EPA Licence Review for the Gore Bay Terminal, the St Leonards South Master Plan, traffic in the Osborne Park area, traffic around Greenwich Road shops as well as the work of the subcommittees and the production and distribution of the newsletter

b) Secretary's Report

Since the General Meeting held on 19 August 2015 the following correspondence has been received:

<i>Date</i>	<i>From</i>	<i>Subject</i>
21 September 2015	David Fowler, Director Reform and Compliance, EPA	Draft Industrial Noise Guideline
22 September 2015	Greg Sheehy, A/Director Metropolitan Branch, NSW Environment Protection Authority	Invitation to make a submission to a licence review Environment Protection Licence 661
6 October 2015	The Hon Anthony Roberts MP	Ongoing Issues with the Viva Energy Australia Gore Bay Terminal
8 October 2015	Kirsty Beram, Manager Governance, Lane Cove Council	Proposed Review of Lane Cove Ward Boundaries
8 October 2015	Hyecorp Property Group	2015 Hyecorp Community Grants
13 October 2015	Kirsty Beram, Manager Governance, Lane Cove Council	Proposed Review of Lane Cove Ward Boundaries

The following correspondence has been sent:

<i>Date</i>	<i>To</i>	<i>Subject</i>
24 September 2015	The Hon Anthony Roberts MP, Member for Lane Cove	Viva Energy Australia Gore Bay Terminal
24 September 2015	The General Manager, Lane Cove Council	St Leonards South Master Plan Finalisation
25 September 2015	General Manager, Lane Cove Council	Greenwich Shops, Greenwich Road Traffic Issues
25 September 2015	East Ward Councillors, Lane Cove Council	Osborne Park Traffic Study
28 September 2015	Mark Gifford, Chief Environmental Regulator, NSW EPA	Viva Energy Gore Bay Terminal Review Environmental Protection Licence 661
13 October 2015	Email to: All Lane Cove Councillors	Invitation to Public Meeting of GCA 21 October 2015
14 October 2015	All North Sydney Councillors	Invitation to GCA Public Meeting 21 October 2015
15 October 2015	Mark Gifford, Chief Environmental Regulator, NSW EPA	Viva Energy Gore Bay Terminal Review Environmental Protection Licence 661, Community Meeting

c) Treasurer's Report

The Treasurer, Patricia Quealey presented the Treasurer's report as follows:

SUBSCRIPTIONS

We have received 38 member subscriptions since the last General Meeting making the total of voting members now 255.

\$4895 has been received so far. The preferred method of payment is still via the Pharmacy box. EFT is the choice for about one third of the subscriptions.

OPERATING FUNDS

Cash in bank	\$5,132.00 (as at 20/10/15)
Term deposit balance	\$12,135.80
Rolled over for another 4 months at interest rate	2.45%
Maturity date	14 December 2015

This month in addition to the Newsletter expenses, the GCA donated \$500 to the Better Planning Network (as resolved at the last public meeting).

7) Notified Business

a) St Leonards South Master Plan Update

As resolved at the last public meeting, the GCA had written to the Lane Cove Council noting the community petition with over 500 signatures requesting that the planning process in relation to St Leonards South Master Plan be deferred until effective community consultation has taken place, and asking the Council to state how satisfactory firm commitments from government agencies for the necessary infrastructure funding will be obtained.

Concerns were raised and discussed as to:

- the lack of Council response to the GCA letter notwithstanding the community interest in the issue,
- the lack of notification to or consultation with residents in the immediate area about the Master Plan, and
- the extent to which Council appeared to be disregarding community submissions and input in its decisions on the St Leonards South Master Plan.

It was noted that there were further issues arising in relation to the planning process, including the possibility of amendments to the LEP and DCP being sought to permit more intensive development, and a proposal to increase the height of the building on the Loftex site in Marshall Avenue from 12 storeys to 20 storeys. Submissions are due on that issue by 26 November.

Motion: that the GCA should establish a sub-committee to investigate and respond to the St Leonard South Master Plan, to be convened by Alan Winney, Albert Jubian and Peter Sweeney. Moved by Merri Southwood. Seconded by John Southwood. Passed.

b) Osborne Park and Gore Hill Traffic Study: Alan Winney

It was noted that Council had approved at its 19 October meeting the proposal to have 3P parking on one side of the street and unrestricted parking on the other in the Osborne Park and Gore Hill area on a 6 month trial basis.

On other traffic aspects, it is understood that it is proposed to introduce more disabled parking and No Stopping signs in Greenwich Road and Carlotta Street. It is expected that this will aggravate local resident parking difficulties. The additional traffic and parking expected from the St Leonards South Master Plan will also be relevant to this.

c) Proposed Council Amalgamations

Council has 30 days to respond to the State Government's requirement for Councils to amalgamate in light of the recent IPART report. One proposal is for Lane Cove to amalgamate with Hunters Hill, North Sydney and Mosman. Council will consider its response further.

If the amalgamations proceed it is not known whether the State Government will appoint administrators to affected local government areas pending completion of the amalgamation (as occurred in Victoria).

d) Gore Bay Terminal Review of EPA Licence: Merri Southwood

This item had been discussed in the course of the presentation by the Guest Speakers.

Motion:

- that the GCA appoint a representative to attend the EPA workshop on Monday 26 October on sulfur emissions.

Moved: Merri Southwood. Seconded: Patricia Quealey. Passed.

Motion:

- that the Greenwich Community Association Gore Bay Terminal Sub-committee be authorised to prepare a draft submission to the NSW Environment Protection Agency (EPA) in respect of the review of EPA Licence 661
- that the draft submission be presented to the GCA Committee for approval and, when approved, be forwarded to the EPA by 13 November 2015
- that a copy of the finalised submission be placed on the GCA website.

Moved: Merri Southwood. Seconded: John Southwood. Passed

e) Review of Ward Boundaries

The ward boundaries are being reconsidered in light of the growth of the population in the West Ward. The boundaries must be within a 10% variation of each other.

A proposal had been put to Council to restructure the wards into 9 wards with one Councillor for each ward. This had not been well received by Councillors as it would mean that a resident would not have any other direct representative to consult if they were not satisfied with the Councillor for their ward.

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.

b) Environmental Sustainability

The Environmental Sustainability Subcommittee has checked the situation with Sustainability Grants for further BagShare bag purchases. The next round closes in the week of 3 March 2016. The Council's Sustainability Co-ordinator (Katie Christiansen) had advised that the Council has already provided significant funding for bag share schemes (\$15,000 over the last 2 years) and that further funding was not likely to be granted. Other environmental and waste projects were more likely to receive funding.

c) Bicycle/Active Transport Subcommittee – Michael Ryland

The Bicycle and Active Transport Subcommittee has continued its work on developing a dedicated webpage which will be linked to the GCA website as a sub-domain.

This is seen as the critical next step in informing and engaging the Greenwich community about the issues and options.

It will be linked with the Facebook page that is being developed by the Social Media subcommittee to reach a wider audience and encourage broader participation.

d) Newsletter – Liz Walton

The October issue of the Newsletter had gone smoothly. Liz Walton thanked Merri Southwood, Patricia Quealey and the others who put together and distributed the Newsletter in her absence.

e) Social Media – Michael Ryland

The Social Media subcommittee has been progressing the trial page. It does not yet have the full complement of active volunteers it needs. A new strategy is being developed to secure volunteers through the various clubs and other associations in Greenwich.

9) Councillor's Reports – Councillor Pam Palmer

Councillor Palmer reported on a number of matters:

- Osborne Park Traffic and Parking Study has been completed and, as mentioned earlier, implementation has been approved by police and the RTA so the new parking arrangements will now be implemented.

- Commercial Outdoor Dining laws changed on 6th July and smoking in outdoor dining venues is now banned
- Little Lane carpark is due to be finished by the end of November, and this will ease parking for Aquatic Centre users
- Compost/worm farm - anyone who would like to receive free bin/worm farm can do so by completing the online tutorial and quiz on the Council's website
- Marshall Ave (Loftex) - In April, Council approved planning proposal for increased height and VPA for the site. As mentioned earlier, this is now out for public consultation and submissions are due by 26 November
- New LGBTIQ peer support group has been established - it meets fortnightly
- Backyard Habitat - to find out more, enrol online; anyone can enrol, you don't have to back onto a reserve
- Rosenthal Carpark development has been approved. This is a major redevelopment and a significant investment by Council.
 - (**Size**) in terms of size, there will be below ground retail of 5,400 sq.m., a below ground carpark with 500 spaces, and an above ground public domain 6,750 sq.m. plus 1,000 sq.m. cafes;
 - (**Cost**) the funding required is between \$60million - \$75million;
 - (**Funding**) it will be funded by a combination of equity, leasing, asset sales and debt, including some section 94 funding for the public domain, the sale of land at 314 Burns Bay Rd, proceeds from the Little Lane project (part guaranteed, part link to sale proceeds), special CBD commercial parking rates, and the sale of Friedlander Place below-ground stratum;
 - (**Council Debt**) Council has been debt-free for 11 years. Debt of up to \$31.5million may be required over 13 years. The project will provide cash flow via rents to pay off the debt (ie. no direct cost to the community). Repayment is to be underwritten by retailers
 - (**Retail**) retailers were invited to submit fresh commercial terms on the basis of the payment of significant upfront rental
 - (**Traffic/Substation**) as part of the redevelopment the substation to be relocated and traffic bypass for village will be created via Cox's Lane
 - (**Design**) the design concept and parameters have been set through the public consultation; the detailed design will be subject to usual Council planning processes, including review by the Bicycle Advisory Committee
 - (**Timetable**) the Project Manager will be appointed in December with Completion expected by Nov 2019
- 1 Sirius Rd - a planning proposal which contemplated rezoning has been rejected
- A review of the ward boundaries is being considered, as mentioned earlier
- New Mayor: Lane Cove has a new Mayor, Deborah Hutchens (Central Ward), and a new Deputy Mayor, Marc Gold (West Ward)
- Kerbside mattress collection: Council in partnership with Mission Australia's Soft Landing is recycling mattresses from booked Household Clean Up Services. This

program is funded by the NSW EPA's Better Waste Recycling Fund. Over 90% of each mattress (by weight) can be recycled into other useful products.

- Be connected: Residents are encouraged to sign up for Lane Cove Connection; Greenwich Hub
- Festivals - the Cameraygal Festival is now finished. There is a new festival in the first couple of weeks of November: Lane Cove's inaugural Festival by the River features two weeks of activities along our rivers culminating in a special Picnic by the River event on Sunday 15 November
- Public Art - notice the great work on the signal boxes
- Lane Cove Night Out is from 6pm to 8pm on Friday, 30th October - an opportunity to discover specials from local shops
- Greenwich Baths are now open but with changed hours: open at 8am, closing at 6pm except for Dec (7pm)-Jan (8pm)-Feb (7pm) and then back to 5pm for March and April.

10) General Business

There was no other general business.

11) Next Meeting

The next General Meeting will be held on Wednesday 9 December 2015 at 7:30pm at Greenwich Memorial Community Hall, Greenwich Road.

12) Close

The meeting closed at 9:30pm.

Attachment

Gore Bay Terminal Subcommittee Report
Report to General Meeting 21 October 2015