

Held at Greenwich Memorial Community Hall, 46 Greenwich Road, Greenwich

19 April 2017

Minutes of Meeting

The meeting opened at 7:35pm

Present: As per the attendance book

## 1) Welcome

President Merri Southwood chaired the meeting and began by welcoming community members, along with those guests from Planning & Environment NSW.

## 2) Apologies

Apologies were received from Tom & Meg Gervay, Sue Robinson and Lizz Gill.

## 3) Confirmation of Minutes of previous general meeting

The minutes of the GCA's Annual General Meeting held 22 February 2017 were tabled, for information. They are to remain in draft form until approved at the subsequent AGM in early 2018. Copies of the previous approved General Meeting minutes of December 2016 were also tabled.

## 4) Matters arising from the Minutes

The Executive Committee for 2017 met shortly after the AGM and set the forward year's meeting schedule, copy of which can be found on the GCA website.

Other matters arising from previous meeting minutes were discussed during the meeting.

## 5) Correspondence (Secretary's Report)

Since the Annual General Meeting of 22 February 2017 the following correspondence was received:

| Date             | From                           | Subject  |
|------------------|--------------------------------|--|
| 15 February 2017 | Mike Sharpin EPA               | Response on behalf of GCA letter to Hon Mike Baird following GBT oil spill |
| 22 February 2017 | Craig Dalli, Lane Cove Council | Viva Pipeline GIPA request represents substantial diversion of resources   |
| 24 February 2017 | Ruth Jackson, SafeWork NSW     | Request to amend various of Viva Pipeline GIPA                             |
| 1 March 2017     | City of Parramatta             | Submission to GCA re: Viva Pipeline GIPA                                   |
| 13 March 2017    | Ruth Jackson, SafeWork NSW     | Phone: agreement to amend GCA's Viva Pipeline GIPA                         |
| 16 March 2017    | Tim Herridge City of Ryde      | Refusal to deal with GIPA request – failure to pay deposit                 |

|               |   |  |
|---------------|---|--|
| 21 March 2017 | Ruth Jackson, SafeWork NSW                            | SafeWork NSW package released to GCA re: Viva Pipeline GIPA  |
| 23 March 2017 | John Javillonar Hunters Hill Council                  | GIPA Request update  |
| 24 March 2017 | Ann-Maree Carruthers, Urban Renewal                   | Acceptance of invitation to attend April GCA meeting   |
| 28 March 2017 | David Gathercole EPA                                  | Update on removal / replacement of Condition U2 on EPA Licence 661 – Gore Bay Terminal             |
| 10 April 2017 | MP Trent Zimmerman                                    | Correspondence from Hon Minister Chester (Infrastructure & Transport) re: Viva's Gore Bay Terminal |
| 18 April 2017 | Tina Higgins / Upper House Committees, NSW Parliament | Government response to public inquiry into Crown Land Act amendments                               |

The following correspondence has been sent:

| Date          | To   | Subject  |
|---------------|--|--|
| 17 March 2017 | Ms Jane Gornall Lane Cove Council            | Greenwich Baths Lease Renewal  |
| 17 March 2017 | Ann-Maree Carruthers, Urban Renewal          | Invitation to attend April 2017 GCA Meeting  |
| 17 March 2017 | Christine Mitchell EPA                       | Follow up on review of emissions monitoring condition EPA licence 661                    |
| 24 March 2017 | Rubi Monge, Lane Cove Council                | Revised Viva Pipeline information request  |
| 31 March 2017 | The Commissioners, Greater Sydney Commission | GCA Submission – Draft North District Plan   |
| 2 April 2017  | Jane Burgett EPA                             | Request for update re: emissions monitoring condition (U2) on EPA Licence 661 – Gore Bay |
| 11 April 2017 | Rubi Monge, Lane Cove Council                | Phone: follow-up re: revised Viva Pipeline info. request                                 |
| 11 April 2017 | NSW Min. for Environment Gabrielle Upton     | Emissions Monitoring under EPA Licence 661 & Public Health concerns                      |
| 17 April 2017 | Mr Brian Bird                                | Note of thanks for auditing GCA 2016 accounts  |

|               |                                 |   |
|---------------|---------------------------------|---|
| 17 April 2017 | John Taylor                     | Note of thanks for supporting GCA & web postings                  |
| 17 April 2017 | Lane Cove East Ward Councillors | Invitation to attend GCA Meeting, noting Urban Renewal attendance |
| 18 April 2017 | Lane Cove Councillors           | Greenwich Baths Lease Renewal                                     |

## 6) Report on the Activities of the Association

### a) President's Report

Merri acknowledged the community's long-standing interest in the planning and development of the St Leonards precinct. A good deal of the challenge for planners and the community is that the precinct spans 3 LGA, and that each Council may have different interest in its portion and the overall administration of the area. The GCA has kept the community informed of the GSC and its draft North District Plan. Hence the anticipation and appreciation in having Planning NSW attend this evening. Separately, there had been further advancement of dialogue pertaining to Gore Bay Terminal and Greenwich Baths. The proposed Council mergers are in abeyance during continued legal activity.

### b) Treasurer's Report

The Treasurer addressed the meeting and advised;

- There had been a pleasant uptick in subscriptions leading into and at this meeting. Current figures pointed to an Income of \$1,507 against an annual Budget of \$2,500. The GCA's largest regular cost remains newsletter printing. ~ \$12,000 term deposit remains in place.
- Membership Drive: at the next Committee meeting a schedule for manning a table at the Greenwich Shops over a series of weekends will be devised. There has been prior success in such subscription drives.
- A small gift in thanks are to be given to the GCA's website master, John Taylor and financial reports auditor, Brian Bird.

## 7) Notified Business

### a) Greater Sydney Commission submission – update

The President advised that the GCA's submission was made late March, addressing the key areas of: A Connected Approach, Implementation and Monitoring, Productivity, Livability and Sustainability. It was submitted that strong implementation guidance was required from the Commission. Issues specific to Greenwich were:

- Co-ordination of St Leonards planning
- Green Grid and the River Road barrier
- Viva Energy environmental impact

The Submission also sought that the implementation principles should include mechanisms that require reinvestment for the benefit of the affected community, only after full and effective community consultation. Acknowledgement was made of those who aided the drafting of the Submission, copy of which can be found on the GCA website.

b) Urban Renewal – an overview of the St Leonards and Crows Nest strategic investigations and upcoming community consultation.

- Ann-Maree Carruthers – Director, Urban Renewal (Sydney Metro)
- Coby Tomlins – Senior Planner, Sydney Region East
- Caitlin Elliot – Senior Planner, Urban Renewal (Sydney Metro)
  - Julie Urquhart – Communications Manager for the project

Representatives from Planning NSW provided

- i) clarification on the roles of the various State Planning agencies
- ii) definition on the various departmental functions, and
- iii) commentary on the linkage between planning bodies and the general sequence of planning activities that will take place in regard to planning around the St Leonards & Crows Nest Strategic Centre, including the St Leonards South Precinct.

Importantly, the St Leonards Strategy of 2006 has needed significant revision, to take into consideration the large, actual and/or planned, precinct investments associated with the Royal North Shore Hospital, St Leonards train station and the (planned) Crows Nest metro station. This has spawned land use revisions and a renewed strategic review issued in 2016, part of which the Greater Sydney Commission has utilised in drafting its North District Plan.

The revised St Leonards and Crows Nest Precinct strategy has obtained input from the 3 Local Government Area councils (North Sydney, Lane Cove and Willoughby) and private sector consultants, beyond the internal agency studies. A key driver for the St Leonards & Crows Nest Precinct is new jobs growth, focused on the Knowledge Base (e.g. IT) and Allied Health sectors. Planning NSW – Urban Renewal has assigned ‘employment’ as a specific component of its 3-stage planning process;

1. Strategic Review (GSC’s draft North District Plan, Nov 2016)
2. Interim Statement (due Q2 2017)
3. Strategic Employment Review

Community members attending the meeting expressed widespread concern that the recent developments in the St Leonards area, and those currently approved, will add significantly to the infrastructure load and congestion of the wider area. There do not appear to be any measures that have been taken, or are planned, to address this. Lane Cove Council does not consider the population and employment (jobs) growth targets published by Planning NSW to be appropriate for the community. The concerns were added to, in that the planning representatives acknowledged that these are significant issues, yet there is no plan to ensure prior commitment from the relevant authorities to specific improvements in infrastructure commensurate with the further planned local population increase.

**Motion:**

The GCA write to Planning NSW expressing the community’s concerns and priorities concerning proposed residential and commercial growth in Greenwich as follows:

1. The community’s experience has been that necessary community infrastructure significantly lags population growth, creating transport congestion, overcrowded schools, degraded environment, overburdened facilities and a poorer living standard.
2. The existing as-built transport, school, social and open space infrastructure was not designed for the level of current community needs and is unable to satisfactorily meet any future population growth.
3. If the expected population growth in Greenwich and its surrounds is not managed in a way that is timely, comprehensive and community-focussed, this will result in an outcome that will be significantly detrimental to the amenity of the local and broader community (including employment and other productivity targets).
4. The GCA is strongly of the view that no zoning or other planning changes should be made or progressed, and no planning approvals should be given, to meet any projected

population growth until the related infrastructure needs have been identified, analysed and fully planned with committed funding, including widespread community consultation on relevant options.

5. The GCA submits that:

- a) Planning NSW and other relevant planning agencies should not adopt any future population growth target for Greenwich and its surrounds until (and then only to the extent that) the relevant infrastructure upgrades have been fully planned with publicly committed funding; and
- b) Lane Cove Council and other planning authorities should not make or progress any zoning or other planning changes, or grant any planning approval, to meet any future population growth target until (and then only to the extent that) the development and construction of the relevant infrastructure upgrades is fully funded and has commenced.

It was agreed at the meeting that a draft of the above motion would be posted to the GCA website, that captured an intent to recognize both past and forward looking population targets, planning outcomes and community expectations.

**c) Approval of amount to cover expenses of Secretary – say \$200?**

**Motion:** that \$200 be approved by the GCA to cover secretarial expenses.

Moved by Tom Lawson, seconded by Liz Walton and accepted unanimously.

**d) Council Elections in September**

Assuming the current stasis, ie. no council merger, it has been advised that Council elections will be held in September 2017. Council has growing confidence in its appeal due to the use of the same successful arguments as Ku-Ring Gai. In addition, there is a contiguous land component to Lane Cove Council's position, the River being 'owned' by RMS, despite some query over how the bridge connector may be viewed. The same judges as Ku-Ring Gai Council's appeal will preside over Lane Cove.

**8) Report of Subcommittees**

**a) Gore Bay Terminal**

Stuart Warden, subcommittee convener addressed the meeting.

*Gore Bay to Clyde Pipeline - GIPA update*

The pipeline was installed over 60 years ago and is the only connection made between the Gore Bay (wharf) and the (ex-refinery) Clyde storage and distribution site. No agency openly declares that it has and maintains a licensing regime and/or regulatory oversight of the pipeline, although we suspect SafeWork has that task. Through 6 GIPA application we have sought access to pipeline related information via the 4 LGA Councils through which the pipeline traverses, SafeWork NSW and Department of Industry (DoI).

- Parramatta Council and SafeWork have responded with detailed document packs, for no cost.
- DoI advised it does not hold any information.
- Ryde has advised that it would require substantial payment for collation and release of its information.
- Hunter's Hill was held up due to an invoice receipt issue.

- We met with our local Council late February and subsequently revised our request to be non-formal and limited to that held within its electronic document system. We have made several recent follow-ups but otherwise await release on a substantial package of information.

We anticipate taking SafeWork up on its suggestion to meet with Andrew Battye, Manager Hazardous Materials in our efforts to understand its regulatory capacity over the pipeline.

*Hon. Zimmerman MP - response to February Submission*

On our behalf, our local Federal member approached Hon. Darren Chester MP, Min. of Infrastructure and Transport. The response advised;

- Emissions from Vessels – AMSA imposes limits on cruise ships at 0.1% sulfur in fuel but there is no plan to extend this to other vessels. In 2020, ships operating in Australia will be required to use fuels with no more than 0.5% sulfur.
- Monitoring of air quality – falls within Min. of Environment and Energy domain
- Jet Fuel at Gore Bay? – for Stage 1 development of Badgerys Creek Airport servicing 10 million pax. the plan is to use road tankers from Botany Bay. It is premature to speculate on any subsequent, including any interim, fuel supply arrangements
- Site Security arrangements – MARSEC Level 3 is designated when a security incident is imminent and for a limited time only. Hon. Sinodinos AO, Min. for Industry administers fuel security matters.

We are reviewing various elements of this letter and determining ‘Where to ... next’.

*EPA Emission Monitoring Licence conditions - update*

On 28 March we received comments from the EPA justifying its decision to remove the Boundary Emission Monitoring condition (U2) from Viva’s EPL # 661. The EPA considers a study and report into VOC emissions from the site will reduce anticipated interference with any monitoring that Condition U2 may have achieved.

Recent communication with NSW Health’s Dr. Michael Staff who made recommendations in 2015 for the boundary emission monitoring to be included in the EPL renewal process, along with a press statement following the late 2016 spill, has been unhelpful.

We are of the view that the proposed short-term study dilutes the potential for any cumulative (retrospective) and/or prospective human health impacts to be identified and will be well short of providing the community assurance that the Terminal is being operated at world best practice.

It was noted that the removal of the condition from the licence was done without any notice and/or consultation with the community. The terminal owner and operator, Viva Energy, maintains its stance away from the Greenwich community.

A comment from the floor sought to address the view that Viva was anti-community. It was suggested that the Subcommittee should do some homework on what boundary emission monitoring systems were used elsewhere, compliant with best practice.

We also anticipate contacting Min. for Environment, Gabrielle Upton to enlist support in our requests of the EPA to reconsider.

*Navy vessel re-fueling – Change of Use?*

Observation was recently made of a Navy vessel refiling at the terminal. Viva Energy has been holding a contract with the Australian Navy since 2015 for such activities. Such refilling occurred

in the prior millennium. In addition to raising a spectre of this activity grading the Terminal as a higher terrorism risk, it is our intention to understand whether this would constitute a 'Change of Use'.

## **b) Greenwich Baths**

Alan Winney, subcommittee convener addressed the meeting.

Following recent meetings of the subcommittee, it has met with Council to put forward the community's view on various aspects of the Baths, as both a venue and its operations. Council noted that as respects the 30 June 2017 lease renewal, it does not need to offer it for public tender but can extend on a month-by-month basis for 12 months.

The subcommittee itemised the following;

- Any new lease should revert to exclude alcohol.
- IHAP determination should be upheld, whereby the sub-letting of grassed area is prohibited (currently rentable for private functions)
- Film Nights may contravene noise limits
- Consider (new) access conditions for residents during winter
- Nippers program, whilst acknowledging the widespread (incl. non-local) support, places relentless strain on safety in the narrow streets
- The stairs / entrance path is a safety hazard for prams and other wheeled access requires attention.

A written response was requested of Council on its commitments, or otherwise, made during the meeting.

## **9) Councillor's Report**

Cllr. Pam Palmer provided the below;

### **Greenwich Baths**

The lease to Bluefit expires in June this year.

GCA representatives met with Council staff to provide community input for the future. GCA subsequently sent a follow-up letter to Council, just a few days ago, setting out the requests. Council will look at the issues. However, there is no requirement to go to tender for this. We will roll over the current lease probably for 2 years, and adjust the alcohol clause to not leave it as open, given the DA decision.

### **DISPLAN**

GCA wrote to Council requesting a copy of the latest DISPLAN. The 2012 DISPLAN has been updated and sent to the Government for review. Unfortunately, the outcome of that review is still pending. As soon as the review is complete, the updated DISPLAN will be available to the public on Council's website.

### **VIVA spill**

GCA wrote to Council after the incident at the Viva terminal on New Years Eve.

GCA sought assurance from Council that it will ask for a report on the incident and make this available publicly; and further, that Council would seek more consultation and feedback should incidents occur in the future.

Unfortunately, Viva and/or its regulators have not released any report to date. However, Council has already taken up all the issues of concern with Viva and did so as soon as it became aware of the spill. Council shares the community's disappointment that the report has still not been released by Viva.

Council staff attended the recent community consultation held by Viva.

### **Council Elections**

The Premier recently announced that Local Government elections delayed by the amalgamation process will now be held in September this year.

In the normal course of events, LG elections would have been held last September, at the end of the standard 4-year term for councillors.

For Lane Cove, the elections will only go ahead if we remain in the current “limbo”. That is because, if we are forced to amalgamate, an administrator will be appointed and there will be no councillors ie. the LGA will be run by the State Government. In any case, the Electoral Commission has told us they would need 6 months lead time to compile new rolls for an amalgamated area.

So, if we do remain in the current limbo, it is difficult to foresee what candidates would be prepared to stand for election when they might only hold office for a few months.

In regard to amalgamation, Lane Cove was in the Court of Appeal early this month. We have the same three judges as the Ku-ring-gai hearing. As you may be aware, the Court upheld Ku-ring-gai’s appeal so we are hopeful of a similar result. North Sydney, Mosman, Hunters Hill and Strathfield were also in the Court to appeal at the same time.

### **Other Issues**

Budget and Operational Plan – currently on exhibition for comment.

Boat Trailer parking – plan to impose time-limited parking across Lane Cove is being considered. Currently seeking community feedback.

District Plan –

### *Employment*

The lower end of the range of the St Leonards job target (54,000) reflects the baseline of projected job growth that is anticipated in the centre, while the upper end (63,500) is an aspirational higher growth scenario. To date the jobs targets for St Leonards have not been achieved and the new targets appears to be an extrapolation of previous targets. This needs to be addressed in the Plan and detailed work is required to determine if the proposed Health and Education “super precinct” and infrastructure investment (in this case, the Crows Nest Metro rail station) will deliver the anticipated jobs.

### *Housing*

The draft plan includes new targets for an additional 1,900 dwellings over the next five years (2016-2021). These targets are to be reviewed in 2021. The Plan also provides a population target, which would see Lane Cove increase by 14,900 people to 50,859 people.

Over the past 5 years Lane Cove has facilitated significant development which has exceeded the growth targets set by the State Government, previously 3900 by 2031. The capacity within the current LEP is approximately 4,300 dwellings. Since 2010 Council has approved 3919 additional dwellings, and a current DA at St Leonards for 458 apartments, would if approved, see this increase to 4377. In 2010 there were 12,606 rateable residential properties, a 4377 dwelling increase equates to approximately 35% additional dwellings. Council has already undertaken planning for St Leonards South, which will deliver an additional 2200+ dwellings and a planning proposal in St Leonards will deliver 450 units, this equates to a 55% increase. Of concern therefore is the 20 year population targets, which suggest Lane Cove would experience the second highest growth in population terms amongst the Northern Sydney councils. Based on an average occupancy of 2.1 persons per dwelling such population would require 7095 more dwellings, which would be approximately a 91% increase in dwellings from 2010.

Given that Council is already well ahead of current growth targets it important that the Commission’s projections in the final plan acknowledge the limited capacity for further dwellings in the Lane Cove LGA.

The current plan is also lacking detail on the infrastructure required to accommodate the population growth in the Plan. Such infrastructure is essential to service the populations needs including:

- Need for primary/secondary schools;
- Need for more open space and the changing need/ opportunities this creates (synthetic grass etc);
- Need for connections between/among communities.

### *Sustainability*

The delivery of Sydney's Green Grid, is articulated in A Plan for Growing Sydney. It is a network of parks and open space, which includes plazas and public areas used for sport. It is noted that Council's proposed St Leonards Plaza over the rail corridor is not listed as a Priority Project for the Green Grid. Given the strategic importance and the lynchpin status of the Plaza to the revitalisation and development in St Leonards, it is recommended that Council request that this item be specifically included in the proposed Green Grid, or be attributed special significance and priority in the North District Plan.

### **10) Close**

The meeting closed at 10:20pm.

Next General Meeting: 21 June 2017