

# Greenwich Community Association General Meeting

Held at Greenwich Memorial Community Hall, Greenwich Road  
22 October 2014

## Minutes of Meeting

**The meeting opened at 7:35pm**

**Present:** As per the attendance book

### 1) Welcome

President Tom Gervay welcomed all those attending including Councillor Pam Palmer and Danielle Nicastri, journalist, from the North Shore Times.

### 2) Apologies

Apologies were received from Stewart Warden, Ian Mellor, Tom and Maralyn Lawson, Rod Tudge, Penny Mabbutt, John Southwood, Todd McHardy, Dion Weston and Jill Pain.

### 3) Confirmation of Minutes of previous meeting

The minutes of the previous GCA Annual General Meeting held 20 August 2014 were tabled.

**Motion:** The minutes are accepted.

Moved by Merri Southwood, seconded by Helen Smith and passed.

### 4) Matters arising from the Minutes

Any matters arising from the minutes were discussed later in the meeting.

### 5) Secretary's Report

Rob Hunter, Secretary reported that since the GCA General Meeting of 20 August 2014:  
Correspondence Received:

<i>Date</i>	<i>From</i>	<i>Subject</i>
14/8/14	Manager Assets, Lane Cove Council	Reply to GCA Letter of 30/7/14 on the Emergency Management Plan Community Pamphlet
15/8/14	Mayor of Lane Cove	Reply to GCA Letter on the Gore Bay Terminal Integrated Emergency

<i>Date</i>	<i>From</i>	<i>Subject</i>
		Management Plan
15/8/14	General Manager, North Sydney Council	Reply to GCA Letter of 3/7/14 on the Shell Gore Bay Terminal Integrated Emergency Management Plan
26/8/14	Asset Manager, North Sydney Council	Reply to GCA Letter of 3/7/14 on the Shell Gore Bay Terminal
2/9/14	Anthony Roberts, Member for Lane Cove	Reply to GCA Letter of 27/8/14 on the 10/50 Vegetation Clearing Code
4/9/14	Manager Assets Lane Cove Council	Reply to GCA Letter of 21/8/14 on the footpath on River Road between the Golf Course and Greenwich Public School
8/9/14	Joe Hockey, Treasurer and Member for North Sydney	Reply to GCA Letter on the implications of the acquisition of Shell downstream assets by Vitol
9/9/14	Mayor of Lane Cove	Reply to the GCA letter of 21/8/14 requesting consultation on bike impacts on developments
10/9/14	Hyecorp Property Group	Requesting applications for the 2014 Hyecorp Community Grants
19/9/14	Parliamentary Secretary to the Premier	Reply to GCA Letter 3/7/14 on Shell Gore Bay change of use
30/9/14	CEO of the EPA	Reply to GCA Letter to the Minister for the Environment on the environmental protection licence held by Shell for the Gore Bay Terminal
1/10/14	Executive Director NSW Planning and Environment	Reply to GCA Letter 7/7/14 on DA for Shell Gore Bay and Clyde Refinery
20/10/14	NSW Planning Assessment Commission	Notice of PAC Meeting for the Shell Clyde Terminal

#### Correspondence Sent:

<i>Date</i>	<i>To</i>	<i>Subject</i>
21/8/14	Mayor of Lane Cove	Consultation on Bike Impacts
21/8/14	Mayor of Lane Cove	River Road Footpath Improvements
28/8/14	Rob Stokes, Minister for the Environment	Request for Review of the EPA Licence No 661 Shell Gore Bay Terminal, Greenwich
8/9/14	General Manager Lane Cove Council	Elevated Walkway O'Connell Street Greenwich
22/9/14	Better Planning Network	Thanks to Corinne Fisher for her presentation and a donation to BPN
22/9/14	General Manager, Lane Cove Council	Letter thanking him for Council's response to GCA's request for additional bins in a number of locations
26/9/14	General Manager, Lane Cove Council	Letter acknowledging his response to GCA concerns on the Elevated Walkway O'Connell Street and a request for greater consultation in the future

## 6) President's Report

Tom Gervay noted that he had recently returned from an overseas trip lasting some weeks. He commented that the GCA had been engaged in considerable activity during the period since the last General Meeting as indicated by the extent of the correspondence and the activities of the sub committees. This will be further explained during the meeting.

The GCA Executive Committee intends to propose a special resolution to the next General Meeting to change the rules of the Greenwich Community Association to increase current the Annual Subscription Membership Fees, specifically section 8(2). This is to address the increases in running costs particularly the cost of producing the newsletter and noting that the fees have remained at the same level since the nineties.

## 7) Treasurer's Report

### a) Report

The Treasurer, Patricia Quealey presented the report:

<i>Date</i>	<i>Households</i>	<i>People</i>	<i>Subscriptions Received</i>
16/8/14	220	267	\$2,335.00
13/9/14	258	309	\$2,760.00
22/10/14	270	323	\$2,900.00

The record of 212 households achieved last year has been broken with 270 currently paid up. A steady number of subscriptions have been received; mostly via the newsletter slip in second half of year and by EFT earlier in year.

The GCA began year with \$5343 in the cheque account. In general, income from subscriptions covering our Newsletter costs. Other expenses have been donations to the causes we have supported or costs of the website. We have had three additional expenses – Public Liability insurance (\$666), donation to BPN (\$500), Hub survey (\$1,100) totaling nearly \$2,300.00 which when all presented will reduce our balance to close to approximately \$3600.00

The GCA has a term deposit in the sum of \$11,843.00.

**Motion:** The report is accepted.

Moved by Merri Southwood, seconded by Tom Gervay and passed.

## 8) Report of Subcommittees

### a) Gore Bay Terminal Subcommittee – Merri Southwood, Convener

The Convener's report was presented and is attached at the end of these minutes.

The petition has been drafted and circulated by a team led by Garry Draffin that collected over 600 signatures. It was presented to Anthony Roberts Member for Lane

Cove in the NSW Legislative Assembly on 21 October and is expected to be tabled in the House today or tomorrow.

**Motion:** That Garry Draffin is reimbursed \$92.00 for expenses incurred in the preparation, printing and binding of the petition document for submission.

Moved by John May, seconded by Tom Gervay and passed.

The Subcommittee is continuing to seek the preparation of an integrated emergency management plan for the Gore Bay Terminal. The latest version of the Willoughby Lane Cove DISPLAN has only a relatively minor reference to the Gore Bay Terminal and mainly covers the risk of fire. The plan still needs to be expanded particularly to cover other geographic areas that could be affected in an emergency.

**Motion:** That letters on the need for an integrated emergency plan for Gore Bay be drafted and sent to:

- Anthony Roberts, Member for Lane Cove
- David Brooks Horn, Mayor of Lane Cove
- The Premier of NSW

Proposed by Merri Southwood, seconded by John May and passed.

The Subcommittee will review the recent correspondence received from the EPA on the existing environmental protection licence held for the site and decide whether a further response is required.

Residents surrounding the White Bay Cruise Terminal have raised concerns in relation to the use of bunker fuel by the ships when berthed and the resulting increase in air pollution. The conditions of approval for the construction and operation of the terminal apparently included for the provision of shore power so that the ships would not have to generate their own power when berthed. This condition appears to have been overlooked. It was agreed that the Subcommittee be authorized to contact residents affected by this on behalf of the GCA to determine any application to Gore Bay Terminal issues.

The Subcommittee will consider whether to send a GCA representative to attend the upcoming enquiry into the operations of the EPA.

There has been a report of a resident in Greenwich Road being significantly affected by odour from the Gore Bay Terminal on a regular basis. It was agreed that the Subcommittee should have recent detailed community feedback on the impact of the Terminal on residents.

**Motion:** That a one-page survey of residents in the vicinity of the Gore Bay Terminal on its impacts should be undertaken possibly followed up by a door knock. The survey is to be prepared by Patricia Quealey and Helen Smith.

Proposed by Patricia Quealey, seconded by Liz Walton and passed.

The reply received from the Treasurer, Joe Hockey on the Vitol acquisition was considered inconsequential by the Subcommittee. No further response will be made.

The GCA has received Notice of the Planning and Assessment Commission Meeting on the Shell Clyde Terminal Conversion SSD 5147 to be held 20 November 2014. There was some discussion about whether the GCA should make a submission and attend the meeting. The view was expressed that this was outside Greenwich and therefore did not involve the GCA. At the most an observer should be sent to attend the meeting to

glean any information that might be relevant to the approach that might be taken on the Gore Bay SSD application.

**Motion:** That the Gore Bay Subcommittee review the DP&E Assessment Report (including recommendations) then decide whether to make a submission or alternatively send an observer to the meeting.

Proposed Merri Southwood, seconded Tom Gervay and passed.

The Department of Planning and Environment have advised that the Gore Bay EIS and DA will be placed on public exhibition for at least 45 days. The concern is that if this period occurs over or close to Christmas/New Year the process will be compromised with people away.

**Motion:** The GCA write to the Minister for Planning and Environment requesting that the public exhibition period for the Gore Bay EIS and DA be at least 45 days clear of any impacts of the Christmas/New Year holiday period. If the Christmas/New Year holiday period is included then a 60-day exhibition period will be requested.

Proposed Merri Southwood, seconded Tom Gervay and passed.

#### **b) Environmental Sustainability Subcommittee – Helen Smith, Convener**

The Bagshare Scheme is still going well with additional bags being placed in the boxes.

#### **c) Better Planning Network – John May**

No further report.

#### **d) Newsletter Publication and Delivery – Convener, Liz Walton**

The Newsletter is operating well.

#### **e) Bicycle Subcommittee – Convener, Dion Weston**

Michael Ryland presented the report on behalf of the Convener.

The Subcommittee requested that the GCA make a submission on bicycle facilities in response to Lane Cove Council's request for submissions on the Draft St Leonards Public Domain Master Plan. The Subcommittee has prepared a draft of the submission that was circulated at the meeting. A copy is included in the Attachments to these minutes.

**Motion:** That the GCA make a submission based on the draft.

Proposed Michael Ryland, seconded Helen Smith and passed.

The Subcommittee is developing a number of themes:

- Looking at improvements in linkages from Greenwich to St Leonards Station for bikes and pedestrians
- Looking at dedicated funding for active transport initiatives from Lane Cove Council similar to overseas examples of dedicated funding. The Subcommittee is looking at a submission to Council for the next budget (due in June 2015) noting that the current allocation for Bike infrastructure is low and that Council is looking for proposals.

- Pursuing specific bicycle facilities with Council including looking at the improvements to the current footpath/shared path between the Golf Course and the Public School on River Road.
- Seeking better consideration by Council of the bicycle impacts of, and active transport opportunities arising from, every infrastructure and building development in the area, including better consultation with the Greenwich community by Council on these aspects.

**f) Greenwich HUB Steering Committee – John May, Convener**

The Convener's detailed report is included in the Attachments to these minutes.

Initial HUB activities have commenced to test the levels of interest in the community.

An initial Book Club meeting was held two weeks ago organised by Liz Walton and Karen McAlister Hohnen. People attending are encouraged to bring a friend who would otherwise be able to attend. Future meetings are planned.

An initial walk was organised by Marilee Callister on 5 October and was attended by 15 people aged 29-74. Tom Gervay has organised a second walk for Sunday 26 October.

The Steering Committee is establishing the structure and management group. Helen Jones has agreed to take the lead in managing the HUB - a task that might possibly consume up to 20-30 hours a week when fully operational. The organisation will probably be outside the GCA when established.

The objectives of the HUB have been developed which are designed to reach the whole of Lane Cove and wide age group.

**g) Transport and Access – Convener, John Southwood**

Will deal with issues on an as needs basis.

**9) Reports from Representatives on Community Organisations**

**a) Lane Cove Alliance**

Tom Gervay will attend the next meeting and will report on the status of the HUB.

**b) Greenwich Library**

The 50<sup>th</sup> birthday of the Library and 70<sup>th</sup> birthday of the GCA will be celebrated on 6 November and 8 November respectively.

On Thursday 6 November at the Greenwich Community Hall at 6pm Naomi Bassford, Manager Local Studies and Archives, will present an informative talk on the 120 years of Greenwich history, illustrated with beautiful historical photographs.

Then on Saturday 8 November the GCA has organised a history walk, starting at the library at 9 am and led by Denis Smith from the Lane Cove Historical Society. For an hour and a half the walk will follow the Historic Greenwich route (map available at the library), down to the Baths, where you can pick up a mid-walk coffee, and end up at the park behind the library, nicely in time for a fundraising BBQ, mayoral address, comedy magic show, storytelling and lots more.

**c) GMCCA**

No report

#### **d) Gore Bay Community Liaison Group**

No report

### **10) General Business**

#### **a) Attendance at General Meetings**

Annual Subscriptions and activity are up but attendance at the meetings remains at the same modest levels. It was agreed that a guest speaker be organised for the next General Meeting. John May agreed to approach the Public School Principal.

#### **b) Newsletter**

Liz Walton was congratulated by the meeting on the quality and the relevance of the newsletter over 2014.

#### **c) Royal North Shore Hospital**

The planned sale of a portion of the RNSH site is being opposed by a group of doctors and nurses at the hospital. A protest meeting is being held tomorrow, 23 October at RNSH at the Kolling Institute. Supporters are invited to attend.

#### **d) Telstra Pit in George Street**

The damaged pit in George Street has remained broken for some months. It is suspected to contain asbestos. It presents a risk to children and the wider community.

**Motion:** The GCA write to Telstra to expedite action to repair the pit.

Proposed Merri Southwood, seconded Tom Gervay and passed.

#### **e) Shade Structure at Greenwich Shops**

Council has requested community input to their proposal. Views expressed were that the colour should be black, the sides should only be used when it is windy or raining and the clear plastic should be non-discolouring. It was agreed that individuals should provide their own responses to Council.

### **11) Councillor's Reports**

#### **f) Councillor Pam Palmer**

In Greenwich:

1. The elevated walkway between the ends of Gother Avenue and East Street that is constructed on Council land but is only able to be used by Viva Energy personnel is proposed to be replaced by a path over the residential property recently purchased by Viva.
2. The Local Government Conference was held recently and looked at shared services, the issues around council amalgamations including access to cheaper debt.
3. The Voluntary Planning Agreement with Charter Hall and Leighton Properties for their St Leonards site will be discussed with Council next week. The way in which Council spends the payment for the Voluntary Planning Agreement is expected to

include key worker housing, the St Leonards Public Plaza and business incubation initiatives.

4. The area north of St Leonards Station is being proposed for a major new development including tower blocks. It is in the Willoughby Council area.
5. The Marshall Avenue developer is seeking approval for an increase in height from 20 to 34 floors under a Voluntary Planning Agreement. It is not expected to be accepted.

#### **12) Next Meeting**

The next General Meeting will be held on Wednesday 10 December 2014 at 7:30pm at Greenwich Memorial Community Hall, Greenwich Road.

#### **13) Close**

The meeting closed at 9:50pm.



## **Attachments**

**HUB Steering Committee Report**

**Gore Bay Subcommittee Report**

**Bicycle Subcommittee Draft Submission on St Leonards Public Domain  
Master Plan**

## HUB Steering Committee Report

### GREENWICH HUB – STEERING COMMITTEE REPORT TO OCTOBER 22 MEETING OF THE GREENWICH COMMUNITY ASSOCIATION

The first of a number of introductory trial events designed to test the level of interest in the HUB was organised and led by Marilee Callister on October 5<sup>th</sup> and was a great success. Fifteen walkers participated aged from 29 to 74. A second walk organised and led by Tom Gervay is scheduled for October 26.

The Steering Committee has now begun the process of establishing a HUB structure and creating a formal management group. We are fortunate in Helen Jones has joined the committee to assist us in this task.

The Objectives proposed for the Greenwich HUB are:

*The objective of the Greenwich Hub is to provide a sustainable member-developed and member-driven organisation of local residents of the Lane Cove area that*

- *fosters a sense of belonging within our community across all stages of life*
- *links community members with common interests and needs*
- *encourages and supports community members in developing new interests*
- *promotes intergenerational understanding and harmony*
- *enables members to realize their potential for physical, social, and mental well-being throughout the course of their lives*
- *facilitates supporting each other and sharing information*
- *assists people to enjoy life in their own home as they age*
- *fosters social inclusion*
- *promotes active ageing*

The Office Bearers proposed for the Greenwich HUB are:

#### *Executive*

*President*

*Vice Presidents (2)*

*Secretary*

*Treasurer*

#### *Committee (Team Leaders)*

*Membership*

*Activities*

*IT*

*Promotion*

*Special Projects*

Survey respondents will shortly be contacted to indicate an interest in the executive positions or membership of one of the HUB teams headed by a Committee member.

A meeting will then be called of all interested residents to identify executive, team leaders and team members and this will be followed by a second meeting to formally establish the HUB and appoint office bearers.

## Gore Bay Subcommittee Report

### **GREENWICH COMMUNITY ASSOCIATION REPORT TO GENERAL MEETING 22 October 2014 GREENWICH COMMUNITY ASSOCIATION GORE BAY TERMINAL SUB- COMMITTEE**

#### **Name of sub-committee**

It was agreed at meeting 10/9/2014 that sub-committee should be called Greenwich Community Association Gore Bay Terminal Sub-committee.

#### **Sub-Committee Membership**

The sub-committee membership is as follows:-

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

#### **Meetings of the Sub-committee**

The sub-committee has met twice since the last GCA general meeting:-

- 10 September 2014 (draft attached # 1)
- 29 September 2014

#### **Action arising from last meeting**

1. Emergency Management Petition – refer later report
2. Letter to Anthony Roberts MP 25/8/2014 re emergency management plan – see attached # 2 (no response)
3. Letter to Rob Stokes MP 28/8/2014 re review of EPA Licence – see attached # 3 (response received 30/9/2014)

#### **Emergency Management**

##### **1. Petition**

The final text of the petition and the Preamble are attached to this report # 4. Coordination of petition distribution was done by Garry Draffin. The petition was circulated to volunteers who collected 600 signatures over an 8-day period.

The petition was bound and delivered by Garry Draffin to the electorate office of Anthony Roberts on 21 October. It is understood that the petition has been or is about to be tabled in the Legislative Assembly today. The North Shore Times has been following the progress of this petition for some months.

The expenses incurred by Garry Draffin in printing, binding and purchase of folders amount to \$92.

Approval is sought tonight for the reimbursement of Garry Draffin for this amount – he will provide receipts to Patricia Quealey if approval is granted.

***Resolution sought as follows:***

***That the meeting approve reimbursement to Garry Draffin of the amount of \$92 being expenses related to distribution and tabling of the GCA emergency management petition.***

## **2. Correspondence with Anthony Roberts**

Anthony Roberts has not responded to three letters written to him about Gore Bay Terminal – 28/8/2012 requesting a report on implications of changed operations at Gore Bay, 3/7/2014 and 27/8/2014 seeking active engagement with the Premier to secure an integrated emergency management plan.

Since our last meeting, the Federal government has raised its terrorist alert level to high. Given that the Gore Bay terminal is classified as a Level 1 security zone it is not known if the raised alert level will have implications for Gore Bay. Bushland adjacent to Gore Bay has also been identified as high bush fire risk.

The petition has been delivered to Anthony Roberts so he will be aware of community interest.

***Resolution sought as follows:***

***That the meeting authorise the Secretary to send to Anthony Roberts a letter as per the attached draft # 5***

## **3. Correspondence with Mayor of Lane Cove**

Since the last GCA general meeting Lane Cove Council has released the 2012 DISPLAN being the emergency management plan for Lane Cove and Willoughby. The Council has also distributed a flyer to assist community members to prepare for an emergency # 6.

In the DISPLAN Gore Bay Terminal is identified as a key item of infrastructure and fire at Gore Bay Terminal is identified as a hazard. The DISPLAN does not identify other hazards arising out of the Gore Bay operation nor does it include details of management of emergencies that impact either Sydney Harbour or adjacent LGAs.

On 3/7/2014 the GCA wrote to the Mayor of Lane Cove (copy tabled at last general meeting) attaching a copy of a letter to the Premier seeking support for the development of a comprehensive emergency management plan covering the LGAs of Lane Cove, North Sydney and Leichhardt and Sydney Harbour.

The Mayor responded 15/8/2014 – see attached # 7.

***Resolution sought as follows:***

***That the meeting authorise the Secretary to send to the Mayor of Lane Cove a letter as per the attached draft #8***

## **4. Correspondence with Premier**

A letter to the Premier seeking his initiation of an integrated emergency management plan was tabled at the last general meeting.

The Premier has responded 19/9/2014 – see attached # 9.

***Resolution sought as follows:***

***The letter received by the GCA from Mr David Elliott MP dated 19/9/2014 does not address the matters raised in the GCA letter to the Premier dated 3/7/2014 relating to emergency management in Gore Bay.***

***The meeting authorises the GCA Committee to send a letter to the Premier seeking a response to the issues raised in the GCA letter to the Premier dated 3/7/2014.***

**Review of EPA Licence**

As outlined above, the GCA wrote to the Minister for the Environment seeking a prompt review of the EPA licence conditions for the Gore Bay Terminal given that operational changes occurred over 2 years ago.

The Minister has responded 30/9/2014 – see attached #-10

It is noted that there is a NSW Parliamentary Inquiry into the EPA and Merri Southwood has made a submission into the inquiry in her own right.

It is also noted that a group of residents in Balmain are campaigning to secure stricter standards relating to sulphur content of bunker fuel in vessels adjacent to residential communities.

<http://www.smh.com.au/nsw/balmain-cruise-terminal-health-fears-spark-dispute-between-industry-and-regulators-20141011-10rwn6.html>

***Resolutions sought as follows:***

- 1. That the meeting authorise the Gore Bay Terminal sub-committee to review the letter from the Minister for the Environment and to prepare a response on behalf of the GCA if deemed necessary.***
- 2. That the Gore Bay Terminal sub-committee is authorised to make contact with the residents of Balmain with a view to working with them to secure implementation of lower sulphur content levels in bunker fuel.***

**Vitol Acquisition of Shell Shares**

The GCA wrote to Joe Hockey MP 17/7/2014 re implications of the acquisition of shareholding in Shell companies owning and operating downstream assets.

Joe Hockey has responded but not addressed issues raised in letter – attached #11

It is noted that the acquisition has taken place as confirmed by Viva Energy representatives at the last community liaison meeting 27/8/2014.

**Clarification of Planning Assessment Process for Gore Bay SSD**

It was noted that the SSD for Clyde was to be assessed by the Department of Planning rather than PAC despite a significant number of submissions.

The GCA sought clarification of the reason for this decision given its relevance to later assessment of the Gore Bay Terminal SSD – letter tabled at previous general meeting.

The Minister for Planning has responded -1/10/14 attached # 12 advising as follows:

1. that Clyde and Gore Bay SSDs will not be assessed together
2. that pipeline will not be required to be assessed as part of either SSD or in its own right
3. that a 45 day exhibition/comment period will be allowed for the Gore Bay SSD

4. that the Minister was satisfied that the Minister's delegation permitted determination of the Clyde SSD by the Minister.

It is noted that the Department of Planning has now written to all who made submissions (20/10/2014) to advise that the application for Clyde will now been referred to PAC for determination due to a high level of public interest. The public may attend the hearing on 20/11/2014 and may speak to PAC before a decision is made. It is assumed that the GCA will receive this advice as the GCA made a submission in December 2014.

***Resolutions sought as follows:***

1. ***That the GCA be authorised to appoint a representative to make submissions to the hearing before PAC of the Clyde SSD on 20/11/2014***
2. ***That the GCA write to the Minister for Planning to request a longer exhibition period of 60 days in the event that the EIS for Gore Bay is placed on exhibition at any time from 1/11/2014 to 30/12/2014 to allow for full and informed assessment over the holiday period.***

**Exhibition of Gore Bay EIS**

No information.

**Shell Community Liaison Meeting**

A community liaison meeting was held on 27/8/2014.

Minutes prepared by Viva Energy can be found on

<http://www.vivaenergy.com.au/operations/gore-bay/community>

H 1

**Minutes**

**Gore Bay Terminal Subcommittee Meeting 10<sup>th</sup> September 2014**

Attendees: Karen Coleman, Penny Mabbutt, Merri Southwood, Stuart Warden; Han Xiao  
Apology – Ian Mellor, Jenny, Tom L & Garry

Minutes

- Amendments to the petition were worked through. Our credibility at risk we go public with our petition without knowing the full content of the 2012 DISPLAN. We must seek out all avenues to ensure that what we are saying in the petition are accurate.
- KC will remind Pam Palmer on Thursday 11<sup>th</sup> September that she committed to obtaining a copy of the plan as she was requested to in the Community Liaison meeting. The Plan will be expected to be received by the end of this week.
- Penny to call Brad at Chatswood Police station and Willoughby Council on Thursday 11<sup>th</sup> September & will ask for a copy of the 2012 DISPLAN to see if it addresses emergency management for Gore Bay. Should council have a copy of the plan – why isn't it like Port Botany.
- We will be called the Gore Bay Terminal Subcommittee
- Recommendation to be made to the GCA Executive Committee to:
  - o Write a letter to LCC to express our deep concern at their consistent and ongoing lack of engagement with the GCA to letters dated and wish to get a response by DATE. We reserve our rights to take action should a response not be received.
  - o Seek permission to seek a meeting in person with Anthony Roberts
  - o Write a Letter to go to Joe Hockey as follow up to his advice that he would reply by email on 20<sup>th</sup> August to our concerns to the Vitol acquisitions & FIRB. Seek a meeting.
  - o Karen Coleman to draft letters to go to:
    - the Premier expressing concern as to his failure to respond to our letters on a serious emergency management matter &
    - the Minister for the environment for lack of response to our last letter
- Meeting closed 9:30am



# 2



**Greenwich Community Association Inc**  
PO Box 5057, Greenwich, NSW 2065

for current committee contact details see [www.greenwich.org.au](http://www.greenwich.org.au)

The Hon. Anthony Roberts, MP  
Member for Lane Cove  
Minister for Resources and Energy, Special Minister of State  
Level 37 Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000

25 August 2014

Dear Sir

**Request for Meeting  
Shell Gore Bay Terminal  
Greenwich Road, Greenwich**

The Greenwich Community Association (GCA) is an incorporated body representing residents of the local area on issues impacting on or relating to the community. The GCA communicates with residents through distribution of its regular newsletter to about 2000 households, through its website and through public meetings.

The GCA has written to you in relation to the impact of changed operations at the Shell Gore Bay Terminal that took effect in October 2012. Copies of these letters are attached.

The GCA first wrote to you on 28 August 2012 prior to the changed operations, changes that took place without the requirement for any review by a planning authority. We sought your action to ensure that all authorities responsible for the Shell site furnish to the GCA full information about the risks associated with the planned operational changes and clarification as to how the overlay of conditions imposed on Shell would provide the highest possible level of protection to residents and the environment. We do not appear to have had a response to this letter.

On 3 July 2014 we wrote to you in response to a resolution passed at our June meeting. We wrote to express our concern that there is no coordinated emergency management plan to address the operation of a hazardous facility like Shell in close proximity to residential areas and the waters of Sydney Harbour. We sought your engagement with the Premier to develop a comprehensive plan that will be easily accessible to the public. We are awaiting a response to this letter.

# 2

We note from the July 2014 issue of the Shell Gore Bay Terminal Community News that you have recently visited the terminal and stated that "Shell is committed to the health, safety, security and environmental controls associated with Gore Bay Terminal through a strong focus on safe and reliable operations".

The GCA has no doubt that Shell operates its terminal at a high standard but the GCA's concern stems from lack of confidence and information about management of emergencies beyond the Shell boundary.

We hope that you will be available to discuss our concerns with the Executive Committee of the GCA and the GCA's Gore Bay Terminal sub-committee and to assist us to address an area of concern to a large number of residents, particularly those immediately adjacent to the terminal.

We hope to hear from you soon.

  
Tom Gervay  
President  
Greenwich Community Association

End.

#3



**Greenwich Community Association Inc**

PO Box 5057, Greenwich, NSW 2065

for current committee contact details see [www.greenwich.org.au](http://www.greenwich.org.au)

The Hon. Rob Stokes, MP  
Minister for the Environment, Minister for Heritage,  
Minister for the Central Coast and Assistant Minister for Planning,  
Level 32 Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000

28 August 2014

Dear Sir

**Request for Review EPA Licence No. 661  
Shell Gore Bay Terminal Greenwich**

The Greenwich Community Association (GCA) is an incorporated body representing residents of the local area on issues impacting on or relating to the community. The GCA has significant concerns in respect of Environment Protection Licence No. 661, which prescribes requirements for the operations conducted by the Shell Company of Australia Ltd at its terminal at Gore Bay, Greenwich.

An urgent review of this licence is requested for the following reasons:

**(1) Licence conditions have not been reviewed following significant operational changes in October 2012**

On 28 August 2012, when the terminal activity at Gore Bay was about to change from importation of crude oil to importation of refined products, the GCA wrote to the Minister for the Environment seeking urgent advice as to risks associated with the new operations at Gore Bay and details of licence conditions in place to ensure the health and safety of the community. On 26 September the Chair and CEO of the EPA responded that the EPA was proposing to conduct a review of Licence 661 following submission by Shell of an EIS associated with a pending SSD application for capital works at the terminal. Copies of both letters are attached.

To date, almost two years since the EPA letter, Shell has been importing refined products and has carried out a number of infrastructure changes at the site without the forehadowed licence review because no SSD application or EIS have been made public nor is it clear when this will occur.

Indeed, the current licence appears to have been amended in only minor respects since inception on 21 September 2000. The Protection of the Environment Operations Act

1

# 3

under which the licence is issued requires a review at least every 5 years - refer to page 4 of the current licence in the section heading "Licence review". According to information about the licence available on the EPA website, the last review took place on 29 November 2010. There has been no review initiated in response to the significant operational changes at the terminal in October 2012 despite the EPA's acknowledgment in the letter referred to above that it understood community concerns about possible health impacts of activities at the terminal.

**(2) No ongoing monitoring of noise levels / levels should be reviewed against current industry best practice**

Over many years of terminal activity, there have been complaints from residents about high noise levels particularly during night hours. The licence provides for, in effect, retrospective monitoring after reported incidents of noise level breaches. Section L6.2, which sets an assessment measurement "within 1 metre of the boundary of the residential boundary", is impractical and cannot be conducted after a disturbance has already occurred.

The licence should provide for continuous monitoring rather than a reactive approach to ensure that actual noise levels are measured in real time rather than relying on less precise descriptions of noise after an event and after disruption has occurred.

Furthermore, it is questioned whether the limits set for noise in the licence are low enough given that the operation is located in a residential rather than an industrial area and given the close proximity and density of local residences. It is understood that there has been extensive review of international standards in this respect and the fact that the terminal interfaces with residential development warrants a review in the light of the latest standards.

**(3) No ongoing monitoring of emissions**

There is no monitoring of emissions stipulated in the licence at all to safeguard resident health. There have been complaints from residents over a long period of time about odours/gaseous emissions. The current licence has absolutely no requirement for regular monitoring of gaseous emissions nor are acceptable limits identified yet this is a site now handling large volumes of predominantly volatile hydrocarbons. Section P1.1 of the licence stipulates one weather monitoring point (EPA identification no. 3). Beyond this no air sampling plan, air concentration limits or air concentration exposure limits are evident in the licence. Section L2.2 details pollutant loads for the purpose of license fees only. Section M2 of the license "Requirement to monitor concentration of pollutants discharged" covers water and land monitoring only.

As identified in the Australian Government Senate Report on the "Impacts on health of air quality in Australia" (2013), it is the role of government to establish air quality standards and to ensure that these standards are met, in order to protect human health. The community has a right to expect that the EPA will set ongoing monitoring requirements and compliance standards for air quality in the Gore Bay Terminal that ensure protection from levels of carcinogenic or non-carcinogenic volatile organic compounds ("air toxics"), combustion compounds or particulate matter (including ultrafine particles) that may result in a significant health impact. Air quality monitoring should be independent and transparent and results of monitoring should be accessible to the community.

#3

**(4) No public access to reports and recommendations arising from Prevention Notice 151157.**

Following resident complaints of odours in December 2013 the EPA issued Prevention Notice 1511517 on 30 January 2013 directing Shell Refining to immediately cease the emission of offensive odours from the premises. No short or long term preventative actions as a result of this incident are shown in Section 8 "Pollution studies and Reduction Programs". Community members have sought to obtain access to reports and plans arising from this notice through the Government Information (Public Access) Act NSW but significant amounts of information have been withheld.

**(5) Use of deodorisers not regulated**

The community ascertained that Shell commenced using deodorisers to mask odours immediately following the incident the subject of Prevention Notice 1511517. Section L7 of the licence "Potentially offensive odour" contains no provision authorising the use of deodorisers nor are the deodorisers chemically identified or stipulated as an allowable emission. The concept of using deodorisers to mask odours of potentially hazardous hydrocarbon emissions in an area within close proximity of residences is highly questionable. It also seems totally incongruous to requirements outlined in licence section U3 "Leak Detection and Repair".

**(6) Sulphur content of bunker fuel unregulated**

There is no requirement for ships unloading at the terminal to burn low sulphur fuels. As the EPA will be aware in recent years, for health impact reasons, numerous developed countries now require ships in port or close to land to burn low sulphur fuels only.

Due to increasing concerns about the health impact of sulphur dioxide, the 2005 WHO Air Quality Guidelines has revised downwards estimates for acceptable levels of sulphur dioxide compared with earlier guidelines. The 2005 WHO Guideline now recommends a maximum 24 hour-average sulphur dioxide measurements of 20ug/m<sup>3</sup>. This level is unlikely to be achieved when ships burning high sulphur fuels are moored in port with their engines running, as occurs at Gore Bay. Without adequate regulatory control, ships burning high sulphur fuels may continue to enter Gore Bay, placing the community at increased health risk.

**(7) Complaint reporting delayed**


The reporting system for complaints allows Shell to avoid reporting potentially significant issues to the EPA in a timely manner. There is no requirement for Shell to notify the EPA unless the complaint is also related to an incident deemed by Shell to "cause material harm to the environment" (refer to section R2 of licence). Hence a noise event for example where the licence limit is likely to be exceeded will not be reported to the EPA at time of occurrence. The EPA may become aware of a complaint as part of an Annual Return but this is likely to be much too late for any meaningful intervention.

In summary, our request for review and modification of EPA Licence 651 derives from several reasons. While the licence appears to cover water, groundwater and soil

#3

contamination issues in detail, the licence provides minimal regulation of key aspects of the operations such as monitoring and reporting of noise and emission levels. Given the potentially hazardous nature of this operation, it is requested that the EPA takes prompt action to ensure this happens.

Yours faithfully



Tom Gervay  
President  
Greenwich Community Association

#4

GREENWICH COMMUNITY ASSOCIATION  
EMERGENCY MANAGEMENT AT GORE BAY

The aim of the attached petition is to request the State government to take the lead in developing an integrated emergency plan for the Viva [formerly Shell] terminal and storage facility at Gore Bay. World's best practice developed after disasters at other facilities around the world calls for a single coordinated emergency plan headed by the government at Ministerial level and coordinating the responses of facility operators, the marine environment, local government, emergency services, and, for the integrated plan to be communicated to the affected community.

A review by the GCA of current plans indicates that they are ;

- confidential -Viva has a confidential plan that covers the land operations within their facility,
- non-specific - marine operations are covered in the Sydney Harbour emergency plan which does not specify activities at Gore Bay,
- non specific- the Lane Cove Displan has been reviewed but does not address evacuation or detail community safety at Gore Bay, or,
- non-existent -affected communities in Wollstonecraft Waverton and North Sydney are not included in any local emergency plan.

Community engagement is particularly important. For example, in July 2013 there was a leak at the Caltex facility in Botany. The Caltex facility has a publicly available emergency management plan and during this incident, emergency services established an exclusion zone of 1,000 metres around the site. If such a zone was established for a Gore Bay terminal incident, it would include the whole of Greenwich, Wollstonecraft, Waverton, and parts of North Sydney. Residential areas surrounding Gore Bay have limited access with the inevitable issues for emergency services and community evacuation.

The Gore Bay facility has a good safety record but emergencies arise from unforeseen events. A substantial product spill into the Harbour occurred in August 1999. A fire occurred on a vessel in February 1995 as it was in the Heads en route to Gore Bay. A terminal fire [on the berthed Shell tanker] occurred in 1976. In October 2012, the facility changed its operation to the importation and storage of refined petroleum products. The community has the right to expect the highest levels of preparedness and safety for the operation.

We ask for your support in signing the attached petition that requests the Minister for Emergency Services to take appropriate action.



#4

### **Emergency Management at Gore Bay**

To the Honourable the Speaker and Members of the Legislative Assembly of New South Wales.

The Petition of the residents of Greenwich, Wollstonecraft and areas affected by the petroleum products import and storage facility at Gore Bay in the Lane Cove electorate brings to the attention of the House the lack of an integrated emergency management plan covering sea and land operations in Gore Bay.

An integrated plan headed by State Government and involving local councils, emergency services, maritime operations and the operator of the import and storage facility would accord with accepted global practice and provide assurance to the residents that their safety concerns have been addressed.

There is an unmet need for such a plan inclusive of the changed operations at the site since late 2012. Prior to this it was utilised to import and store crude oil, diesel and bunker fuel. Since then Gore Bay Terminal has operated as an import terminal predominantly for petrol diesel, jetfuel and bunker fuel.

The current emergency and disaster plans include a series of nonspecific plans at council level, a confidential emergency plan covering the site only but not the neighbouring residential area and the Sydney Harbour Marine Emergency sub-plan, which is not specific to Gore Bay.

The undersigned petitioners therefore ask the Legislative Assembly to request that the relevant Ministers coordinate an integrated emergency response plan as a matter of priority and ensure that it is communicated to the local residents.

(Signatures) (Names) (Addresses)"





**Greenwich Community Association Inc**

PO Box 5057, Greenwich, NSW 2065  
www.greenwich.org.au

#5

October 2014

The Hon. Anthony Roberts, MP  
Member for Lane Cove  
Minister for Resources and Energy, Special Minister of State  
Level 37, Governor Macquarie Tower  
1 Farrer Place  
SYDNEY NSW 2000

**Shell (Viva Energy) Gore Bay Terminal, Greenwich Road, Greenwich**

Dear Minister,

We refer to our letter of 25 August 2014 and earlier correspondence about the Gore Bay Terminal dated 28 August 2012 and 3 July 2014 to which we have received no reply.

We know that you are familiar with the operations at this Terminal in your electorate following a recent site visit. Since our last letter, the relevance of ensuring safe and secure operations at Gore Bay Terminal has heightened, given its Level 1 Security rating and the classification of land adjacent to the terminal as a high bush fire risk.

We are not aware of a detailed review by the EPA or any other State Government Authority of the risks associated with the operational changes made at the terminal in October 2012. At the time, the EPA indicated that it would conduct a full-scale review of the appropriateness of Shell's (now Viva Energy's) licence once Shell had lodged a State Significant Development application in relation to its operation. We understand that a draft EIS required as part of the development application process was submitted to the Department of Planning and Infrastructure on March 17, 2014. However it is now over two years since the operation changed at Gore Bay and no development application or EIS for the terminal has been exhibited. Furthermore, control of the business conducted at the terminal has been transferred to another entity with off shore ownership.

In addition to this lack of information from relevant authorities, we are very concerned that there is no coordinated emergency management plan to address the operation of a hazardous facility like this in close proximity to residential areas and the waters of Sydney Harbour. Such a coordinated plan is in place for the

#5

comparable petroleum storage site in Sydney located at Botany Bay Precinct (where residences are further away). We are unable to make comment as to whether the Port Botany plan complies with world's best practice but, as a readily accessible and published document, it demonstrates that there is a plan in place for Port Botany that coordinates the responses of two LGAs and other key authorities.

As the Gore Bay operation potentially impacts the Lane Cove, North Sydney and Leichhardt local government areas and Sydney Harbour, we envisage that an emergency management plan for Gore Bay Terminal would incorporate as a minimum the following aspects of the operation:-

- the transit of petroleum product tankers from North Head into Gore Bay
- the mooring of tankers at the Gore Bay Terminal Wharf and attachment of the loading arms
- the pumping of petroleum product into tanks at Gore Bay Terminal (for later pumping to the Clyde Distribution facility) or directly to the Clyde Distribution facility
- the pumping of petroleum product into the bunkering vessel (currently the 'Destine') for refuelling of cruise ships and
- the storage of product at the Gore Bay Terminal facility.

You will have, by now, received a petition in respect of emergency management at the Gore Bay Terminal. This demonstrates the growing concern of community members to ensure that those who may be impacted by operations at the terminal are protected by an accessible current and coordinated plan.

We again request your engagement with the Premier to represent our concerns and to secure the development of a coordinated emergency management plan for the terminal.

We hope to meet with you urgently to discuss the contents of this letter and look forward to your response.

Yours sincerely  
GREENWICH COMMUNITY ASSOCIATION

# ARE YOU READY?

## Lane Cove Emergency Management Plan

In the event of an emergency, residents in the Lane Cove local government area are covered by the Willoughby/Lane Cove Local Emergency Management Plan.

This plan is produced by the Local Emergency Management Committee made up of representatives from councils, NSW Police Force, Fire & Rescue NSW, the State Emergency Service (Willoughby/Lane Cove) and other local organisations.

The plan is available to view in full on Council's website:

[www.lanecove.nsw.gov.au/emergency](http://www.lanecove.nsw.gov.au/emergency)

Police, Fire, Ambulance:  
**Call '000'**

State Emergency Service:  
**Call 132 500**

### SHELTER

Stay inside the residence

Close all doors and windows

Turn off and block all airconditioning vents

### STAY INFORMED

Check local radio, television or electronic media

Evacuations are a rare occurrence, await official notification by emergency services

### PREPARE

If an evacuation is necessary this will be announced by the Police, Fire and Rescue, State Emergency Service or Ambulance Service. They will also instruct you on the safest location.



**Office of the Mayor of Lane Cove Council**

45 Longwell Road, Lane Cove NSW 2066 Tel 02 9911 3555 Fax 02 9911 3600

15 August 2014  
Ref: 46013/14

Mr Tom Garvey  
Greenwich Community Association Inc  
P O Box 5057  
GREENWICH NSW 2065

Dear Mr Garvey

**Re: Shell Gore Bay Terminal Integrated Emergency Management Plan**

I refer to your recent correspondence regarding a proposal for an Integrated Emergency Management Plan for the Shell Gore Bay Terminal.

In reviewing your concerns, I wish to highlight that the Willoughby/Lane Cove Local Disaster Plan DISPLAN (2012) which is an approved plan under section 29(1) of the State Emergency & Rescue Management Act 1989, is the instrument that is used for the purposes of emergency response should a need arise. The DISPLAN addresses the major facilities in the locality including Shell Australia's Gore Bay Terminal, with roles and functions of the key State agencies addressed.

As the Greenwich Community Association would be aware, an application will shortly be made and placed on public exhibition for the modification of the Shell Gore Bay Terminal. This proposal is classed as State Significant Development and as part of the supporting documentation for this application, there is the requirement for a Preliminary Hazard Analysis (PHA) to be submitted pursuant to the provisions of State Environmental Planning Policy 33 as part of this process. This aspect of the proposal will result in the revision of emergency plans, should the proposal be approved.

Accordingly at this stage of the assessment process, it would be premature to call for the State Government to take control of the Emergency Management Process until the assessment and determination of the pending development proposal is made. Once a determination is made on the pending proposal it would then be appropriate that the current DISPLAN and Shell's site specific Emergency Management Plan to be reviewed and modified in light of any amendments or changes to terminal operations.

Please be assured that Council is committed to ensuring that the terminal can continue to operate in a safe manner, and that all appropriate emergency management plans are in place for the protection of the community. To this end I would advise that my Council has resolved to host an information evening during the exhibition period. You will be advised of the date of this public meeting shortly after the Development Application is known.

If you require any additional information about this matter, please contact Michael Mason, Executive Manager Environmental Services on 9911-3610.

Yours faithfully

Councillor David Brooks-Horn  
Mayor Lane Cove



#3  
**Greenwich Community Association Inc**

PO Box 5057, Greenwich, NSW 2065  
www.greenwich.org.au

October 2014

Councillor David Brooks-Horn  
Mayor  
Lane Cove Council  
PO Box 20  
LANE COVE NSW 1595

Dear Councillor Brooks-Horn

**Gore Bay Terminal Integrated Emergency Management Plan**

Thank you for your response of 15 August 2014 to our request for your support for an integrated emergency management plan for Gore Bay Terminal.

We note your comment that "the DISPLAN addresses the major facilities in the locality including Shell Australia's Gore Bay Terminal". Disappointingly, the recent public release of the 2012 DISPLAN makes very scant reference to the Gore Bay Terminal.

You have stated that it would be premature to ask the NSW government to take control of the emergency management process at Gore Bay until determination of the SSD for the terminal. We suggest that an assessment of the emergency management plans for the facility should not be contingent upon approval/assessment of the SSD proposal because:

1. the concerns raised in our correspondence relate to operational changes that took place in October 2012, not to capital works which are the subject of the SSD
2. the timing of the SSD exhibition and determination are unknown, so the community has no time frame for revision of the DISPLAN or the development of a plan along the lines requested in our correspondence
3. Gore Bay has a Level 1 security classification and the recent announcements by the Federal Government regarding heightened security levels may have possible implications for the Gore Bay Terminal and the community
4. the Gore Bay terminal is located in close proximity to residential and harbourside recreational areas.

The DISPLAN (2007 or 2012) relates to management of emergencies in Lane Cove/Willoughby alone. Gore Bay Terminal is probably unlike any similar hazardous facility in NSW in that it abuts three LGAs (Lane Cove, North Sydney and Leichhardt) and Sydney Harbour. It is also worth noting that the Lane Cove Council bush hazard plan states that the terminal borders on bush rated highest for bush fire danger. For all these reasons, Gore Bay Terminal warrants a specific integrated emergency management plan for incidents that

#8

impact beyond the terminal boundary that includes all three LGAs and authorities responsible for Sydney Harbour.

In the light of the above we urgently request you to seek the involvement of the Premier in the development of a coordinated emergency management plan for the terminal that integrates emergency management in the Lane Cove, North Sydney and Leichhardt local government areas and Sydney Harbour. We envisage that such a plan would incorporate as a minimum the following aspects of the operation at Gore Bay:-

- the transit of petroleum product tankers from North Head into Gore Bay
- the mooring of tankers at the Gore Bay Terminal Wharf and attachment of the loading arms
- the pumping of petroleum product into tanks at Gore Bay Terminal (for later pumping to the Clyde Distribution facility) or directly to the Clyde Distribution facility
- the pumping of petroleum product into the bunkering vessel (currently the 'Destine') for refuelling of cruise ships and
- the storage of product at the Gore Bay Terminal facility.

We would like to meet with you urgently to discuss this matter of growing concern to the community.

Yours sincerely,  
GREENWICH COMMUNITY ASSOCIATION



**Mr David Elliott MP**  
**Member for Baukham Hills**  
Parliamentary Secretary to the Premier

#9

Reference: A005695

Mr Tom Gervay  
President  
Greenwich Community Association  
PO Box 5057  
GREENWICH NSW 2065

19 SEP 2014

Dear Mr Gervay

I am writing in response to your 3 July 2014 letter to the Premier regarding the Shell Gore Bay Terminal (GBT). I understand that the Greenwich Community Association has concerns relating to the changing nature of Shell's operation and use of the GBT. The Premier has asked that I reply on his behalf.

Shell has been operating in accordance with the *Environmental Planning and Assessment Act 1979*, under a combination of continuing use rights and local planning approvals. NSW WorkCover monitors compliance with the *Work Health and Safety Regulation 2011*. In addition, the Environment Protection Authority has a regulatory role under the *Protection of the Environment and Operations Act 1997* as it administers an Environmental Protection Licence for the premises.

I understand that Shell's proposed full-scale conversion of the facility to a refined product import facility will require extensive modifications to the existing infrastructure. As these works are likely to be classified as a State Significant Development, the Minister for Planning or her delegate will be the consent authority for the development application.

An Environmental Impact Statement (EIS) will need to be submitted with the development application. I understand that Shell is currently preparing its EIS, which will be followed by a comprehensive public exhibition and notification process. As part of this process, the Department of Planning and Environment will write to relevant stakeholders and the wider community seeking submissions on the proposal as part of its merit assessment.

I encourage the Greenwich Community Association to engage with the exhibition and submission process. Thank you for writing to the Premier on this important issue.

Yours sincerely

**David Elliott MP**  
Parliamentary Secretary to the Premier



#10

Our reference: MD14/0941  
Contact: Greg Sheehy, 9995 6880

30 SEP 2014

Mr Tom Gervay  
President  
Greenwich Community Association  
PO Box 5057  
GREENWICH NSW 2065

Dear Mr Gervay

Thank you for your letter to the Minister for the Environment, Rob Stokes MP, on behalf of the Greenwich Community Association Inc. (GCA) regarding the environment protection licence held by The Shell Company of Australia Ltd for the Gore Bay Terminal, Greenwich. Your letter was referred to the Environment Protection Authority (EPA) and I have been asked to reply.

I note you have raised a wide range of issues regarding the activities undertaken at the Gore Bay Terminal. Please see the following information in response to the matters you have raised.

Environment protection licence

The Shell Company of Australia Ltd (Shell) holds the environment protection licence (EPL) No. 661 for scheduled activities under the *Protection of the Environment Operations Act 1997* (POEO Act) at its Gore Bay Terminal. One of these activities is petroleum products storage, meaning the storage or packaging of petroleum or petroleum products in containers, bulk storage facilities or stockpiles.

The EPL allows Shell to import a range of petroleum products, including petrol. Under the licence, Shell has imported both crude oil and other finished products such as petrol over the past 10 years.

The EPA previously advised the GCA that as part of the development application process, it would review the current conditions of Shell's licence to ensure these are appropriate for any proposed activities to be carried out at the premises. However, the development application process did not progress as anticipated.

The EPA understands that a final development application will be submitted to the Department of Planning & Environment (DPE) proposing operational changes at Shell Gore Bay in the near future.

In relation to your concerns that the EPL has not been reviewed, the EPA continually considers the conditions of the EPL. For example, the EPA recently made changes to the licence to reflect a recent development consent issued by Lane Cove Council (development application No. DA1/14 dated 13 June 2014), for construction of the acoustic enclosures at the premises.

The EPA is also currently developing a pollution reduction program for monitoring and reporting of total volatile organic compounds from the new vapour emission control System. The EPL will be further reviewed to ensure that any development consent issued by DPE is reflected in the EPL.

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TTY: (02) 9211 4723  
ABN 43 682 285 756  
www.epa.nsw.gov.au



The EPA understands the community's concerns about possible health effects from activities at the Gore Bay Terminal. Any potential health impacts associated with Shell's proposed operational changes will be considered in the environmental assessment that will accompany its development application.

#### Noise management

The EPA actively investigates each noise complaint by residents. If the EPA determines that the noise is emanating from the licensed premises, the EPA will take appropriate action, including regulatory action. These investigations have included onsite inspections and the placement of noise loggers at adjacent residential premises.

Shell is currently upgrading noise enclosures at the terminal to further reduce noise from the operation of the facility. The regulatory environment regarding noise emanating from ships berthed at Gore Bay is complex and the ships are not regulated under the Shell licence. The EPA has worked with Shell to take a range of actions to mitigate the noise emissions from ships at berth, including changes to the conduct of operational activities, better ship selection and installation of noise mitigation equipment on some ships.

#### Air emissions and odour management

The sulphur content of marine fuel oil is a complex issue and subject to a number of international and national regulatory frameworks. As advised above, the ships berthed at Gore Bay are not regulated under the licence.

The EPA is currently considering a number of actions regarding the sulphur content of marine fuel oil for ships operating within NSW State Waters, an amendment of the Protection of the Environment (Clean Air) Regulation 2010 to require stricter sulphur content in the fuel used by the shipping industry operating within Sydney Harbour is one option that is being assessed.

Shell, however, has taken steps to mitigate air emissions from ships at berth and have required that ships use diesel fuel if they are capable of operating on diesel whilst berthed at Gore Cove.

The EPA previously issued Prevention Notice no 1511517 to Shell as a result of receiving odour complaints from the community. The EPA's investigation revealed that offensive odours were being emitted from one particular batch of marine fuel oil that was stored in bulk tanks at the premises prior to being transferred to a barge called the 'Whitnavigator'. As you may be aware, Shell has since upgraded its barge with the 'Destine' and installed a new vapour emissions control system at the premises.

The EPA is also aware that Shell was using a deodoriser during fuel loading of the 'Whitnavigator' barge to neutralise any potential odour from this activity. The EPA understands that Shell informed the community of this at a meeting. Shell has advised that they no longer use deodorisers due to the commissioning the new barge 'Destine' and due to community concerns.

The use of deodorisers is a common practice used by a range of industries to manage potential odour emissions. Generally, the EPA does not consider that the use of these deodorisers would result in a non-compliance with Section 129 of the POEO Act for offensive odours.

#### Complaints

Section 148 of the POEO Act requires companies and others to notify the EPA of pollution incidents causing or threatening material harm. In addition, conditions of Shell's EPL require it to maintain a complaints telephone line and record complaints. The EPA can also receive reports directly through the its Environment Line 131 555.

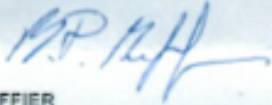
The EPA recommends that community members advise Shell of concerns regarding odour, noise or other issues in the first instance. This means that Shell can undertake investigations as soon as possible so that potential sources can be identified and rectified as soon as practicable.

GIPA applications

The EPA has received a number of applications from community groups requesting information and documents relating to the operations at the Gore Cove Terminal. The EPA has determined these applications under the relevant provisions of the *Government Information (Public Access) Act 2009* (GIPA Act) and released a significant number of documents. If you are not satisfied with the outcome of the EPA's determination under the provisions of the GIPA Act you can seek a review. Further details on the review process can be found at [www.environment.nsw.gov.au/whowere/information.htm#11](http://www.environment.nsw.gov.au/whowere/information.htm#11).

The EPA would be happy to meet with you to discuss further the regulation of the Gore Cove Terminal. Please contact Mr Greg Sheehy, EPA's Manager Sydney Industry, on 9995 6860 if you would like to arrange a mutually convenient time to meet to discuss any of the issues detailed above.

Yours sincerely



**BARRY BUFFIER**  
Chair and CEO  
Environment Protection Authority

# 11



The Hon. **Joe Hockey** MP  
Treasurer  
Member for North Sydney



Mr T Gervay  
President  
Greenwich Community Association  
PO Box 5057  
GREENWICH NSW 2065

8 SEP 2014

Dear Mr Gervay

Thank you for your recent letter on behalf of the Greenwich Community Association regarding the Shell Gore Bay in Greenwich, and the implications of a possible acquisition by Vinl.

I recall writing to you about the Emergency Management Plan for the Shell Gore Bay last month. Thank you for keeping me up to date with this particular issue, and other significant concerns brought to the attention of the Greenwich Community Association.

I note your current concerns about the Shell Gore Bay relate to the proposed Development Application for the site, acquired by Vinl in consortium with the Abu Dhabi Investment Commission. It is clear that there is significant community discussion and angst about the future of the site, including emergency management plans.

I can see from your letter that you have written to the Premier of NSW, the Hon Mike Baird MP, about this matter, which is appropriate as it falls within state government administration and I am sure he will respond to you in due course.

I look forward to being updated on this matter, and once again, thank you for bringing this to my attention.

Yours sincerely

Electronic Office Level 6, 100 Edward Street, North Sydney. Postal PO Box 1107, North Sydney NSW 2060  
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# 12

Mr T Gervay  
President  
Greenwich Community Association  
PO BOX 5057  
Greenwich NSW 2085

14/12444

Dear Mr Gervay

I refer to your letter of 7 July 2014 to the Hon Pru Goward MP, Minister for Planning concerning a State Significant Development Application for Shell's Clyde Terminal Conversion Project in Rosehill (SSD-5147) and a current proposal for the Gore Bay Terminal Modification Project in Greenwich (SSD-5148). The Minister has asked me to reply on her behalf.

I am aware that Shell has been operating the company's Clyde and Gore Bay facilities since the early 1900's under a combination of continuing use rights and various development consents which have been granted by the local Council or the Minister for Planning. Since refining activities ceased in late 2012, Shell has continued to rely on these continuing use rights and development consents for its modified operations.

In addition, I am advised that both terminals are also currently regulated by two Environment Protection Licences issued by the Environment Protection Authority (EPA) under the *Protection of the Environment Operations Act 1997*. The terminals are also registered as Major Hazards Facilities (MHF) and are licensed by WorkCover NSW under the *Work Health and Safety Regulation 2011* (WH&S Regulation).

Similarly, the pipeline running between the two facilities is regulated separately by WorkCover, also under the WH&S Regulation. I am informed that whilst this regulatory arrangement does not require development consent for any change to the type of material, in this case finished petroleum products, transferred through the pipeline, the WH&S Regulation requires pipeline owners and operators to manage any potential health and safety issues associated with such activities.

It is also noted that under these regulatory arrangements, Shell has historically imported finished petroleum products through the pipeline to balance any shortfalls between refinery production and demand, or during periods of routine plant maintenance.

Regarding your Groups statements around the timing for lodgement and assessment of SSD-5147 and SSD-5148, I wish to clarify that the Minister's responses to the Questions on Notice from the NSW Legislative Council of 26 March 2013 (QoN) as referred to in your letter were based on Shell lodging the two applications concurrently, which is understood to have been the company's intention at that time.

#12

However, it is further understood that there were delays in lodging SSD-5148 as a result of a requirement to undertake further refinement of its technical assessments to support the application, hence delaying this SSD application. Shell made the decision to lodge SSD-5147 for the Clyde Terminal first, whilst continuing with the preparation of its assessment to accompany the SSD application for the Gore Bay Terminal. As such, the Department has considered SSD-5147 on its merits, in accordance with the *Environmental Planning & Assessment Act* (EP&A Act).

This brings me on to your Group's statements around the interrelationship between the two applications and your associated request to put the assessment of SSD-5147 on hold until SSD-5148 has been progressed to the point where the two applications can be assessed and determined concurrently. The Department advises that whilst it is acknowledged that the Clyde and Gore Bay facilities are currently linked in an operational sense, the scope of SSD-5147 (and SSD-5148 when lodged) have been characterised by Shell as separate development applications because they are not considered to be contingent on one another. As such, the Department considers that it is able to determine SSD-5147 at the present time.

In this regard, I can advise that the Department has recently completed its assessment of the Clyde SSD application. The Department has carefully examined the terms of the Minister's relevant delegation in the context of this development application and I am satisfied that the application is able to be determined by the Department. In such circumstances, it is the Department's policy to make the assessment report together with its written recommendations publicly available for 7 days. Both of these documents have been uploaded onto the Department's website.

The Department notes your further request for the Government to carry out a regulatory and planning review of Shell's entire operation in the event that the company does not proceed with SSD-5148. The Department understands from the company that it is still its intention to submit the SSD application once the EIS has been finalised. If this situation changes, the Department will consider your further request at that time.

Regarding SSD-5148, the Department is currently finalising its review of the draft EIS with technical input from other relevant Government agencies and advice from an independent hazards and risk expert. Once the Department's review of the EIS has been finalised, the DA and EIS will be placed on public exhibition for a period of at least 45 days and I encourage you to continue to actively participate in the process.

Should you have any further enquiries about these matters, I have arranged for Mr Nicholas Hall, Planning Services – Infrastructure and Industry Assessments, at the Department of Planning and Environment to assist you. Mr Hall can be contacted on telephone number (02) 9228 6438.

Yours sincerely



1.10.14

Chris Wilson  
Executive Director  
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## Bicycle Subcommittee Draft Submission on St Leonards Public Domain Master Plan

[ON GCA LETTERHEAD]

### SUBMISSION TO LANE COVE COUNCIL ON THE DRAFT ST LEONARDS PUBLIC DOMAIN MASTER PLAN 2014

#### *BICYCLE ASPECTS*

The Greenwich Community Association ("GCA") welcomes the proposal to develop a comprehensive public domain master plan for the St Leonards bus/rail interchange area and its surrounds. GCA agrees with Council that this is a "once in a lifetime opportunity" to introduce community identity and a sense of place to the St Leonards precinct.

**GCA SUBMITS THAT *A WELL-INTEGRATED SYSTEM OF BICYCLE PATHS AND ACCESS* IS AN ESSENTIAL ELEMENT IN BUILDING THE COMMUNITY IDENTITY AND SENSE OF PLACE TO WHICH ST LEONARDS ASPIRES.**

The Draft St Leonards Public Domain Master Plan recognises the objective of cycling accessibility (paragraph 3.2). However, it does not carry this objective through into the specific requirements to achieve cycling accessibility. In particular, it does not currently reflect or require a well-integrated system of bicycle paths and access. It needs to be amended and expanded to achieve this.

This submission sets out:

- ***How bicycles will help*** Council achieve the vibrant, diverse community and the employment and lifestyle objectives it has for this part of St Leonards
- ***Opportunities and cost savings*** that well-designed bicycle paths and facilities make available to Council and the St Leonards and Greenwich communities
- ***Existing bicycle paths*** and access points with which the new St Leonards public domain should be integrated
- ***Key principles for shared access*** that should apply to any new development in this area
- ***Amendments*** to the draft St Leonards public domain master plan to be made to reflect and require a well-integrated system of bicycle paths and access.



*(a “mama chari” from Japan – a welcome addition to St Leonards)*

GCA would be pleased to meet with Council and the developers who prepared the video presentation for the Draft St Leonards Public Domain Master Plan to discuss how best to integrate bicycle access and ethos into the master plan.

## **1. GREENWICH COMMUNITY ASSOCIATION**

Greenwich Community Association is a non-profit community forum dedicated to gathering and promoting the views and interests of the residents of Greenwich.

Greenwich has a population of approximately 5000 people with an average age of around 40 years. The community comprises residents of all ages with a wide range of work, social and sporting interests. There are many bicyclists in the community, representing all categories of bike users as discussed further below.

This submission has been prepared by the Bicycle Sub-Committee of the GCA.



*(New York, but it could be Greenwich or St Leonards)*

## 2. KEY THEMES

***Greenwich and St Leonards are vital to each other.*** Greenwich is a source for St Leonards of shoppers, employers and employees, rail and bus commuters, medical patients, restaurant and café clientele, and general street life. St Leonards is for Greenwich a medical and transport hub, a suburban shopping centre, a location for business and jobs, and a place of entertainment. Of course, part of the area covered by the plan is in fact Greenwich.

***St Leonards needs upgrading – in image as well as bricks and mortar.*** While St Leonards offers much for Greenwich residents as outlined above, aside from its leading strength as a medical and transport hub, it ranks a clear second to Lane Cove and Crows Nest as a destination point. It does not have the relaxed ambience and heart of Lane Cove Plaza. It does not have the destination strip shopping and restaurants offered by Crows Nest. It could and should have both.

***Bicycles and bicyclists are part of the solution.*** Providing easy access and facilities for bicycles will extend the St Leonards pedestrian catchment area for shopping and recreation to neighbouring suburbs. It will also promote the image of St Leonards as new, green, inner city urban living – a lower north shore hub servicing high-tech medical and wellness industries, minimising the adverse impact of cars and traffic with preferred and seamless alternative inner city transport options.

***Bicyclists come in all shapes, sizes, ages and speeds.*** Sunday morning pelotons of Tour de France bicyclists are a popular image but only a very small proportion of the bicycle community. The bike users for the St Leonards public domain will be grandparents helping their 5 year olds ride to the park in the morning, young professionals shopping on a Saturday, primary school children hanging around with their friends on bikes after school, commuters going via St Leonards, families going for an adventure on Sunday, tourists getting off the beaten track in Sydney and a myriad of other daytime and night time users. It is these bike users, rather than the pelotons, that the integrated bike paths need to serve.

***Shared paths should be the default setting.*** The pedestrians and bicyclists going to and from St Leonards are for the most part going the same way. In any new development there is scope to set the footpath width wide enough to allow shared bike and pedestrian use. That should be the default standard. Any variation from that requirement should have to be well justified.

***Designing safe solutions adds to the vibrancy of the community space.*** The pelotons can use the Pacific Highway but all other bike users want safety and, wherever possible, to be off-road. Provide safe bike paths and they will come – all of those daytime and night time users who want to shop, eat, work and play. They are the people who by their presence and activity will convert the St Leonards aspiration into a reality.

***Integration is easy – it just requires planning.*** St Leonards is already a transport hub. There are already car and foot routes in and out. The main bike links between St Leonards and some of the neighbouring suburbs have already been established. The basic starting points for the design of a well-integrated system of bike paths and access are all in place. All that is needed is to include bikes in the planning in the same way as pedestrians and cars, and to have the commitment to make it work.



### 3. THE BICYCLE CONTRIBUTION

St Leonards has a great opportunity to add value by making bicycles part of the image of the community.

*Aspirational:* For high density residential living, bicycles are an attractive image, especially for young singles and young families. They are ecologically positive. They create alternative commuter and recreational options. They offer a scope for shopping and café destinations that is much wider than by foot alone. There is a corridor of shopping, cafes and galleries developing from St Leonards through Crows Nest to North Sydney – this is a natural bike route for weekend recreation.



*(notice the high heels)*

*Good for business:* From a local business point of view, bicycles fit well with both the image and the reality of the medical, fitness, therapeutic, naturopath and other wellness businesses that are developing in St Leonards around the anchor of Royal North Shore Hospital.

Seeing bicycles on the streets and in the parks will fit well with the personal trainers and fitness gyms that are already in St Leonards. Making bikes part of the usual day to day life in St Leonards will allow the depth of the range of bike users to become visible and to feel comfortably accepted.

Bike retail and bike repair shops will be able to contribute to the local business community.



*Cost effective and improved amenity:* The reality is that bikes are also practical and cost saving. There will be less car parking required to be available in new residential developments under the State Government's new planning guidelines. Congestion along Pacific Highway is already bad. Street parking is already at maximum capacity.

Encouraging the use of bicycles by making them part of the St Leonards lifestyle and transport hub will not only improve transport connections, street level amenity and residential amenity, it will also save the Council money. Bike paths are cheaper to build and maintain than roads. Bikes do not create the unfunded externalities of cars – such as traffic calming, accident prevention, road closure constraints, and pollution costs.

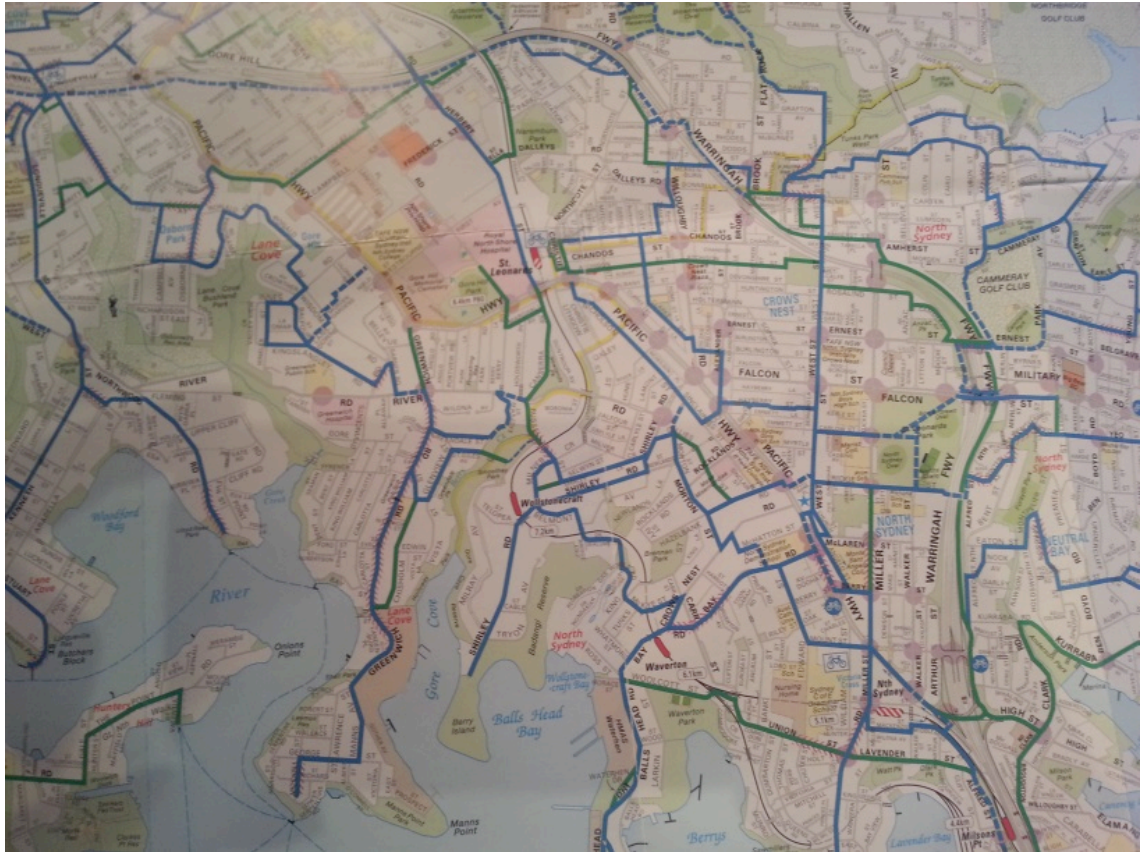
With the extra flexibilities added by bikes, St Leonards may be able to extend the areas of pedestrian plaza available in the precinct, capturing the best of the urban living styles evident in the old European towns and the major cities around the world.

*The necessary solution:* St Leonards is facing a new high density future. With several thousand extra residents, cars are not an option. Bicycles are not just a preferred solution to congestion, gridlock, costs and pollution – they are an essential solution.



#### 4. AN INTEGRATED BICYCLE PATH SYSTEM

There are existing marked and unmarked bike routes between Greenwich and St Leonards, and to and from St Leonards, as shown in the map below. These would form the basis for an integrated system of bike paths.



The design would link the paths through the laneways, pedestrian plazas and other areas to those existing bike routes. In particular, it would link the paths to the station, including providing a safe route through the proposed new tunnel under the Pacific Highway.

The design must include bike racks and require access points to and from, and storage in, the new residential developments.

The design should be flexible in the solutions it provides, taking into account at each plaza and on each route the different types of pedestrian, bicycle and other “active transport” users at those points.

For example, shared pathways will generally be the best solution for pedestrians, for the frail and disabled on motorised scooters, and for children and family bicyclists, along the linking routes between Greenwich and St Leonards.

However, where the pedestrian traffic is very heavy (eg at the entrance points to St Leonards station), separate cycleways are a safer solution. In some places the

separation can be indicated by a coloured lane (as with the green lanes currently in Crows Nest). In other places, a stronger separation is required. In plazas, the bike path would generally be on the edge or bicyclists would walk their bikes through.

In all cases, the approach should be to create pathways that are wide enough (the standard is 2.5 metres), that have slopes not steps, and that maximise the connections with other paths and with other transport options.



## 5. GREENWICH – ST LEONARDS CONNECTIONS

To make St Leonards a true hub, there should be multiple bicycle path connections between Greenwich and St Leonards, reflecting the different users and different potential routes.

One of the main links to Greenwich is likely to be through Canberra Avenue, across Russell Street and along the path in Smoothey Park. This will require a safe way of crossing River Road at the Canberra Avenue intersection and widening of the path through Smoothey Park.

Another link will be through Marshall Avenue and Berry Street, again requiring a safe crossing over River Road to Wilona Avenue (and thence Greenwich Road) or Eastview Street, giving access to the paths through Greendale Park and Smoothey Park.

A third link would be directly through to Greenwich Road and the River Road traffic lights.

The links between Greenwich and St Leonards via Wollstonecraft should also be incorporated into an integrated plan.



#### 6. ST LEONARDS HUB CONNECTIONS

To make St Leonards a true transport hub, the bicycle paths must be part of an integrated lower north shore system of bicycle routes. Some of the key requirements in this regard are:

- *To the east*, the proposal needs to link into the North Sydney bike route along Nicholson St;
- *Christie St* between the Pacific Highway and Nicholson St is one-way southbound. A contraflow bike lane (or off-road shared path) needs to be provided to allow legal bike access to the highway.
- *Christie Lane* is one-way eastbound. If this is retained as a thoroughfare in the redevelopments, the bike access should be 2-way.
- *To the north*: the connection to Herbert St needs to be improved – a tunnel passage is a good solution here, either the proposed new tunnel or re-opening the former underpass that was blocked when the Forum was developed
- *To the west*: the new public domain should be connected by appropriate pathways through to Berry St and then to Marshall Ave or Lane as well as Greenwich Rd.

GCA would be happy to provide more detailed input on the upgrades and improvements required for these connections.



## 7. AMENDMENTS TO THE DRAFT ST LEONARDS PUBLIC DOMAIN MASTER PLAN

The Draft St Leonards Public Domain Master Plan dated 18 August 2014 should be amended as follows:

- Paragraph 2.2, dot point 5: amend to read: “To provide pedestrian and shared bicycle path surfaces that are safe for all users...”
- Paragraph 2.2, new dot point: “To provide shared pedestrian and bicycle access routes to, from and within the precinct that maximize safe access opportunities for pedestrian, bicycle and other non-vehicular users.”
- Paragraph 2.3(l), amend to read: “Except where negotiated with Council, provide all footpath paving along property frontages as shared pedestrian and bicycle paths in accordance with Council’s specifications...”
- Paragraph 2.3(p), amend to read: “Make provision for bicycle parking spaces suitable for the full range of different bicycle user categories”
- Paragraph 2.3(q), new dot point: “Ensure that all of the design incorporates a well-integrated, comprehensive system of bike paths and access throughout the precinct”
- Paragraph 2.3(r), new dot point: “Create safe bicycle routes throughout, and safe access points within, the precinct”
- Paragraph 5.1, main principles, dot point 2: amend to read: “There will be an emphasis on pedestrian movement and permeability throughout the area by enhancing existing pedestrian routes, providing new pedestrian connections and encouraging travel to and from the area by bicycle and public transport.”



**Contact persons**

Thank you for the opportunity to make this submission. The GCA contact persons for any queries or further information on this submission are:

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**Greenwich Community Association**

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