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Subject: East Ward Update

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Good morning GCA Committee

Just about everything that is happening on the development front seems to be happening in East Ward but with a Greenwich focus.

I have pulled together a rather (very) long note to summarise where I think we are at. And this does not cover the developments that are planned for the highway – watch this space - or developments that are somewhere in the pipeline like the Greenwich Hospital re-development.

I am sure I have missed some items that people wish to hear about so please prompt me if something is raised. I wish to emphasise that the content below represents my personal view on community developments.

Councillors have faced complex and difficult decisions in the past year and each Councillor will vote as they deem appropriate.

I respect their right to do so and acknowledge that I am bound by resolutions of Council.

So, firstly to the **Sport and Recreation Facility**.

I had hoped that Lane Cove and Willoughby Councils could have reached agreement to jointly fund a large facility close to public transport hubs, schools and population centres. I saw this as an opportunity to reduce the environmental footprint of two large developments within a kilometer of one another and an opportunity to share both construction and operational costs in a precinct with a looming need for infrastructure.

Regrettably, Lane Cove and Willoughby LGAs elected to take separate paths.

For much of the past year, Councillors and the community worked with Council officers and architects to develop detailed plans for the Sport and Recreation Facility that sought to strike a balance between the needs of the sporting community and other recreational users.

Council went to tender on an **80% detailed design lump sum contract** but no tenders came back within Council's budgeted amount.

In the Council meeting of 20 July Councillors were asked to vote on a motion to delegate to the General Manager authority to negotiate and sign (without any reference back to Council) a **lump sum design and construct contract** with a \$75 million project cost with ADCO Group Pty Ltd and/or ADCO Constructions Pty Ltd (as preferred tenderer). I could not support the proposal recommended to Councillors.

I could not come to grips with having no clarity about what elements of the project design would be negotiated out by the General Manager to meet budget.

And I believed that the proposed contract should be brought back to Councillors for endorsement prior to signing by the General Manager, especially in this challenging time for the construction industry.

Mayor Zbik and Cllrs Roenfeldt, Bennison and Mort voted for the motion and Cllrs Bryla, Flood, Kennedy and I voted against, with the Mayor using his casting vote.

I am concerned that this leaves Councillors with no certainty as to the content of the negotiated contract, no detail of contingency provision and no detail about how Council will operate this \$75 million facility once it is built (something I have asked for consistently for almost a year).

And to the application by Longueville The Village Pty Ltd (LTV) to drop residential aged care from the **266 Longueville Road** development through a Section 4.55 request.

I, and many community groups and residents, felt that the changes sought represented such a change in the operational model from that originally approved that a new DA should be required. Dozens of excellent written and oral submissions were made along these lines.

The SNPP deferred its decision on this application and I hoped that this was a sign that the Section 4.55 application would, ultimately, be rejected. But the SNPP has since announced that it has **approved the Section 4.55**.

So, LTV has cleared the planning hurdle but I think it still has another hurdle to clear – I think the 266 lease should be altered to make it clear that the old plans (for residential aged care and independent living) have been replaced by the new ones (that delete residential aged care, add another basement level, increase car parking and reconfigure the internal layout of the development).

The General Manager has advised that he does not intend to do this.

This will result in a confusing situation where the plans in the lease are not the plans LTV will rely on to develop the site.

Community members may have read the recent SMH article about the Department of Fair Trading order to Council to rectify **defects in the Pottery Lane development** across the road from the Aquatic Centre <https://www.smh.com.au/national/nsw/the-developer-has-gone-out-of-business-so-council-is-getting-the-repair-bill-20230803-p5dtrv.html>

The DFT website contains a comprehensive report on the background to the order. https://www.fairtrading.nsw.gov.au/_data/assets/pdf_file/0016/1191310/building-work-rectification-order-1-5-pottery-lane-lane-cove-2066.pdf

There is a significant amount of background to the Pottery Lane development in Council business papers. https://lanecove.infocouncil.biz/Open/2014/03/CNL_17032014_AGN.HTM

In 2013 Council went to tender for the development of the site it owned opposite the Aquatic Centre. In November 2013 Council resolved not to accept any of the tenders received for the project. Council authorised the General Manager to enter into negotiations with the tenderers.

On 17 March 2014 Council authorised the General Manager to enter into a contract with WN Development Pty Ltd (a Special Purpose Vehicle of EDG Capital Limited) for what was described as the Little Lane Car Park redevelopment.

The DFT report outlines findings from an inspection of the roof top level of the residential section of the building on 10 March 2022. The alleged defects are regarded as serious as they are a defect in a building element (waterproofing) that can be linked to the failure to comply with three Australian Standards.

The DFT has issued the rectification order under the Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020, not against WN developments, but against Council because it was the owner of the site during development.

Councillors have not yet been briefed on this matter so we have no idea of the potential costs to Council in complying with the DFT order.

The Pottery Lane news raises questions about the exposure of Council to a similar rectification order for 266 Longueville Road. LTV may be developing the 266 site but Council will be the owner during development – seemingly exactly the Pottery Lane position.

St Leonards South continues to disappoint as the SNPP determinations of DA after DA demonstrate that the SLS planning controls do not have the rigour we hoped for. And we are now seeing that the developers named in DAs that were rejected by the SNPP (on Council's recommendation) - the Altis Bulky Retail Pty Ltd development on the East West link DA 115/2022 and the Hycorp application for additional storeys in a Section 4.55 application for DA 162/2021- have lodged appeals against the SNPP decisions.

Only one development - Hycorp- has secured a Construction Certificate at this stage, so the flow of Section 7.11 funds to **pay out the Park/Berry Road owners** has not yet materialised but our Council officers are confident that we will see more Section 7.11 funds flowing to Council in coming months.

One unexpected development before the July Council meeting was the resurfacing of **plans to close Canberra Ave**. It was thought that this proposal had been put on hold indefinitely after a resolution of Council in February 2022.

The Canberra Avenue closure had never been proposed as part of the SLS development and many were surprised when Council added it to the mix when SLS was approved in May 2020. Whilst additional open space is welcome, this should not come at the cost of a safe road network into and out of SLS. I think that the time to make a judgement on the traffic impact of the closure of Canberra Avenue is after all development in SLS has been completed and properties have been occupied. Council officers recommended that the closure consultation process should start now and I was unable to secure the support of fellow Councillors to have this delayed. So Council is about to commence a 6 week consultation process for the road closure. The decision to close Canberra Avenue rests with Councillors (not TfNSW), so residents will need to make their views clear during the consultation process.

Bob Campbell Oval seems to have disappeared beneath the radar but things are happening behind the scenes. The BCO page on Council's website has been updated and info panels are about to be installed at BCO.

The **tender for the operation of Greenwich Baths** for the next 5 years is on exhibition. <http://ecouncil.lanecove.nsw.gov.au/trim/Documentlink.asp?RecId=43750/23> The proposed operating model is essentially the one that has been in place for many years. The closing date for bids is 25 August.

No news on the commencement date for the **Greenwich Wharf Upgrade** (including lift installation). The TfNSW website <https://www.transport.nsw.gov.au/projects/current-projects/greenwich-point-wharf-upgrade-0> says that work is expected to start late 2023. There are no details online as to alternative transport arrangements during closure. I have reported to Council the dangerous sinkhole that has developed on the old wharf in the hope that it can be fixed before someone falls into it and takes an unplanned swim. It is likely to be the responsibility of TfNSW but I'm hoping Council can prompt some needed repairs or barricades.

A follow up to the **Berrys Creek pollution incident** in Easter 2023 – JQZ, the developer of 88 Christie Street, was fined \$8000 for polluting water and has been ordered to pay Council the costs it incurred in relation to the clean up.

A few items of Greenwich related information were on the agenda for the meeting of the Traffic Committee on 18 July 2023 <http://ecouncil.lanecove.nsw.gov.au/trim/InternetFormDocLink.asp?RecId=1730125>

- It has been recommended that **Council does not approve the installation of EV chargers at 68B Greenwich Road** and that installation be approved at 13-15 Greenwich Road.
- And it has been recommended to **cease the No Parking rules** at School Zone times and School Days **on the western side of Chisholm Street** between Wardrop Street and Glenview Street and to allow 15 minute parking from 7 am to 10 am and 2pm to 4.30 pm on School Days.

The above recommendations will come to Council for approval at its next meeting on 24 August.

The **allocation of ward funds** is on the 'to do' list. It is not too late to add other projects to the list. After the East Ward Councillors have developed a short list, they will need to run all proposals past Council officers to ensure that they meet funding criteria.

And, finally, the AHO presentation was a wonderful community event and warm congratulations to all involved in the organisation.

Best wishes, Merri

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