



Greenwich Community Association Inc



31 March 2017

The Commissioners
Greater Sydney Commission
Draft District Plans
PO Box 257
PARRAMATTA NSW 2124

Dear Commissioners

DRAFT NORTH DISTRICT PLAN – GREENWICH COMMUNITY ASSOCIATION INC SUBMISSION

Thank you for the opportunity to provide a submission on the Draft North District Plan.

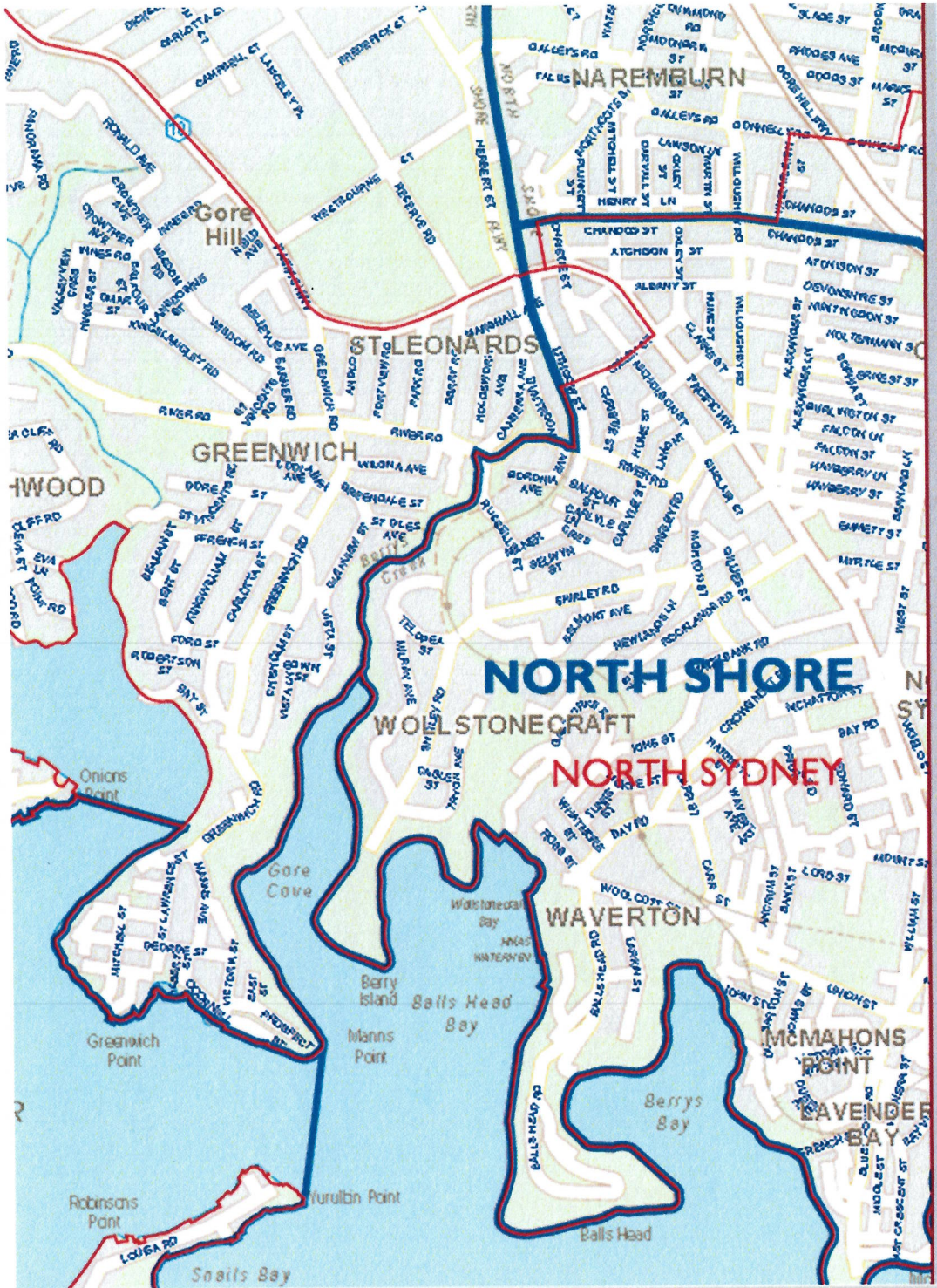
GREENWICH

This submission is lodged on behalf of the Greenwich Community Association Inc (GCA) and focusses on the aspects of the Draft Plan that are relevant to the Greenwich community.

The GCA is a non-profit community forum dedicated to gathering and promoting the views and interests of the residents of Greenwich. It was established as an association over 70 years ago and has extensive experience in the planning issues affecting the community – see our website: <http://www.greenwich.org.au/>

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.

Geographically, Greenwich is integrally connected with St Leonards, Crows Nest, Wollstonecraft and Lane Cove, and sits at the corner of the Lane Cove LGA that borders the Willoughby and North Sydney LGAs. From a District Plan perspective, Greenwich is a contributor to the productivity, liveability and sustainability priorities identified for the North District not only for itself but also for the residents in the immediately surrounding suburbs and generally in the Sydney metropolitan area.



A CONNECTED APPROACH

A key theme of our comments below is that the District Plan should encourage integration and connections between local areas, building pathways (both physical and social), and allowing each local area to develop and protect its own special characteristics as a contribution to Sydney as a whole.

For a suburb like Greenwich, that has both the uniqueness of a peninsula and its surrounds and also sits at the intersection of three LGAs, this has very practical implications – it sounds in issues such as:

- *co-ordination*: co-ordinated development of new infrastructure – eg roads, sewerage, schools, transport – as and when it is needed for the increased local population
- *transparency*: transparency and integrity of local planning and decisions – this is critical – particularly in the context of ever more remote "local" government, the need for greater co-ordination across LGAs, and our community's shaken trust in the planning process from recent decisions
- *zoning*: zoning around train stations and other public transport nodes – this needs to respond to commercial and residential needs in a way that protects bushland, parks, residential character and community
- *housing*: housing policies that allow and require proper integration of affordable and social housing in the community – our community's experience on this to date has been disappointing
- *Green and Blue Grid*: recognising, protecting and enhancing Greenwich's place in the Green Grid, and also in the Blue Grid of the Lane Cove River and Sydney Harbour
- *active transport pathways*: building a network of bicycle and active transport pathways between Greenwich, St Leonards, Crows Nest, North Sydney and Lane Cove – breaking the River Road barrier
- *public spaces*: protecting and enhancing the public spaces in Greenwich – the public land, the parks, the foreshore, the cultural heritage
- *community facilities*: recognising and supporting the clubs, the churches, the local shopping centres, the community halls, baths and other facilities – the places that help make the community
- *new technologies*: planning locally for the new technologies on the horizon – eg NBN, e-cars, distributed energy – avoiding one-size-fits-all or ad hoc national roll out that ignores the green, blue and residential character of the community

We have commented further on these issues below in the context of the Commission's priorities and actions for the draft North District Plan.

IMPLEMENTATION AND MONITORING

We **support** the Commission's four proposed Implementation Actions listed in Attachment B to the Draft District Plan Information Note 5 – Priorities and Actions.

We also **support** the Commission's approach of preparing an implementation plan for all relevant actions, including target outcome, timeframe, KPIs, responsibility, accountability and reporting¹.

Strong implementation guidance needed from Commission

We have recently experienced disappointing examples of a disconnect between planning principles and the reality of planning decisions.

The St Leonards South case study² highlights how a rezoning can be advocated by council, seeking massive changes to height, density and use, quite outside the LEP, and without any planning or funding for the most significant infrastructure challenge in 50 years, where the rezoning is driven by windfall gains not reinvested in the community, and measured against developer proposals, not community strategy.

We **submit** that as part of the District Plan the Commission can and should give strong guidance on how it expects the District Plan to be implemented. This is part of the Commission's brief because strategy without implementation is of little value.

It is particularly important for the Commission to give guidance to local government since it is through the local infrastructure and local planning decisions that much, if not most, of the Commission's strategic District priorities and actions will be delivered.

Implementation principles

The kind of guidance the Commission can give to local government is to require, for example, that:

- LEPs are written with brightline mandatory objective measures (eg multi-dwelling developments over a certain size must have X% affordable housing that cannot be swapped or reduced for other development features); and
- each local government's Community Strategic Plans are developed and settled within X months from the date of the GSC report and comply with GSC's key requirements.

Those requirements would require the Community Strategic Plans:

- to include clear timeframes as commitments for actions directly translated into Council's Delivery and Operational Plans and Budget;
- to be developed through, and subject to, a defined consultation and transparent process with the community so that it documents community priorities for delivery;
- to detail all of the funding avenues being used for local infrastructure (including community facilities plus open space and recreation facilities), including recent funding, special purpose capital works funding, development contributions (s.94), and Voluntary Planning Agreements (VPAs), as well as opportunities for grants.

Those requirements should also extend to how local government recognises strategic priorities in how it seeks and applies funding. For example, VPAs related to major development should only be accepted by a Council if the VPA directly responds to commitments in the Council's Community

¹ Draft District Plan Information Note 5 – Priorities and Actions, p2.

² See Case Study 1 on page 9+.

Strategic Plan. This would enable proposed works in the Community Strategic Plan (and its supporting Plans) to be eligible for funding by new development which includes VPAs.

This approach would overcome, for example, some of the issues experienced in the projects like the St Leonards South case study, where projects towards which VPA funds are proposed to be directed have never been included in a community strategic plan as a community priority over all other community facilities.

We **submit** that there is also a need for greater transparency around VPA processes and closer scrutiny around expenditure of VPA derived funds to ensure that they are applied towards projects that are demonstrably for the public amenity in accordance with statutory requirements. The North District Plan should include implementation principles on the application and monitoring of funds to regulate this.

Greenwich issues for District Plan

We **submit** that some planning issues in Greenwich are sufficiently significant to require specific actions in the District Plan in the same way that the Commission has identified the Northern Beaches hospital and Macquarie Park for special mention. Those issues are:

- (a) *Co-ordination of St Leonards planning* – as noted above, Greenwich sits at the corner of the Lane Cove LGA that borders the Willoughby and North Sydney LGAs. That corner is St Leonards.

St Leonards is integrally connected with Greenwich in terms of all 3 priority areas – productivity, liveability and sustainability. There is a symbiotic relationship where Greenwich is the Green Grid and Blue Grid for the high density in St Leonards, and Greenwich is part of the productivity resource for St Leonards.

The St Leonards South case study is an example of poor planning resulting from 3 local Councils lacking both authority and co-ordination.

We have submitted to the New South Wales Government that if the Lane Cove LGA is required to merge with other LGAs (currently proposed to be Ryde and Hunters Hill) then Greenwich and the rest of the East Ward should become part of the LGA that includes the St Leonards precinct and adjacent areas to enable proper planning (a copy of our submission for your reference forms Attachment A page 17).

We **submit** that the Commission should recommend that St Leonards and its adjacent precincts, including Greenwich, are included in a single LGA to enable proper delivery of the North District Plan. Pending implementation of this proposal, or, in the event that it does not occur, we strongly urge immediate implementation of properly a functioning cooperative planning protocol as envisaged in the concept of Collaboration Areas.

- (b) *Green Grid and the River Road barrier* – we strongly **support** the Commission's plan to deliver a city-wide Green Grid. The bushland, parks and foreshores in Greenwich (both on the peninsula and in the area bordered by Lane Cove National Park and Pacific Highway) are an integral part of the Green Grid and provide amenity not just to Greenwich but to St Leonards, Crows Nest and their immediate precincts and also to Sydney and the North District more generally.

River Road operates as a barrier between Greenwich and St Leonards, significantly undermining the potential productivity, liveability and sustainability outcomes that could be achieved. There is no safe place for a pedestrian, wheelchair or bicycle to cross River Road between Greenwich Road and Shirley Road, a distance of more than 1 kilometre and effectively the whole of the alignment between Greenwich and St Leonards.

We have included in the Greenwich Active Transport case study³ examples of how this barrier can be overcome.

We **submit** that the Commission should expressly refer to Greenwich in its description of the Green Grid, and should highlight pedestrian and active transport pathways across River Road as an action to implement Productivity Action P4, Liveability Priority 6 and Actions L9, L12, L15, Sustainability Priority P5 and Action S3.

- (c) *Viva Energy environmental impact* – the Viva Energy (formerly Shell) petroleum products import and storage terminal is located at the end of the Greenwich peninsula. It is part of the productivity analysis of Sydney as a whole as well as the North District. It is now the only facility of its kind located on Sydney Harbour and it raises significant environmental issues, not just for its existing operations but also for changes in use over time. The land and waterways use by that facility is a significant strategic issue for Greenwich community planning.

Those strategic issues are not yet addressed in any LEP or community strategic plan. The environmental issues, and their very significant implications for sustainability and liveability, are treated as a NSW Government EIS issue, not as a community concern. There is no information analysing the productivity benefits in a way that can be factored into local planning.

The Viva Energy case study⁴ shows the narrow and reactive approach currently adopted for environmental assessment and the active exclusion of the community from consideration of the community impact of changes in use. This does not sit well with the increasing level of awareness around deleterious impacts on human health of exposure to harmful emissions, including but not limited to hydrocarbons.

We **submit** that the Viva Energy Gore Bay Terminal plays a major role in supporting the increased economic activity of the Eastern, Central and Western Cities and should be designated in its own right as a Strategic Centre to be benchmarked against the criteria set for all Strategic Centres, including but not limited to:

Productivity	Action P1
Liveability	Priorities 5, 9 and 13 and Actions L12, L15 and L18
Sustainability	Priorities 1, 2, 3, 4, 5, 13, and 15 and Actions S1, S2, S3, S4, S7, S8, S9 and S12.

Value capture or sharing

We **submit** that the implementation principles should include mechanisms to require reinvestment for the benefit of the affected community of any windfall gains derived from planning changes.

The St Leonards South case study is a good example of the kinds of windfall gains that can arise. We hope that that the GSC will formulate a clear value capture or sharing mechanism to apply to gains attributable to rezoning or other planning changes. The funds derived from the tax should be quarantined and applied only for the demonstrable benefit of the community affected by the planning change, and only after full and effective community consultation.

PRODUCTIVITY

We **support** the Commission's productivity priorities in relation to protecting and supporting employment and urban services land, (PP1) and managing growth and change in strategic and district centres and as relevant local centres (PP2).

As noted above, the key issue in this regard for Greenwich is the development of St Leonards as a centre and the related residential and infrastructure development in St Leonards South and through

³ See Case Study 2 on page 10.

⁴ See Case Study 3 on page 13.

to Greenwich. The productivity potential will be enhanced if Greenwich is positioned as the Green Grid connection to St Leonards.

The Productivity Actions P1 and P4 support this. A better understanding of the value and operation of employment and urban services land (AP1), including the Viva Energy terminal, will allow better planning for infrastructure and supporting community facilities. Facilitating place making and the growth and diversification of job opportunities in St Leonards (AP4) will include looking at how Greenwich contributes to that as, for example, a consumer and labour contributor to the St Leonards market, and an enhancement of the area to attract new residents to St Leonards and to attract visitors for the visitor economy.

We also see the active transport actions and Green Grid as supporting those productivity outcomes.

LIVEABILITY

There are a number of the Commission's Liveability priorities that have direct application in Greenwich as outlined below. We **support** these priorities and **submit** that the Commission should give specific guidance to local government to address the Greenwich aspects as outlined below in the LEPs and Community Strategic Plans developed to implement the North District Plan.

LP1 Deliver North District's 5 year housing targets

These targets will be the key benchmark for residential planning decisions. We **submit** that in developing these targets the Commission should break down the targets by ward, not just LGA, so that all of the liveability, productivity and sustainability priorities can be fully taken into account and the likely direct local impact can be understood when the Commission issues its plan.

LP3 Implement affordable rental housing target

As noted above we favour brightline mandatory objective measures; eg multi-dwelling developments over a certain size must have X% affordable housing that cannot be swapped or reduced for other development features. The Affordable Housing Case Study 4⁵ is a sobering example of how the affordable housing policy could lead to poor quality housing in breach of usual FSR and density requirements if the policy guidelines are not framed in detailed and strict objective terms.

LP5 Facilitate delivery of safe and healthy places

This is an important priority where dangerous and pollutive industries are located next to residential areas, such as the Viva Energy terminal.

LP6 Facilitate enhanced walking and cycling connections

As noted above, walking and cycling connections across the River Road barrier will be a major factor in the inclusive development of the Greater St Leonards area, achieving productivity and sustainability outcomes as well as liveability priorities.

LP9 Share resources & spaces

There is a particular need in Greenwich to protect our bushland, parks and public land as a shared resource and space, not only for Greenwich but also for the wider Sydney community. This has productivity benefits as well as achieving liveability and sustainability outcomes, as outlined above.

We **submit** that the District Plan should require all Councils to create and publish a list of all public land in the community, and to develop a specific Community Strategic Plan in relation to that public land.

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See Case Study 4 on page 14.

LP10 Supplement innovative school planning & delivery

The St Leonards South development is expected to require a new local primary school as well as extra childcare and increased high school capacity. The schools are a key element in the development and maintenance of the local communities. It is essential that school planning & delivery is co-ordinated across LGAs and developed with the input of Community Strategic Plans. It is vital that the scale of developments be limited to reflect achievable and guaranteed school capacity infrastructure, not aspirational capacity.

We also **support** the related Liveability Actions. We particularly encourage the proposed Action AL10 of providing data & projections on LGA population and dwellings across Sydney. The collection and publication of this information is important to the transparency of the planning process.

SUSTAINABILITY

The Commission's Sustainability Priorities SP1-SP6 are relevant to Greenwich both in terms of general development and also specifically in relation to the foreshores, Lane Cove River and bushland. We **support** them and their related Actions.

We **submit** that Sydney Harbour and its waterways should be recognised as a Blue Grid in the same way as the bushlands and parks are recognised as a Green Grid, and that the Greenwich foreshores, and related bays and tributaries, and Lane Cove River should all be recognised as part of that Blue Grid.

As noted above, there are some significant and specific sustainability issues raised by the Viva Energy terminal facility, including in relation to water quality and waterway health (SP1), access to foreshores and waterways (SP3) and coordinated natural hazard risk management (SP15). We **submit** that these should be expressly recognised in the District Plan as significant action items to be addressed in the relevant LEP in addition to designation as a Strategic Center.

We would be happy to comment further on any of the submissions or other points raised in this document.

The contact person for this submission at the GCA is:

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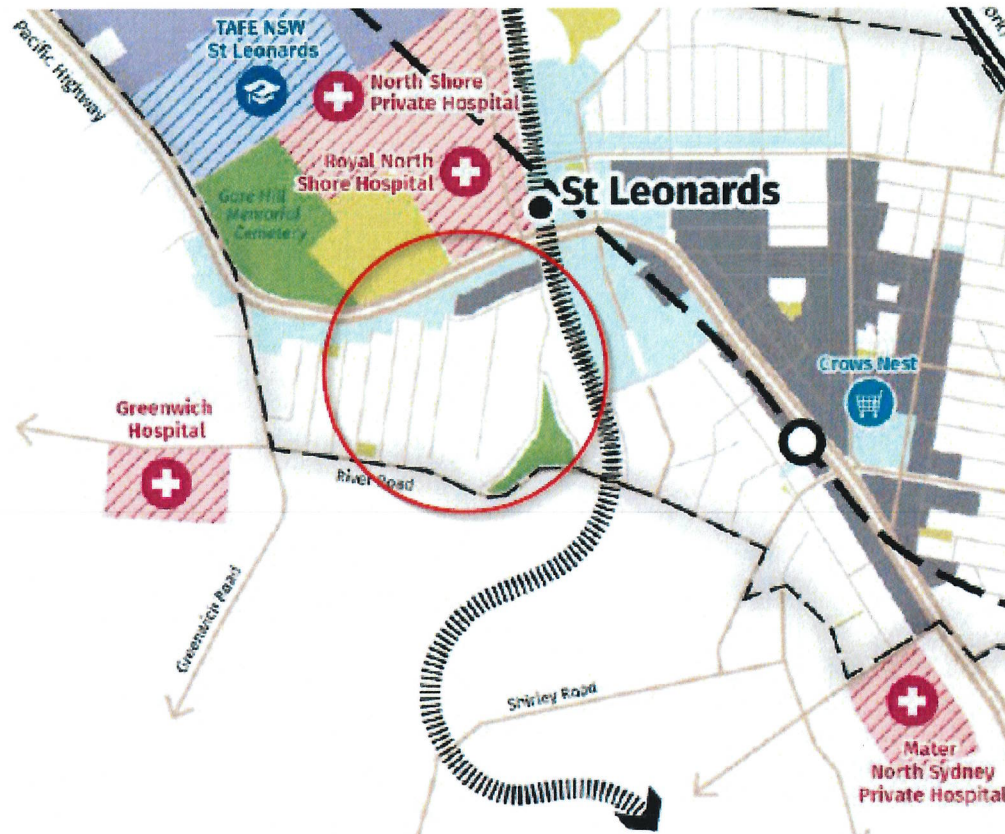
Yours sincerely



Merri Southwood
President

CASE STUDY 1

ST LEONARDS SOUTH PLANNING PROPOSAL RE-ASSESSMENT AS INTEGRAL PART OF ST LEONARDS STRATEGIC CENTRE/COLLABORATION AREA



The GCA is fully supportive of the GSC's approach in directing development strategy from a foundation of Evidence Based Research. One core component in regard to this is the important role of Strategic Centres, and as highlighted by the HillPDA report (2015), the critical objective of 'Growing Strategic Centres - Providing more jobs closer to home'. The associated plan directive focuses on *concentrating office development and key businesses and services within centres to benefit from agglomeration and enhance productivity.*

It is pleasing that the GSC has identified the St Leonards Strategic Centre as a Collaboration Area, and we trust that this action will ensure that all relevant parties are actively incorporated in appropriate planning activities and correspondence henceforth.

As a community association, we are committed to the concept of true consultation such that there is meaningful community input into such planning. We also accept that planning always involves some level of compromise - the need for this to be balanced is a significant reason for the involvement of a range of community stakeholders.

We submit that the process that has led to the formulation of the current St Leonards South Master Plan was characterised by neither true consultation nor balanced compromise.

The summary information within the SGS Economics and Planning report of February 2016 states that the Planning Proposal *is based on ... principles tailored for the precinct with the community* - it is unclear where this statement originated, but disappointingly, there has been no significant involvement of the broader community in the formulation of such principles, or plan. The claimed

'support' for the residential overdevelopment pathway is by no means widespread - but it is inevitable that the section of the community that stands to gain by a re-zoning windfall are most vocal. Unmentioned in the SGS document are the multiple community petitions submitted to Lane Cove Council seeking deferral of the Master Plan until broader planning/infrastructure considerations have been incorporated.

The draft North District Plan's specific jobs growth action for the St Leonards strategic centre (Action P4) targets an outcome of an *increase in total jobs and increase in health and education and knowledge and professional services jobs*. We endorse this objective and are supportive of grasping the current opportunity in relation the St Leonards South precinct. **This precinct is now subject to a Planning Proposal put forward by the Lane Cove Council which does not address this important priority in any meaningful way.**

The precinct in question lies at the geographic centre of four hospitals and in very close proximity to existing medical specialist rooms and public transport. RNSH is a designated tertiary referral hospital taking patients from across NSW with the attendant demand for nearby accommodation. Such a unique location deserves to have a plan formulated in accordance with the District Plan, and with the benefit of input from the broader community.

We note at p 16 of the Draft District Plan the following:-

Status of the draft District Plan

While councils are required to give effect to District Plans as soon as practicable after a District Plan is made, draft District Plans will guide the preparation of planning proposals under Part 3 of the Act. This is established by the Department of Planning and Environment's Guide to Preparing Planning Proposals (August 2016).

The Guide lists assessment criteria for a planning proposal, which include but are not limited to consideration of the strategic merit of the proposal, the site-specific merit of the proposal and consistency with strategic plans, including draft District Plans, State environmental planning policies and Ministerial directions.

Local environmental plans will continue to determine whether development is permitted or prohibited on land. While a draft District Plan or District Plan is not a mandatory matter for consideration in the determination of a development application, a consent authority may decide to consider a draft District Plan or District Plan to the extent it relates to the objects of the EP&A Act.

We trust that this opportunity will not be wasted by a continued focus on short-sighted speculative high density apartment development. For the Strategic Centre concept to succeed this trend needs to be reversed urgently, and incompatible 'plans' such as the Lane Cove Council's 'St Leonards South Master Plan' frozen until a collective vision that fully supports the Strategic Centre concept is conceived through the GSC's Collaboration Area approach.

Genuine commercially-focused Strategic Centres are vital for a sustainable growth plan - there will be no second chance to get this right.

CASE STUDY 2

GREENWICH ACTIVE TRANSPORT PROJECTS

The GCA strongly supports active transport connections between Greenwich, St Leonards, Lane Cove and other adjoining areas.

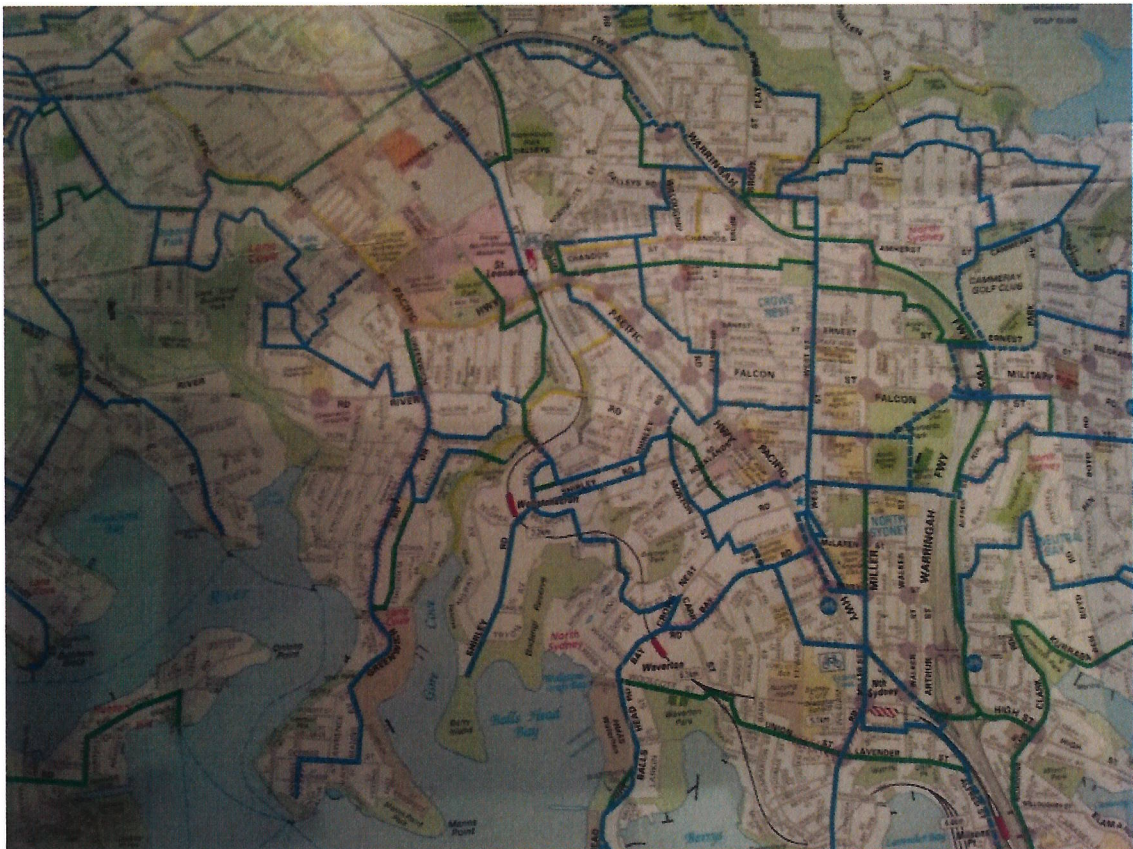
Key priorities are:

- Connections between St Leonards' South and Greenwich by, preferably two but at a minimum one, bridge or tunnel crossing River Road between Greenwich Road and Shirley Road – the bridge and rail siding at the Lithgow Street corner is one clear option, and Eastview Street or further up the hill to Greenwich Road is another;
- Creating SUP width pathway on River Road between the Lane Cove Golf Course and Greenwich Public School.

Some active transport opportunities for the St Leonards/Greenwich alignment are outlined below.

1. 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 and commercial 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 those who have mobility restrictions and use a range of aids including 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.

2. **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.

3. **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.
- Connecting Christie Street across Pacific Highway to connect with the Willoughby bike routes along Henry Lane to Naremburn shops and cycleway and also the bike path on the eastern side of the railway line to Francis Street
- Providing a separated bike route along the Pacific Highway through St Leonards and connecting the eastern and western bike routes as well as connecting to the future Metro station at Crows Nest and westward to Greenwich Road
- Making Reserve Road and Westbourne Street where they pass through RNSH safe for cyclists – both roads are public roads. Recent redevelopment has rendered unsafe what used to be safe conditions for cyclists.

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

CASE STUDY 3

VIVA ENERGY ENVIRONMENTAL IMPACTS

The Viva Energy petroleum products import and storage terminal is located on the Eastern shore of the Greenwich peninsula – refer below.

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The site occupies 10 hectares and is zoned Working Waterfront under Lane Cove Council's LEP.

Petroleum products are pumped from tankers berthed at Gore Bay. Some product (diesel and marine fuel) is stored on site but the major proportion of product (unleaded petrol, jet fuel and diesel) is pumped under Greenwich Road through Lane Cove, Hunter's Hill, Ryde and Parramatta LGAs to Viva Energy's Clyde site. Tankers are berthed and operate at the terminal on a 24/7 basis, with intermittent noise, lighting, emission and odour impacts on adjacent residences and those across Gore Bay.

In 2012 Clyde supplied over 40% of NSW petrol needs and there is no reason to think that this market share has diminished. Now that Viva's refinery capacity has disappeared with the decommissioning of its Clyde refinery, Clyde is heavily reliant on finished product importation through Gore Bay. It is therefore assumed that at least 40% of NSW's petroleum product requirements come through Gore Bay and Greenwich.

The role of the terminal is potentially more significant with the following recent developments:-

1. Confirmation by Viva Energy that it is bidding for the jet fuel contract for Badgery's Creek. This will lift the volume of jet fuel passing through/stored at the terminal.
2. Increasing cruise liner traffic that will utilise the bunkering capability of the terminal
3. Viva's appointment in 2015 as marine fuel supplier to the Australian Navy and potential berthing of Navy vessels at the terminal to refuel directly from tanks, rather than from bunkering vessels.
<https://www.vivaenergy.com.au/about-us/media-centre/news/2017/historic-naval-refuelling-at-viva-energy-s-gore-bay-terminal>

Because the terminal commencement pre-dated the NSW Environmental Planning and Assessment Act, the operation at the terminal has never been subject to development assessment, with the attendant level of transparency and public consultation. The operator has asserted existing use rights in respect of changes to operation, particularly with the shift from a crude oil import facility to a refined product mode in 2012 and these rights have not been challenged by planning authorities.

The Gore Bay terminal has not, therefore, been the subject of a **coordinated and transparent** Environmental Impact Assessment by relevant regulators as is the case with more recent developments such as the White Bay Terminal that have been assessed under the Environmental Planning and Assessment Act.

In January 2012 Shell Refining (the previous operator of the terminal) lodged a scoping report for a State Significant Development for the terminal. This move triggered hope in the community that the EIS process required to support an application for State Significant Development assessment would offer the community, for the first time, information about key areas of concern, namely potential public health impacts of emissions from the terminal and the risk profile/emergency management implications of a petroleum products import and storage facility, particularly in the light of the replacement of crude oil with gasoline/petrol. .

In May 2015, following 100% change of shareholder control, Viva Energy cancelled its application, thereby denying the community and relevant planning and regulatory authorities the opportunity for a coordinated assessment of the operation.

Viva Energy has retreated from wide community engagement and has resisted requests for regular information about the terminal operations.

It fought under GIPAA for over 3 years to prevent release of a report on human health impacts of the terminal and will not produce risk assessment modelling of the operation.

The 'silo' principle that prevails between regulators has resulted in rounds of frustrating and failed attempts at securing information or actions that have, at their core, manifested no more than a desire for transparency and monitoring of the site to ensure public health and safety.

The recent oil spill at the terminal on 30/12/2016 and the poor incident response to the spill have only served to erode confidence in the terminal operator's capacity to ensure world's best practice and in the coordination of emergency services.

As outlined on page 6 , we **submit** that the Viva Energy Gore Bay Terminal plays a major role in supporting the increased economic activity of the Eastern, Central and Western Cities and should be designated in its own right as a Strategic Centre to be benchmarked against the criteria required of all Strategic Centres, namely productivity, liveability and sustainability.

CASE STUDY 4

AFFORDABLE HOUSING

1 Ulonga Avenue Development Application for Multi Dwelling Affordable Housing.

In 2016 a development application was made to Lane Cove Council at the above address, under the guise of Affordable Housing and raised the question as to the perceived opportunity for developers to exploit this type of development in residential areas.

The DA application was defined as being Multi Dwelling Affordable Housing and comprised of 11 dwellings of which 6 were to be managed as Affordable Housing and the remaining 5, to be sold as a commercial development.

I Ulonga Avenue is in an R2 Low Density Residential Zone which allows for a maximum of 2 stories. This was one of the grounds on which the application was rejected by Council as it was for 4 stories and also breached the 5m maximum Building Height for multi-dwelling housing in the R2 zone.

This proposal did not provide sufficient disabled parking and the car park design did not comply with AS2890 1-2004. There were 6 car spaces for 11 dwellings, another reason for Council's rejection.

There were a number of issues raised by Council regarding inappropriate lift access to the adaptable units, which were considered as being not acceptable to Council

Council also considered that the application would have significant impact on the amenity of the locality.

In all there were 36 reasons as to why Council rejected this application as it could not be considered under the provisions of State Environment Planning Policy (Affordable Rental Housing) 2009.

ATTACHMENT A – GCA LETTER ON COUNCIL MERGERS TO MINISTER FOR LOCAL GOVERNMENT



Greenwich Community Association Inc

PO Box 5057, Greenwich, NSW 2065

4 May 2016

The Hon Paul Toole MP
Minister for Local Government
Level 17 NE, 52 Martin Place
SYDNEY NSW 2000

Dear Minister

**Proposal pursuant to Section 218E (2)(b) Local Government Act (NSW) 1993
Merger of East Ward, Lane Cove Council with Local Government Area incorporating St
Leonards precinct and adjacent areas**

In accordance with Section 218E (2)(b) of the Local Government Act (NSW) 1993 we submit to you, as Minister for Local Government, a proposal supported by signatures of 358 electors of East Ward of Lane Cove Council requesting the following:-

That in the event that the Minister elects to proceed with the merger of local government areas as referred to the Chief Executive of the Office of Local Government on 6 January 2016, the Minister include East Ward of Lane Cove in a future local government entity that includes the St Leonards precinct and adjacent areas.

The residents of East Ward of Lane Cove, and Greenwich in particular, are severely impacted by the uncoordinated planning regime around the St Leonards precinct. This precinct is administered by three Councils, with high density developments being approved and constructed without regard to the impact of these developments on the amenity of residents in adjacent local government areas.

The demand caused by the St Leonards precinct development has already stretched services and infrastructure in East Ward to capacity. The needs and opportunities that will develop with the higher future density are given scant attention. Roads, schools, services, pathways, child and aged care, park and bushland impacts – all need local input and all are already suffering. The local primary school is already covered with demountable classrooms. The St Leonards developments, approved by other Councils, have already caused unacceptably high levels of East Ward intersection jams, road snarls, and overflow parking problems.

East Ward residents need to be fully represented in respect of the impacts and opportunities on their doorstep. It is for this reason that the residents of East Ward seek inclusion in a future local government area that covers the St Leonards precinct and adjacent areas.

We request your urgent consideration of this proposal and seek a meeting with you to more fully outline the reasons underpinning our proposal.

Yours faithfully

A handwritten signature in blue ink, appearing to read 'Meredith Southwood', is written over a blue horizontal line.

Meredith Southwood
President
0412 361331 southwood@bigpond.com