

# UNION PRECINCT



PO Box 7041 McMahons Point NSW 2060

## **Minutes - Wednesday 4 March 2020 held at McMahons Point Community Hall, Blues Point Road at 7.30 pm**

Co-Chairs: MC & KR, Secretary and Treasurer: ID. Meeting chaired by MC; minutes by ID.  
Present: 18 – as per attendance sheet.  
Apologies: MG, ME, LM and SS. Councillor Ian Mutton present by invitation.

### **Minutes of the Previous Meeting**

The minutes of the meeting held on 5 February 2020 were accepted as a proper record of the meeting. KF moved and KR seconded.

### **Correspondence and Notifications**

The Chair reported the following information from Council:

- 44 Lord Street – DA approved by Council
- 18 Queens Avenue – DA approved by Council
- 34, 36A and 44A Lord Street – minor alterations- no owner present – noted no further comment
- 17 Dumbarton Street – lift installation - - no owner present – noted no further comment
- 1 Henry Lawson Avenue – Application refused by Land and Environment Court. An appeal is possible. Property in initial stages of compulsory acquisition by State Government.

### **General Business**

#### **Western Harbour Tunnel and Warringah Freeway Upgrade (“WHTL”)**

KR addressed the meeting regarding issues with the WHTL project including justification for the project, the major construction site at Berrys Bay, the impact on the Coal Loader site and traffic impacts in North Sydney and surrounds. KR is preparing a submission, covering these points, on behalf of the Precinct against the WHTL. He noted that the time for objections had been extended from 12 March 2020 to 30 March 2020.

A resolution was proposed and unanimously approved by the meeting that KR continue to prepare a draft submission on behalf of the Union Precinct against the WHTL. This would be sent to members for comment prior to submission. Other information will also be sent out to assist individuals in making a submission should they choose to.

It was noted that there was no firm commitment in the EIS about returning the Berrys Bay site to public use on completion of the WHTL project. The EIS states only that NSW Government will work with North Sydney; the only commitment has come from the State

member. IM noted that a similar promise had been made on the Barangaroo site which is now a development site. KR to make reference to this in the submission.

Noted that the Waverton Peninsula Working Group was being re-activated to address issues associated with Berrys Bay both before and after the WHTL

### **Ward Boundaries**

IM, Wollstonecraft Ward Councilor, discussed the changes to the Ward Boundaries.

Council had approved (using the Mayors casting vote) the creation of only two wards with five Councilors each rather than five wards with two Councilors each. Council also voted (using the Mayors casting vote) for the LGA to be divided into a northern ward and a southern ward.

At a previous meeting the Precinct had voted to support an East- West ward proposal with the boundary between them being the Warringah Freeway.

IM noted that in the September 2020 elections that there would only be two wards with 5 Councilors each subject to election. IM suggested that it was likely that a referendum could be included as part of the Council elections in September 2020 to possibly increase the number of wards and/or change the boundaries to East – West. IM noted that he did not support the concept of an elected mayor.

### **Sawmillers Reserve**

IM noted that Council was investigating obtaining a leasehold over surplus land around the Scout hall and tunnel adjacent to Sawmillers Reserve to expand the park. IM noted that the Scout hall already had toilet facilities which could be incorporated into Sawmillers Reserve which currently has no toilet facilities.

A question was posed by a resident whether Council could acquire the freehold from the State Government. IM noted that he was opposed to the Council obtaining freehold unless all the environmental costs to potentially rehabilitate the land were fully met by the State Government.

### **Union Street Traffic**

Council has decided not to proceed with speed cushions on the western end of Union Street and was looking at alternatives. Precinct invited Council to provide Council officers to the next meeting 1 April to discuss this. Council responded that they would try and provide a speaker at the April 2020 meeting to discuss alternatives, subject to any progress in finding alternatives. KR is to seek confirmation of 1 April so that we can be informed as to why the speed cushions alternative was rejected and to have some input to any alternatives the Council officers are developing.

### **Year of the Pedestrian**

The Chairman noted this.

### **Combined Precinct Meetings**

KH addressed the meeting to discuss the recent Combined Precinct Meeting and gave a comprehensive review of activities happening in the North Sydney LGA. He advised the next meeting to be held on 28 April 2020.

### **Sydney Harbour High Line**

IM offered to be the guest speaker at the Precinct meeting to be held on 6 May 2020 and discuss the SHHL.

### **Other Business**

PW as the representative of Noakes addressed the meeting regarding the amended application to Council for the FDD which had been lodged on 21 February 2020.

He stated that Noakes has only received one fine from the EPA (attached) and he believes slipways are a thing of the past and the dock will be more pollution friendly. He noted the main differences was a limit to work on hull heights up to 7.7m and using sound curtains on the sides and retractable covers on the roof. Attendees questioned how could this work as most boats have masts which would stick out. JB commented that he felt that there was no credibility. RW commented current practice was not preventing the VOC's and paint smells.

PW stated the dock's height was 7.7m above the waterline. DH asked if this would be affected by the tides. PW stated yes as the water rises, so would the dock. There seemed to be some confusion over whether we were discussing the visual impact of the FDD or the size of the box in which the work would be done.

There were many other questions from the floor about the amended FDD proposal which PW was not able to respond to. He agreed to take questions on notice with formal responses to be provided prior to the next Precinct meeting on 1 April 2020. The Secretary agreed to forward PW a list of questions on notice. A table of the questions on notice to PW/Noakes is annexed to and forms part of these minutes.

MC thanked PW for his attendance.

### **Next Meeting**

The next Precinct meeting would be held on Wednesday, 1 April 2020 at 7.30 pm.

### **Closure**

The meeting closed at 9.20 pm.

Signed as a correct record

Chair

**Questions taken on notice by PW at the Union Precinct Meeting held on 4 March 2020 at 7.30 pm**

1. Is the FDD under current survey from AMSA? An earlier version of the EIS claimed the FDD was in current survey.
2. In the Hamptons report dated 20 February 2020 page 20 and Jacobs Annexure 3 page 8 regarding noise from a tug, it notes that the Applicant has confirmed that a tug will no longer be required. Please advise how the FDD will be moved away from the dock to enable a vessel to enter and then be moved back with the additional weight of a boat without the use of a tug or tugs. Please advise what is the purpose of having the tug Warren if it is not required for the FDD.
3. A question was asked about TBT, given that there is only 30 cm from the bottom of the dock to the TBT. What is to stop the TBT from being disturbed given the uneven bottom of the Bay.
4. Can TBT still be used on any of the vessels proposed to utilise the FDD. If so, what restrictions apply.
5. Please confirm your statement that the FDD will never operate outside the lease for loading and unloading purposes.
6. You mentioned that the existing crane would be used to lift motors out of boats on the FDD. Please provide evidence of the approval for this crane in the existing DA.
7. Has any testing been done on the FDD for winds, knowing that southerly wind gusts exceeded 90 kph in the Bay last week?
8. What will happen to the Rosman ferries if they FDD is allowed and where will they be moored.
9. Has Noakes ever self-reported issues to the EPA or is that left to residents.
10. Noted that Radar has been painted on Monday and Tuesday this week and the paint/glue smells have been reported by numerous Munro Street residents as being extremely offensive and caused much discomfort to residents and no doubt staff. Any comments please.
11. Can you confirm that Radar is in current AMSA survey to carry passengers for the Biennale of Sydney?
12. When will the Kaire machine be installed?
13. How often and how are workers checked for VOC's and isocyanates.
14. What visual mitigation has been planned on the side of the FDD e.g. murals on the sides of the FDD to lessen its impact.
15. Why was Sean Langman not present to answer these questions?
16. You stated that Noakes never works in the yard on Sundays. This is clearly not the case from evidence available. Please explain.
17. Please provide evidence of what insurances are available for any potential environmental disasters associated with the FDD.
18. Please provide further evidence/explanation regarding air quality maintenance within the enclosed FDD. Noakes existing air cleaning system will be approx. 20 metres away from the FDD and will be expected to clear /exchange the huge volume of the FDD. How is this possible? The draw would need to be enormous? If the extraction velocity levels are such, surely the paint would be pulled away from a vessel when spray guns are used in the current sheds? What reports are available to

prove this method will work to protect employees with the FDD, as well as impacts on neighbours and staff from the noise of the extractor/s.

19. Please provide evidence for the sound mitigation panels being proven for use in a comparable marine industry and please advise the internal measurements of the FDD once the sound panels are installed.

5 March 2020



# News Release

5 October, 2016

## Noakes Boat and Shipyards fined for toxic leak into Sydney Harbour

The NSW Environment Protection Authority has fined Noakes Boat and Shipyards \$15,000 for water pollution after toxic substances leaked from a broken drain at their premises into Sydney Harbour.

EPA officers inspected the boatyard after a local resident called to report an unnatural sheen on the water in front of the Noakes slipway.

The officers witnessed Noakes employees' pressuring-washing anti-foul off the bottom of a boat. On removing the cover of a catchment drain a crack was identified as the cause of the harbour pollution.

EPA Regional Director for the Metropolitan area Giselle Howard said while only a small amount of waste liquid had reached the harbour on this occasion, the cracked drain could have continued to discharge this dangerous chemical, had the EPA not been alerted.

"Anti-foul is toxic to marine life and has the potential to cause long-term damage to the wider aquatic environment," Ms Howard said.

"Had the drain been left unrepaired, it could have caused significant harm to aquatic life in the harbour around McMahons Point.

"Noakes have now repaired the crack and tested it with safe coloured dye to ensure no toxic waste water from their shipyard operations is reaching the harbour.

"This was a serious incident that could have been worse but the community's calls to the EPA Environment Line enabled us to react swiftly and effectively."

Members of the community can call the Environment Line 24 hours a day, 7 days a week on 131 555.

Penalty Notices are one of a number of tools the EPA can use to achieve environmental compliance including formal warnings, official cautions, licence conditions, notices and directions and prosecutions.

The EPA takes a range of factors into account before delivering a regulatory response including the degree of environmental harm, whether or not there are any real or potential health impacts, if the action of the offender was deliberate, compliance history, public interest and best environmental outcomes.

For more information about the EPA's regulatory tools, see the EPA Compliance Policy <http://www.epa.nsw.gov.au/legislation/prosguid.htm>

**24hour Media Line 02 9995 6415**

Report pollution and environmental incidents to Environment Line **131 555** (NSW only), TTY - **133 677** or <http://ask.epa.nsw.gov.au/>

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