

Meeting: Port Botany Community Consultative Committee – Meeting No. 22

Held: Tuesday 5 February 2019, 5.30pm-7.30pm
Ground Floor Meeting Room, Brotherson Dock, NSW Ports

Present:

John Burgess (JB) – Community	Marie Gibbs (MG) – Patrick Stevedores
Lynda Newnam (LN) – Community	Michael Martin (MM) – Vopak
Paul Pickering (PP) – Community	Aldo Costabile (AC) – Elgas Limited
Peter Fagan (PF) – Community	Gary McKay (GM) – Caltex
Marcus Dwyer (MD) – Botany Bay Business Enterprise Centre	Karen Jones (KJ) – Orora
Patrick Medway (PM) – Bayside Chamber of Commerce	Trevor Brown (TB) – NSW Ports
Bronwyn Englaro (BE) – Randwick Council	Alison Wedgwood (AWe) – NSW Ports
Clare Harley (CH) – Bayside Council	Natalia McGregor (NM) – NSW Ports
Sandi Chick (SC) – Electorate Offices for Member for Maroubra	Adriane Whiley (AWh) – NSW Ports
Lachlan McGrath (LM) – Electorate Offices for Member for Kingsford Smith	Roberta Ryan (RR) – Chairperson
Brad Milner (BM) – Port Authority of NSW	Sandra Spate (SS) – Minute taker

Apologies: Greg Walls – NSW Ports, Jonathon Lafforgue – NSW Ports, Catherine Blaine – Port Authority of NSW, Ryan Bennett – Port Authority of NSW, Lyndon Reeves – Elgas, Erin Barker – EPA representative, Charles Abela – Community, Mark Walker – Qenos, Jamil Kharoude – Vopak, Jos Kusters – Caltex

Item	Description	Action/Responsibility
1	Apologies and Introductions The chair welcomed attendees. AWe introduced Natalia McGregor and Adriane Whiley from NSW Ports. Natalia standing in for AWe while she is on maternity leave.	
2	Accept minutes of last meeting Acceptance of the minutes from November 2018 was moved by JB and seconded by PM. The minutes were accepted.	
3	Port Botany Community Assets <ul style="list-style-type: none"> - Update on Cruise Passenger Terminal - Update on Foreshore Beach/Penrhyn Estuary - 	
3.1	<u>Update on Foreshore Beach/Penrhyn Estuary</u> BM reported Port Authority is awaiting on Cardno's monitoring report. It will be shared with the CCC when available. Seagrass monitoring will continue for the next two years. The next round will start in coming months. PP asked whether seagrass is affected by sewerage overflow. JB suggested movement of sand rather than sewerage is the problem as it blocks sunlight. BM agrees. Port Authority is aware of sand issues. Work on groynes was to prevent further damage. Continued monitoring is to gauge	Port Authority to forward the consolidated monitoring report to NSW Ports for distribution to the CCC if available prior to the next meeting.

	<p>success. There have been positive signs. Results of monitoring will continue to be shared.</p> <p>JB asked when the Cardno report is due. BM indicated Port Authority expects the report in March and should be able to share it at the next meeting.</p> <p>PP asked whether Port Authority monitors water quality at Foreshore Beach which is the only beach in Botany. BM replied while they don't monitor water quality they do monitor flora and fauna which linked to water quality. He will check if water samples have been taken as part of this. Port Authority worked with Sydney Water on the groynes. AWe noted water quality monitoring was part of original Conditions of Consent but the deadline has passed. The wrap up report should include a water quality component. PP asked if Sydney Water is responsible. He noted sewerage after Malabar sewerage works. LN noted OEH responsibility. JB said coastal councils monitor beaches. The sewerage system designed 80 years ago was to cope with the population then. During heavy rain it overflows at Botany swamps and Malabar.</p>	
3.2	<p><u>Update on Cruise Passenger Terminal</u></p> <p>BM summarised the role of Port Authority of NSW as a state owned corporation with a team of marine operational staff involved in marine operations. The NSW Government is committed to growing our cruise industry to support tourism, jobs and economic growth. The NSW government released the Cruise Development Plan (CDP) on 29 July 2018. The CDP can be accessed at:</p> <p>https://www.industry.nsw.gov.au/development/industry-opportunities/tourism/cruise</p> <p>One of the key actions from the NSW Government's Cruise Development Plan is the development of a Strategic Business Case to assess the viability of Molineux Point/Botany bay and Yarra Bay as potential sites for a new passenger cruise terminal.</p> <p>RR and PP asked what the likely timeline is for the business case and what the implications may be from a possible change of government at the upcoming elections. Port Authority indicated the Strategic Business Case assesses the high-level viability of these locations and considers whether further work is needed. No investment decision for Botany has been made by Government. While there has been preliminary work on economic benefits as significant volume of work on impacts such as noise, traffic, environment, indigenous heritage and air quality would need to be assessed.</p> <p>PF asked who has currently seen the draft business case. His concern is that the community has to vote March. A lot may depend on what happens with business case for the cruise terminal. People want to know what Port Authority's plans are. He suggested the Liberal candidate for Maroubra has seen the draft business case. He doesn't understand why he has been allowed to see it but elected representatives such as local State and Federal members, local mayors and council staff haven't been able to. The Government should be beholden to make it available.</p>	

	<p>Port Authority indicated the business case process is being managed by the Port Authority of NSW in conjunction with NSW Treasury. Before any decision is made the NSW Government will consult extensively with the community and undertake technical and environmental studies most likely through an Environmental Impact Statement under the EPA Act.</p> <p>Regarding opportunities for consultation MG suggested face to face with community, with industry through the website and submissions. As an industry representative she wants to know the impacts on 24/7 terminal operations of people sleeping on board cruise ships. We need to know what we are responding to so companies need information.</p> <p>JB noted a request from a previous meeting that CCC representatives be on the taskforce to review and provide input before the draft business case is released as a public document. It now won't be released before the election and people will have to guess who will do best for the community. Then the fight will be on about how it will go ahead. Using spare capacity within Port would be some relief for the community but not for business trying to protect investment with future growth capacity.</p> <p>AWe said from a NSW Ports view of the role of this committee, the Port Authority is a stakeholder and should provide updates to the CCC but shouldn't rely on this as the community consultation process. It needs to be greater and this committee doesn't have the capacity to comprehensively respond to the issues.</p> <p>PF speaking for the Save Yarra Bay group said progress so far on Yarra Bay and Molineux Point should be made public. Make clear what government has in mind. He wants to see the draft business case a month before the elections so people can make up their minds. The Liberal candidate for Maroubra thinks there are extreme implications for the environment and the community. The government should make this available now.</p> <p>BM reiterated there is no investment decision and a commitment to detailed consultation before a decision is made.</p> <p>LN noted amendments to the NSW Environment Planning and Assessment Act (EP&A) require consultation upfront. Transparency and accountability are not in evidence here.</p> <p>JB referred to an article about a container terminal at Newcastle citing the NSW Ports CEO that there is underutilised capacity here. This leaves the door open to the possibility of capacity being used for cruise operations.</p> <p>TB replied as Port Manager that NSW Ports is owned by long term investors and super funds. They take the long view on economic needs of the state for cargo handling to drive the economy as the primary focus. An earlier statement indicated NSW Ports would support a cruise terminal only on the proviso it didn't impact this priority as outlined in the 30 Year Plan.</p> <p>PP asked whether the terminal would be a seasonal overflow terminal. MG noted shipping is also a seasonal industry occurring at the same time.</p> <p>CH reported Bayside Council is currently preparing local strategic planning statements (LSPS) to inform council LEPs and DCPs. Council needs a long term view to balance port, airport and environmental</p>	
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	<p>considerations. The future of any cruise terminal is important to understanding the long term. The sooner we get information the better. Summer is also peak airport season. Council needs to take a long term view including economic opportunities and local impacts. The White Bay community have to absorb impacts and but didn't see local economic opportunities. There may be impacts on air quality, noise and traffic without seeing benefits locally. The business case needs to look at what the local impacts are as well as local economic opportunities. Council is going to the community in July. A deliberative panel is being held in March/April as part of the LSPS process and studies are now underway to feed into this. Council needs to understand what is coming. BE said strategic planning statements need to be finalised by the end of the year.</p> <p>MG suggested economic benefit can be elsewhere e.g. cruise liners on-board goods and employment elsewhere. People on board hop off to take pictures then hop back on. There needs to be economic transparency as to the benefit of the local community.</p> <p>RR suggests the cruise terminal be an ongoing agenda item.</p> <p>PF said when the petition was debated in Parliament the government threw numbers around about the benefit to the community. He doesn't trust these numbers. He suggests Port Authority be very careful regarding claims that are made.</p>	
3.3	<p><u>Save Yarra Bay group presentation</u></p> <p>PF presented to the meeting four photos taken on busy days at Yarra Bay over summer. These are shown on the group's website (see https://saveyarrabay.com/) and show this is not a lonely, forsaken beach but heavily used. He asked who present would be happy to lose their favourite beach to a cruise terminal. Yarra Bay is not the sort of recreational asset the community can afford to lose and they will fight tooth and nail to retain.</p>	
3.4	<p>JB reported there will be no new moorings in La Perouse and Yarra Bay and current moorings will not be renewed as they expire. There is a total of 27 moorings.</p>	
4	Actions arising from previous minutes	
4.1	<p>Action 10.3 August 2018. AW to follow up with Bayside Council to find out whether Bayside Council offers commercial recycling. CH reported the manager of waste said no commercial recycling is currently being taken as Council is trying to deal with existing recycling. This may change.</p> <p>BE reported Randwick Council is meeting NSW Ports next week to discuss issues and operations. Waste is one topic and Council will see if it can take some material.</p> <p>AWe asked tenants to provide estimates of volumes and types of materials to TB.</p> <p>The action is closed</p>	
4.2	<p><u>Action 7.1 November 2018.</u> PANSW to present a detailed consolidated summary of the Penrhyn Estuary monitoring program at the next meeting.</p>	This action remains open. PANSW
4.3	<p><u>Action 7.2 November 2018.</u> EPA to provide a response to the question of perceived sewerage odours at Millstream outfall and water quality at Foreshore Beach.</p> <p>As no representative from EPA was present EB will address this at the next meeting.</p>	This action remains open. NSW EPA

5	NSW Ports Update	
5.1	<p><u>Patrick Rail Investment Project</u></p> <p>Hard copies of the media release were available at the meeting. These were previously emailed to members.</p> <p>TB stressed the importance of rail in providing capacity for movement of container freight in and out of Port Botany. NSW Ports is working in partnership with Patrick to increase handling of rail containers in and out and will co-invest in the expansion of the rail facility at Patrick. The offer is open to other terminals. \$120m will be used to extend sidings to 600m so trains no longer have to be broken and shunted. This is more efficient and complements the duplication of the line. It will be undertaken as a cost recovery exercise recognising the long term future of boxes on rail. TB is proud of this exciting initiative.</p> <p>PF asked whether this is not needed at the other terminals.</p> <p>TB said that NSW Ports is willing to co-invest in rail infrastructure with DP World and Hutchison as well.</p> <p>JB asked whether the \$3.08 wharfage fee applies whether containers go by rail or truck.</p> <p>TB confirmed it was on all modes in and out of port. The cost is spread across the supply chain.</p> <p>JB is delighted the stevedore has taken this up. He recalls stevedores saying at the tribunal that hell will freeze over before they move containers by rail.</p> <p>TB suggested the tide is turning with massive investment in the Moorebank intermodal. Credit to Patrick and the owners that they are willing to invest.</p>	
6	<p>NSW Ports Sustainability Plan</p> <ul style="list-style-type: none"> - Report on Sustainability Plan – AWe - Update on Brotherson Dock Life Extension Project - AWe 	
6.1	<ul style="list-style-type: none"> - Report on Sustainability Plan <p>AWe reported on Sustainability Plan progress as per presentation (attached to minutes). This will go to a board strategy workshop at the end of February. Feedback is requested by the end of the month particularly on goals and indicators.</p>	<p>NSW Ports to email to CCC members the presentation on the progress of the Sustainability Plan.</p> <p>CCC members to provide feedback by the end of February.</p>
6.2	<ul style="list-style-type: none"> - Update on Brotherson Dock Life Extension Project <p>AWe said the project is progressing well. A new compound has been established on the DP World side of the dock in addition to that at Patrick. Waste contractors previously engaged were not meeting requirements to demonstrate appropriate levels of recycling. A new contractor has been engaged and reports are positive. The body of evidence will be submitted to the Sustainability Council and NSW Ports hopes for an interim rating. There have been no major incidents or complaints.</p>	
7	<p>Development and Operational Activities in the Port</p> <ul style="list-style-type: none"> - Port Botany Expansion and other Port Tenant Developments and operational update 	

	<ul style="list-style-type: none"> - NSW Ports developments – AWh - Planning and legislation update – AWh 	
7.1	Hutchison Nothing to report.	
7.2	Patrick No developments to report.	
7.3	DP World TB noted new quay cranes were delivered late last year.	
7.4	Vopak MM reported DPE recommendations were finalised in December and a new set of conditions issued. Construction can commence. MM reported he is finishing at Port Botany at the end of this month to take up a position overseas. The CCC thanked MM for his contribution to the committee and congratulated him on his new appointment.	
7.5	Elgas Nothing to report.	
7.6	Caltex Nothing to report.	
7.7	Origin Nothing to report.	
7.8	Terminals Nothing to report	
7.9	Orora KJ reported demolition of building B7, which was decommissioned in 2012, is finished. A noise wall was built from containers stacked four high.	
7.10	NSW Ports developments AWh reported the administrative Mod 17 is pending determination by the Department of Planning.	
7.11	Planning and legislation update AWh reported amendments to the Three Ports SEPP has not progressed further.	
8	Port Botany Noise Update <ul style="list-style-type: none"> - Port Botany Expansion Rail Noise (as per CoA 2.28) 	
8.1	There have been no rail issues associated with Port Botany Expansion.	
9	Safety and Environmental Incidents/Complaints <ul style="list-style-type: none"> - Biosecurity update: Biosecurity Port Levy Update - Summary of complaints 	
9.1	<ul style="list-style-type: none"> - Biosecurity update AWe reported Ports Australia attended workshops on the port biosecurity levy. There is a proposal to move the charge from stevedores to shipping operators. This is still under discussion and has not been confirmed. NSW Ports will pass on any updates from Ports Australia to tenants. There is no clarification from DAWR on how the money will be rolled out and legislating starts this month.	
9.2	<ul style="list-style-type: none"> - Summary of complaints There have been no complaints.	
10	General Business/Next meeting: The next meeting is 7 May 2019.	
10.1	JB raised problems with security contractors and lights being off at the boat ramp.	AWe to provide contact details for Catherine Blaine to JB.
10.2	TB reported NSW Ports has undertaken a three year partnership with Maroubra Surf Life Saving Club to support the nippers program. It matches a similar relationship NSW Ports has with Port Kembla Surf Club.	

	<p>LN asked whether NSW Ports sponsors Yarra Bay Sailing Club as the port impacts them directly. She thinks as a general rule industry should support people directly impacted.</p> <p>AWe said they don't currently but is looking at what can be done to reach out more to the local community as part of the Sustainability Plan. She expects progress on this in future.</p> <p>LN said NSW Ports needs to be more proactive. No complaints may reflect people have given up complaining.</p>	
10.3	The CCC thanked AWe for her work with the CCC and wished her well for her maternity leave.	
	<p>These minutes have been endorsed by the meeting Chair</p> <p>Signed: Date:</p>	