

Meeting: Port Botany Community Consultative Committee – Meeting No. 6

Held: Tuesday 3 March 2015, 5.30pm-7.30pm
SICTL Training Room, 1 Sirius Road (Port Botany Expansion)

Present:

John Burgess (JB) – Community	Richard Pollock (RP) – Patricks Stevedores
Lynda Newnam (LN) – Community	Neil Truskett (NT) – Patrick Stevedores
Paul Pickering (PP) – Community	Shane Jones (SJ) – Patrick Stevedores
Ross Salter (RS) – Community Business Representative (Kingsford Timber Mitre 10)	Trevor Stolz (TS) – Patrick Stevedores
Mal Jagdev-Imrich (MJI) – Community	Derek Sinclair (DS) – ISD (consultant to Patrick Stevedores)
Mitch Donohue (MD) – Electorate Offices for Member for Kingsford Smith	Mark Bernhardt (MB) – Origin Energy
James Goodwin (JG) – EPA representative	Michael Kinnell (MK) – Origin Energy
Susan Fox (SF) – EPA representative	Aldo Costabile (AC) – Elgas Limited
Ryan Bennett (RB) – Port Authority of NSW	Gary McKay (GM) – Caltex
Tony Navaratne (TNA) – Port Authority of NSW	John Ieroklis (JI) – SICTL Stevedores
Brendan Elliott (BEL) – Port Authority of NSW	John Gillan (JGil) – SICTL Stevedores
Roberta Ryan (RR) – Chairperson	Andrew Battye (AB) – WorkCover
Sandra Spate (SS) – Minute taker	Shane Hobday (SH) – NSW Ports
	Alison Wedgwood (AW) – NSW Ports
	Trevor Brown (TB) – NSW Ports

Apologies: Melissa Pollock – Orora, Rachel Butterly – Transport for NSW, Santo Cannata – NSW Health, Adem Long – NSW Ports, Bronwyn Englaro – Randwick Council, Steve Poulton – City of Botany Bay, Bruce Guy – DP World, Glen Davenport – Vopak, Jean-Michel Tremsal – Vopak, Andrew Hogg – Terminals Pty Ltd, Michael Selleck – Terminals Pty Ltd, Daniela Vujic - NSW Ports, Michael Kavanagh – Community, Charles Abela - Community

Item	Description	Action/ Responsibility
1	Apologies and Introductions LN asked whether a representative from either Council is attending. There were no representatives from either Council.	
2	Accept minutes of last meeting Acceptance of the minutes from last meeting was moved by LN and seconded by JI. The minutes were accepted.	
3	Actions arising from previous minutes	
3.1	Action 3.1. SH will follow up with PAoNSW the release of the Penrhyn Estuary monitoring results. SH wrote to PAoNSW conveying the need to ensure results are delivered in timely manner. Results are now available and have been circulated to the committee.	
3.2	Action 4.1. AW to circulate the finalised ToR with the finalised minutes of the November meeting.	

	This was done. No further comments were received and the finalised ToR is on the NSW Ports website.	
3.3	Action 8.8. CB to follow up with Caltex Kurnell the incident of a leak on August 26 and two potential subsequent leaks and respond to the CCC. AW noted CB has left Caltex and GM was unaware of this action.	Action 8.8 from November 2014 remains open for GM to respond to the CCC.
3.4	Action 9.3. NSW Ports/ Chair to include the Master Plan as a standing agenda item. This will be discussed as an agenda item	
3.5	Action 10.1. BG to take a request from the CCC back to DP World that members would like to see the report from noise monitoring. AW reported the request has been taken back to DP World but no representative is present tonight.	Action 10.1 from the November 2014 meeting remains open.
3.6	Action 10.2. JG to distribute data from EPA Port Botany Noise Monitoring to the CCC. This will be discussed as an agenda item.	
3.7	Action 13.2. SH to raise with PAoNSW and RMS issues around trucks and safety at the access point to the boat ramp from Foreshore Road. SH reported he and PAoNSW have jointly taken up ongoing issues with this intersection and the Botany Road intersection with RMS. RMS's view is that unless there are serious injuries or fatalities they don't install speed cameras or red light cameras. He suggests rolling this over as an ongoing item. JB suggested a fatality will occur. He was involved in a near miss a couple of weeks ago. He has taken up the issue with RMS and the Minister and is frustrated at the lack of progress on the issue. RB and LN raised additional issues with the phasing of the lights and lights not being triggered by motorcycles.	SH to write a letter to RMS conveying the concerns of the CCC regarding safety at the access to the boat ramp from Foreshore Road.
4	New member application	
4.1	RR reported she is awaiting a letter from Botany Council to finalise the most recent application for membership (Mal Jagdev-Imrich). She will take up the issue with SP. A letter from Council is needed showing the CCC has sought Council advice. LN asked why Botany Council approval is needed. SH replied that as part of the Conditions of Consent that members have to be appointed in consultation with Botany Council. Randwick has approved but Botany said as the person doesn't live in Botany they can't offer an opinion. A letter is needed saying they have been consulted.	
4.2	RR reported an observer from the community was to attend tonight. He has been contacted and invited but RR hasn't heard back. LN reported the person had been ill.	RR to invite the community observer to the next CCC meeting.
5	Port Botany Expansion Construction Update - Update on construction activities - SICTL and Patrick - Environmental monitoring - SICTL monthly reports	
5.1	- Update on construction activities - SICTL JGilreported electrical works are almost complete. Cranes are being erected for container stacking areas with minimal construction traffic to site. Mechanical works will be assembling the automated stacking cranes then commissioning them and ensuring safety. All three stacking areas should be commissioned by June. SICTL is working through a modification of the licence to remove the	

	<p>sand stockpile. There are discussions with the Department of Primary Industries to ensure the stockpile is not contaminated with Fire Ants. There is no sign it is. Samples have been sent to the laboratory for further testing with final testing in April. Removal of the stockpile is expected to commence after that and is expected to involve 15 to 20 truck movements per day.</p>	
5.2	<p>- Update on construction activities - Patrick</p> <p>RP expects this to be the last Patrick update on the redevelopment project with construction complete this month. Patrick has occupation certificates for the buildings. The AutoStrads have arrived and are being commissioned. This is almost complete with the cut over to the automated terminal at the beginning of April.</p> <p>Some comments have been received from agencies on the OEMP. Documents have been updated and resubmitted to the Department of Planning. Approval is expected at the end of the month.</p> <p>Noise monitoring reports along with other monitoring reports are on the Patrick website</p>	
	<p>- Environmental monitoring – SICTL monthly reports</p> <p>There have been no environmental incidents.</p>	
6	Port Botany Expansion Operational Update – SICTL – JI	
6.1	<p>Ji reported contracts from last year are continuing.</p> <p>Auto Stacking Cranes coming on line in the middle of the year will improve efficiency.</p> <p>SICTL has rolled out a campaign of increased surveillance and education of the workforce following notification by the DPI of information on red imported fire ants. There will be surveillance on the stockpile prior to moving. If fire ants are found there will be a stop on moving the stockpile.</p> <p>With the rail siding operational the percentage of throughput by rail went from 8.5% to 16% and is currently between 14% and 16%.</p> <p>The annual environmental audit was conducted last October with the report on the website. Most findings were technicalities.</p> <p>Noise monitoring and modelling was completed at the end of last year and the report is on the website. A modelling approach was taken, the benefit being that noise from the terminal can be shown in isolation from surrounding noise.</p> <p>A leaking container on an inbound vessel was detected prior to arrival two weeks ago. After communication with the crew the vessel was assessed by SICTL and Hazmat after arrival and contained, loaded on a truck and taken to a facility for unpacking.</p>	
6.2	<p>PP asked who has to clean up fire ants if detected.</p> <p>Ji replied some costs are borne by affected tenants but suggested this discussion be held over to the later agenda item.</p>	
6.3	<p>PP noted the 14%-16% of containers moved by rail and asked when modelling suggests the initial 40% target could be reached.</p> <p>Ji replied this depends on the market.</p> <p>PP asked if there is a political will for rail. He suggested trucks on the road are putting people on edge. He would like to stick to the original 40% target.</p> <p>SH replied the state government target is to double the amount by rail to 28% by 2021 or 2022. Government is pushing rail and stevedores are encouraging shipping companies and importers to rail to depots.</p> <p>Ji replied SICTL supports rail. They have two rail sidings now and can double that. Rail is better and faster for SICTL with a quicker turnaround time than trucks.</p> <p>LN noted a Transport for NSW report with objectives for rail but they</p>	

	<p>aren't predicting 40%. PP suggested 14-16% by rail is not serious and suggested that people have given up on rail. SH replied that NSW Ports is a strong supporter of rail. To achieve capacity at Port Botany a lot more has to be moved by rail. As an organisation NSW Ports is targeting 40% and talking to companies about how to achieve this. NSW Ports is developing Enfield ILC and support the Moorebank Intermodal Terminal proposal and the Asciano terminal at Chullora. JB noted the government has reduced the target to 28%. He suggests government can offer a carrot, but the stick is much better. People in the supply chain have made it clear that they won't move containers by rail. The only way to fix it is to introduce a heavy levy for moving by road. Carrots don't work. Someone needs to take a hard line. LN asked noted the Transport for NSW report predicts Enfield is projected to take 500,000 TEU in 2031 and queried the cap at Enfield ILC in relation to this. She also commented on the Brereton Railing Port Botany Containers Report 2005 which predicted achievement of a 40%/60% rail/road split by 2011. SH replied Conditions of Consent is for 300,000TEUs and this hasn't changed.</p>	
7	<p>Development activities in the Port</p> <ul style="list-style-type: none"> - NSW Ports/SPC developments - Tenant developments 	
7.1	<p>NSW Ports developments</p> <p>SH reported on the maintenance sea bed regrading in Brotherson Dock which has been occurring in January and February 2015. Material has moved due action of ship propellers and tugs. A tug pulling a bar is regrading the bottom to a uniform depth of between 14.5m and 15.4m. The operation has been successful and is nearing completion. The second activity is the two week shut down of Bulk Liquids Berth 1 (BLB1) for maintenance works primarily repairing concrete. Work has been successful and many of the users including Elgas have also undertake maintenance works.</p>	
7.2	<p>DP World</p> <p>AW reported approval for replacement of a quay crane with the new crane scheduled to arrive on March 6 followed by the demolition of the old crane.</p>	
7.3	<p>Patrick</p> <p>TS delivered a presentation on the new knuckle cranes (presentation attached to the minutes). Three new ship to shore cranes are being brought in to the knuckle area. Of the eight cranes on the Terminal in 2014 one has been removed and there are plans to remove another two with the intention of retaining eight quality cranes. So the total amount of cranes on the Patrick area will not increase. The existing manual crane will be replaced with a more efficient goose neck crane which is designed to operate with AutoStrads. One reason for the design of the new cranes is because of height restrictions due to the proximity of the airport. There will also be less visual impact on the community. Patrick has gone through a Statutory Approvals process. Patrick has a Complying Development Certificate. Work will be done in existing construction hours, with light vehicle movements and not trucks. Noise is not expected above current operations but will be monitored. The crane parts will be shipped in. Shipments are expected to arrive in</p>	

	<p>April. Cranes will be assembled on the Knuckle and should be operational in October.</p> <p>LN asked whether this would be recorded on a time lapse camera as there is not much community education on what occurs here. TS replied they would as Patrick does on most projects.</p> <p>SH asked where the cranes are from. TS replied Patrick has moved away from the Chinese cranes to an Irish German partnership after looking at whole of life costs.</p>	
7.4	<p><u>Origin</u> MK reported that other than maintenance on pipelines to BLB1 operations are as normal.</p>	
7.5	<p><u>Terminals</u> AW reported completion and commissioning of the 14 new tanks since last meeting.</p>	
7.6	<p><u>Elgas</u> AC reported the pipeline to Qenos is working well. There is a quarantine area on the Elgas site for fire ants. The shutdown of BLB1 provided an opportunity to undertake significant maintenance to the Elgas loading arm.</p>	
7.7	<p><u>Caltex</u> GM reported completion of the changeover of a tank from gasoline to jet fuel. Approval from NSW Ports has been received for a lease for a truck stop at the Banksmeadow terminal and should progress in coming months. It will be a fully automated service station allowing any trucks to refuel. A traffic management plan will be in place.</p> <p>PP asked whether the changeover from gasoline to jet fuel posed more environmental risk. GM replied that the jet fuel has lower volatility. The pipeline to the airport hasn't changed. The reason for the change is to able to better supply Newcastle.</p>	
7.8	<p><u>Vopak</u> AW reported no change. A Complying Development Certificate was received in 2014 for tank demolition works on the former chemical site but works are yet to commence.</p>	
7.9	<p><u>Qenos</u> AW reported demolition works on 2 LPG storage tanks is underway and likely to be completed at the end of March.</p>	
8	<p>Development of NSW Ports Long Term Master Plan</p>	
8.1	<p>SH reported the 30 year Master Plan is being developed in discussions with tenants, government agencies and port users. To date trade forecasts and changes in vessel sizes in the future have been completed to determine investments in on and off port infrastructure. NSW Ports is working to complete the plan by the end of June.</p>	
8.2	<p>RR asked about opportunities for input from this group. SH said there is still opportunity but Ports would like to receive it in the next week. LN suggested this is difficult if there is nothing to comment on. SH replied NSW Ports is looking for community input around their concerns. LN replied the community is concerned the cap was lifted and there is no EIS. SH reported the plan is broader than Ports, it is about identifying key infrastructure that needs to be upgraded to ensure the port can handle future trade needs to support the NSW economy. All goods come in</p>	

	<p>through the Port. RR asked whether there are documents on the website. There are not. TB noted a media release covering what the Plan is and how to make a submission is on the website. AW suggested Ports is looking for input to the plan rather than feedback. RR asked whether there will be a presentation on the Master Plan to the CCC. She asked what the process is. Will Ports be asking for comments? If finalised by June is it a document for NSW Ports or will there be a public document? SH noted there is no requirement on NSW Ports to prepare a 30 year Master Plan. They have to do a 5 year plan but are looking at what they need to plan for 30 years as well as what other infrastructure is required by the State to support trade in Port Botany and Port Kembla. This includes containers, liquids, grain, motor vehicles and coal. The intention is for a public document to come out. AW clarified it is not a draft for comment but developed internally with a public release at the end of the process. RR suggested it is unusual that a draft not be provided that people can respond to. She suggested it would benefit from people's views and that issues are well known to Ports but people are interested in strategies to respond to these. SH acknowledged concerns about providing input without context. He suggested there could be an opportunity to present findings closer to finalisation of the Plan. LN suggested in the planning process for the expansion of the Port was modelled on 3.2mTEU for air quality, traffic etc. There have been comments by the ACCC on the way the lease was handled. An EIS should have been done as this was in the Conditions of Consent. She expressed frustration as a community member of thinking these are the rules and then they are not. Not having a draft is minimising engagement and is an insult to our intelligence. JB drew an analogy with the process of having approval for a 10 storey building next door then find out it is 30 storeys. SH replied that the Port expansion wasn't modelled on 3.2mTEU that was a throughput limit as part of the conditions of consent. The Master Plan will not cover issues that would be in an EIS or other environmental assessments that NSW Ports usually consults on.</p>	
<p>9</p>	<p>Port Botany Noise Update</p> <ul style="list-style-type: none"> - Update on EPA Noise Working Group – JG - Presentation of results of November noise monitoring – JG - Port Botany Expansion Rail Noise (as per CoA 2.28) – SH 	
<p>9.1</p>	<ul style="list-style-type: none"> - Update on EPA Noise Working Group <p>JG reported still working within government regarding development of a strategy, but it is important to try and get decisions soon as organisations move into budget cycles for next year.</p>	
<p>9.2</p>	<ul style="list-style-type: none"> - Presentation of results of November noise monitoring <p>JG presented results of the November 5th to 13th noise monitoring (as attached to minutes) which showed a quieter period than July likely due to meteorology. LN asked how this noise monitoring compares to SICTL's. JI replied that SICTL's is modelling for just its terminal operations. JG noted this round of monitoring is providing additional information to July 2013's monitoring results and it is proposed to collect further noise data.</p>	
	<ul style="list-style-type: none"> - Port Botany Expansion Rail Noise <p>SH reported no noise complaints related to the SICTL rail siding. LN noted there was a problem with rail noise (at Patrick) (this item is</p>	

	addressed under 12,2) and suggested the intent of the Conditions of Approval is not being addressed.	
10	Port Traffic and Safety BLB2 Environmental and Hazard Audit – AW/SH	
10.1	<p>AW reported the first operational environmental audit for Bulk Liquids Berth 2 (BLB2) occurred at the end of last year. There were good results with no non-compliances or opportunities for improvement identified. One issue of concern highlighted was to do with administrative timeframes in getting things back from the Department of Planning. The audit report will be available on NSW Ports website once the response has been received from DP&E.</p> <p>SH reported there were no non-conformances with the hazard audit for BLB 2, only minor improvements identified. This has been submitted to Department of Planning and has been shared with Bulk Liquids Berth users.</p> <p>LN asked whether the reports go to the local emergency committee. SH replied they don't.</p> <p>JB noted a report has been prepared by Department of Planning on the road transport of hazardous goods in the Botany area. It is a shame Botany Council is not here to comment on concerns it has raised about the conclusions reached in the report.</p>	
10.2	<p>PP asked about progress on a bike trail linking Botany to La Perouse. It needs to join up at Beauchamp. Bikes shouldn't have to share the road with trucks and this is something that has been dodged since the beginning of the project. It is still needed in cooperation with the two councils and RMS.</p> <p>AW reported that NSW Ports received a survey from Botany Council on bike use of workers to and from the port asking what is needed as part of a study on bike tracks through the LGA, and identifying roads not suitable for cycling. AW suggested SP could be asked for an update on this project at the next meeting.</p> <p>LN noted that NSW Government identifies the port and airport as priority areas for facilitating workers cycling to work. If commuter cycling is addressed community will follow. LN asked that it be kept on the agenda as it is a priority for government and backed by the Active Living Council.</p>	Raise with Botany Council at the next meeting the study being undertaken on bike paths
11	Port Botany Community Assets	
	<ul style="list-style-type: none"> - Penrhyn Estuary Monitoring results – RB - Foreshore Beach groynes – TNA 	
11.1	<ul style="list-style-type: none"> - Penrhyn Estuary Monitoring results <p>RB reported that PAoNSW are talking to Cardno about what may be reasonable and achievable timing for future monitoring reports. He acknowledged the CCC's concerns about the late receipt of the 2014 report. After two years of monitoring it is apparent that current dates aren't achievable. Monitoring is undertaken to the end of March, reports written, then submitted and reviewed by PAoNSW. Port Authority is trying to improve on this timeframe and will keep the CCC informed.</p> <p>LN asked who oversees the monitoring reports, as offsets are involved if remediation isn't working.</p> <p>RB replied that under Conditions of Consent PAoNSW has to let the Department of Planning know the reports are on-line but doesn't have to submit the reports specifically. The work is being done and the reports are there. It doesn't change the good results.</p> <p>RB replied that under Conditions of Consent PAoNSW has to let the</p>	PAoNSW (RB) to provide the CCC with revised timeframe expectations for Penrhyn Estuary monitoring reports.

	<p>Department of Planning know the reports are on-line but doesn't submit the reports specifically to the Department. The work is being done and the reports are there. It doesn't change the good results.</p>	
11.2	<p>RB summarised the latest Penrhyn Estuary Monitoring reports. The reports are on the website. A summary of the monitoring results is also attached to the minutes.</p> <p>RB reported all six shorebird species were identified during the 2013-14 with positive results identified for most migratory bird species with the exception of the Red-necked Stint and Bar-tailed Godwits whose numbers were also low at sites elsewhere.</p> <p>Results are positive for Benthos and Saltmarsh.</p> <p>There is evidence that the movement of the seabed at Foreshore Beach is affecting seagrass, but the transplant area in Quibray Bay has been successful. Port Authority has agreed to a recommendation for an additional two types of light monitoring in the seagrass area.</p> <p>LN asked what the annual costs for Penrhyn Estuary are.</p> <p>RB replied monitoring costs \$3 million over the five year program. In addition to this on-going maintenance works are being conducted including feral animal and weed control.</p> <p>PP asked whether seagrass may be affected by sewerage overflow from Millpond, as there has been a bad odour there in recent months.</p> <p>RB replied that monitoring shows a slight increase in one species of seagrass, Halophila, the early coloniser. Sediment transport and possibly lack of light was more likely to be affecting seagrass.</p>	
11.3	<p>- Foreshore Beach groynes</p> <p>TNA reported preparation of the tender is progressing with a view to call for tenders next month and construction to commence in May. PAoNSW is discussing with Cardno how to protect seagrass beds during construction. There has been no change with Sydney Water's approach. The tender will go out with two options, for two or three groynes.</p> <p>JB sought clarification that Sydney Water has not yet committed and the tender will include both options and be determined by cost.</p> <p>TNA confirmed this is the case.</p> <p>LN suggested this a strange approach and not best practice. She asked whether the groynes would be marine friendly to encourage colonisation by marine creatures.</p> <p>TNA and RB replied that research indicates nothing to prevent colonisation by organisms. One goal is to protect beach the other to create a better environment for the seagrass. Habitat for marine organisms is an added benefit.</p> <p>PP asked whether Foreshore Beach is affected by Fire Ants.</p> <p>RB replied that once they were aware of the port sighting they disseminated information to their staff. DPI attended Penrhyn Estuary when a staff member reported an ant nest . They were not fire ants but PAoNSW continues to be vigilant.</p> <p>LN has concerns with communications that alerts are not going out. The alert should be on the Ports website.</p> <p>SH explained that it is not our information to post – but is the responsibility of the relevant government departments.</p>	
12	<p>Safety and Environmental Incidents/Complaints</p> <ul style="list-style-type: none"> - Red Imported Fire Ants – SH - Foreshore Beach/Millpond Canal fish kill – JB - Summary of complaints - AW 	
12.1	<p>- Red Imported Fire Ants</p> <p>SH reported in early December a nest of Red Imported Fire Ants was identified in the DP World terminal by a routine quarantine inspection. Actions were triggered with Department of Primary Industries identified as the combat agency. They set up an initial 2km exclusion zone, briefed</p>	<p>(a) Chair/ NSW Ports to include Bio Security as an ongoing</p>

	<p>tenants and carried out inspections, and neutered and baited the nest which is within a quarantine zone. Quarantine routinely inspect for pests on containers and inspects individual sites. There was no movement of any soil material for one month. A baiting program started in early January over a three day period. DPI inspected the surrounding residential area and confirmed the only nest found was the original at DP World. Diligence and an ongoing DPI baiting program will continue for two years. The ants are around Brisbane having come through the Port of Brisbane. Those found in Port Botany have their origins in Argentina. LN asked what the cost has been to the Qld economy. RB reported a huge impact on construction with everyone needing to be trained and certified in handling materials. JI suggested the fact inspectors have found other insects in SICTL construction areas indicates fire ants are not there as typically they kill all other insects around them. JB suggested the process in Qld 30 years ago was inadequate and failed completely. He is concerned that the same mistakes not be repeated here. SH said they have learned the lessons from Qld. DPI has involved Qld experts and sniffer dogs. The team has occupied the Westpac facility as the Coordination Centre and the Minister for Primary Industries has visited Port. LN suggested alerts went out slowly. With agricultural land 600m from Port the farmers' association was not impressed with the pace of information distribution. There should have been a home page alert on NSW Ports website. She suggested the issue is a concern to the community and should have higher priority on the agenda. She asked that bio security be a standing agenda item. JB said investigators walking up the main streets but not onto people's properties is futile as there could large numbers in residential properties and no one would know. In Qld there are areas that have been sprayed and will be contaminated for the next hundred years. LN reported her property had been inspected. SH reported Quarantine and DPI are happy to take questions from the CCC and can provide contact details.. He responded that there has been communication with the community. DPI told Ports initially not to publically identify exactly where the nest was to avoid people coming to the site. RS asked how long the high alert would continue as he needs to record the address of each customer buying a plant.</p>	<p>agenda item.</p> <p>(b) SH to provide RS contact details for someone in DPI.</p>
<p>12.2</p>	<p>- Foreshore Beach/Millpond Canal fish kill JB reported a large fish kill on December 18th at the Millpond canal. EPA was present on site but said the fish had been dead 24 to 48 hours and were too old to make an objective assessment of the cause. Botany and Randwick Councils were present as well as someone from the Airport Corporation. There have been four major fish kills in NSW in the last month. RB reported that PAoNSW also found dead fish at the boat ramp and on Foreshore Beach and suggestions from their Cardno contractors undertaking Penrhyn Estuary monitoring was that the fish may have died elsewhere and washed up in this area.</p>	
<p>12.2</p>	<p>- Summary of complaints AW reported one noise complaint the day after the November meeting which was a general noise complaint about the area and included references to other facilities such as Botany Industrial Park. There was one traffic complaint related to trucks travelling through the Matraville town centre. There are ongoing discussions with the resident and AL has offered to facilitate a meeting between the resident and RMS</p>	

	<p>about trucks routes. NSW Ports were also made aware of some complaints to the EPA in January. JG reported some complaints from an area in Botany which had not recorded complaints before regarding a terminal noise alarm. A resident identified a rail alarm at a Patrick gate as the source and meetings were held with the EPA, Patrick and NSW Ports to resolve the issue and reduce the volume of the alarm. The rail siding had not be used for a couple of months then reopened which may explain why residents suddenly experienced an increase in noise.</p>	
13	General Business/Next meeting :	
13.1	<p>AW reported Michael Kavanagh had notified he wished to resign from the CCC due to time constraints to attend meetings and review information. On behalf of the CCC, AW thanked Michael for his significant contribution to this committee and the previous PBE community consultative committee.</p>	
13.2	<p>RS tabled copies of an article published in the Australian Financial Review, Property section, 12 February 2015 regarding the sale of a site to Masters, an excerpt from the Botany Bay Planning Strategy 2031, NSW DP&I assessment report on Botany Industrial Park Subdivision 30/98 MOD 1 and a letter from City of Botany Bay Council Director of Planning and Development (attached to minutes). He asked whether Class 2 goods (flammable liquid) travelled north along Denison Street. AC and SH confirmed this is the case. RS noted a risk assessment by the DP&I failed to identify trucks travelling north with Class 2 goods and presumed only empty ones travelled south. He is concerned that other developments may be approved on the basis of this assessment. Masters has acquired a site on Denison Street and he is concerned about talk of Denison Street becoming a bulky goods area. Council has signed off on an amendment to the DA facilitating Masters obtaining the site. He is concerned about conflict in land use planning in general and with a DA for a non port related use in the middle of the Ports SEPP area. There is a need for Council and Ports to work to ensure security of Ports lands without which future increases in port throughput is not feasible. SH reported this has been raised with Botany Council with the creep of rezoning on areas adjacent to the Port SEPP area. Ports are aware of the Denison Street risk assessment. Denison Street is main north route for LPG and the main north route from Port. LN asked who has authority over hazardous goods and reviewing these documents. How does the serious issue get fed back? SH stated that the Department of Planning Hazardous Goods is the authority with oversight. LN asked how to get them involved. AW notes the minutes are forwarded to DPE – and she can include a statement saying please note the reference to particular agenda items such as this one and whether or not a response can be provided.</p>	
13.3	<p>JG noted that DP World have applied for an environment protection licence and now have a draft licence that has been issued but wanted to note that the licence doesn't have noise limits but there will be noise limits included at a later date following further review of noise information.</p>	
	<p>The meeting closed at 7.50pm The next meeting is Tuesday 26 May 2015.</p>	

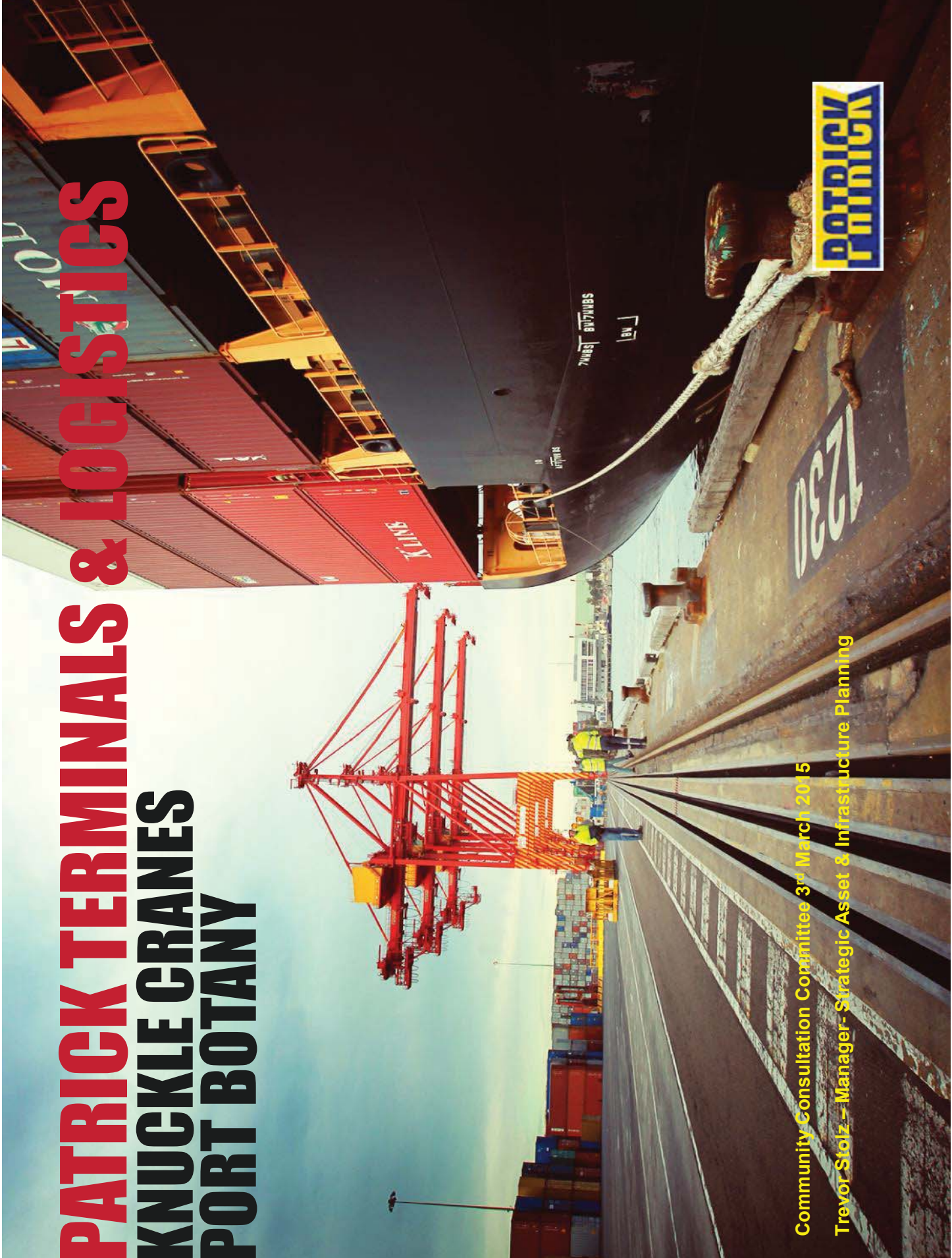
These minutes have been endorsed by the meeting Chair

Signed:

A handwritten signature in black ink, consisting of stylized initials followed by a horizontal line.

Date: 20 March 2015

PATRICK TERMINALS & LOGISTICS **KNUCKLE CRANES** **PORT BOTANY**



Community Consultation Committee 3rd March 2015
Trevor Stolz – Manager- Strategic Asset & Infrastructure Planning



THE PLAN – PATRICK QUAYLINE

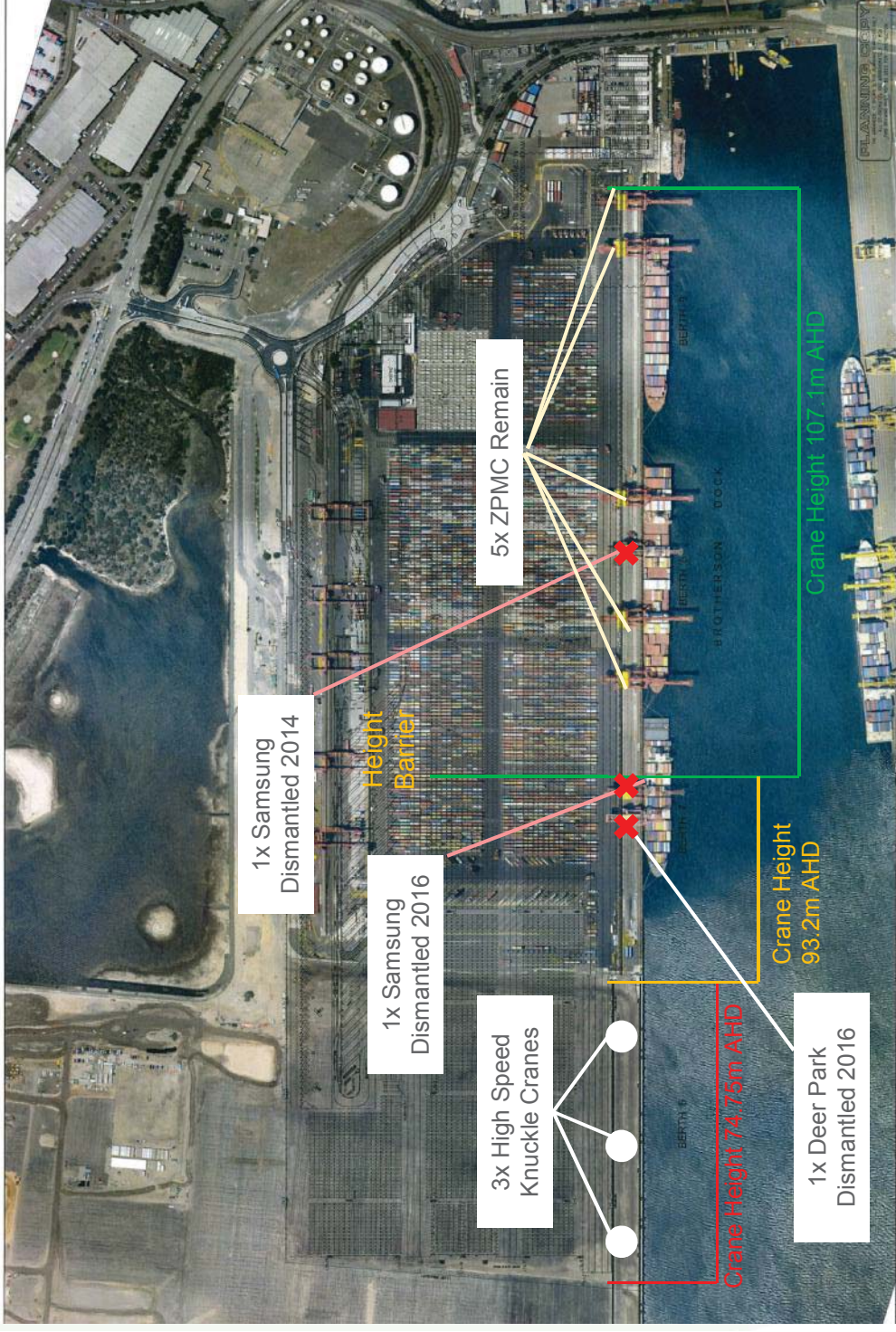


Patrick had 8 cranes working across quayline in 2014

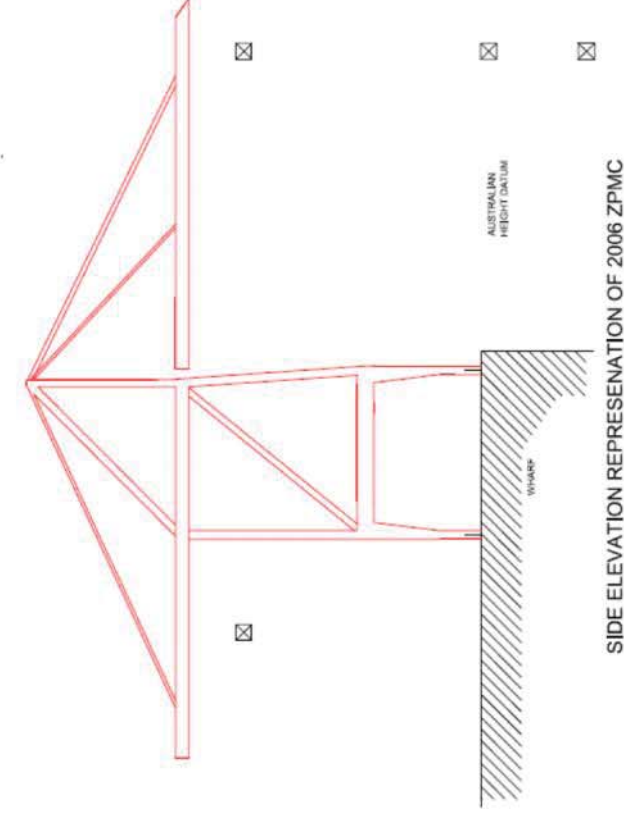
3x new cranes to be operating on quayline in October 2015

1x Crane removed in 2014 and another 2x Cranes to be removed in 2016 (end of life)

The aim is to retain 8 quality working cranes across the entire terminal



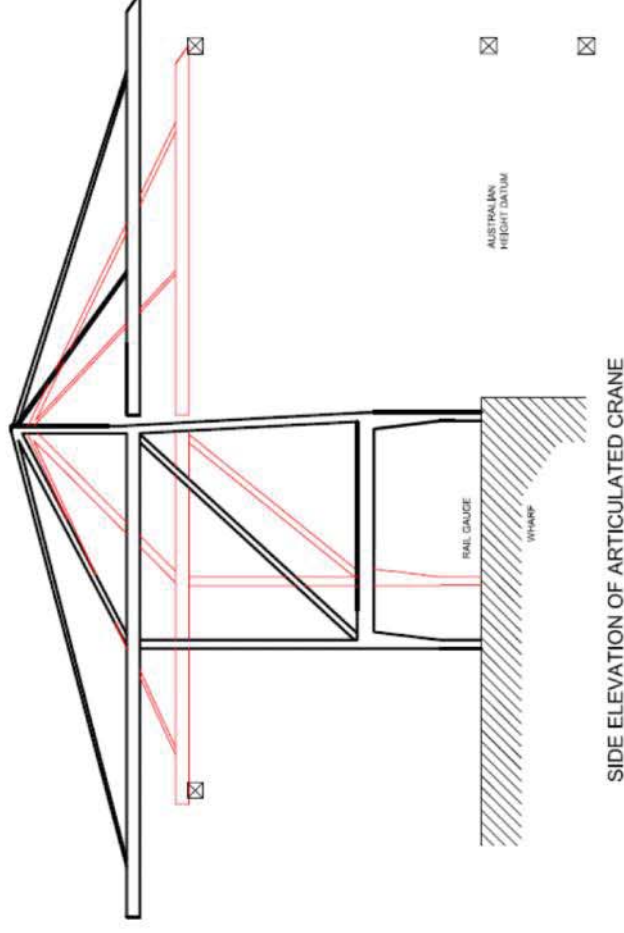
COMPARISON WITH EXISTING CRANES



SIDE ELEVATION REPRESENTATION OF 2006 ZPMC

Existing Patrick Cranes (2006-2012 ZPMC)

- + Manual crane averaging 30 MPH
- + Currently the largest and fastest cranes in Australia (will be superseded by the Knuckle cranes)



SIDE ELEVATION OF ARTICULATED CRANE

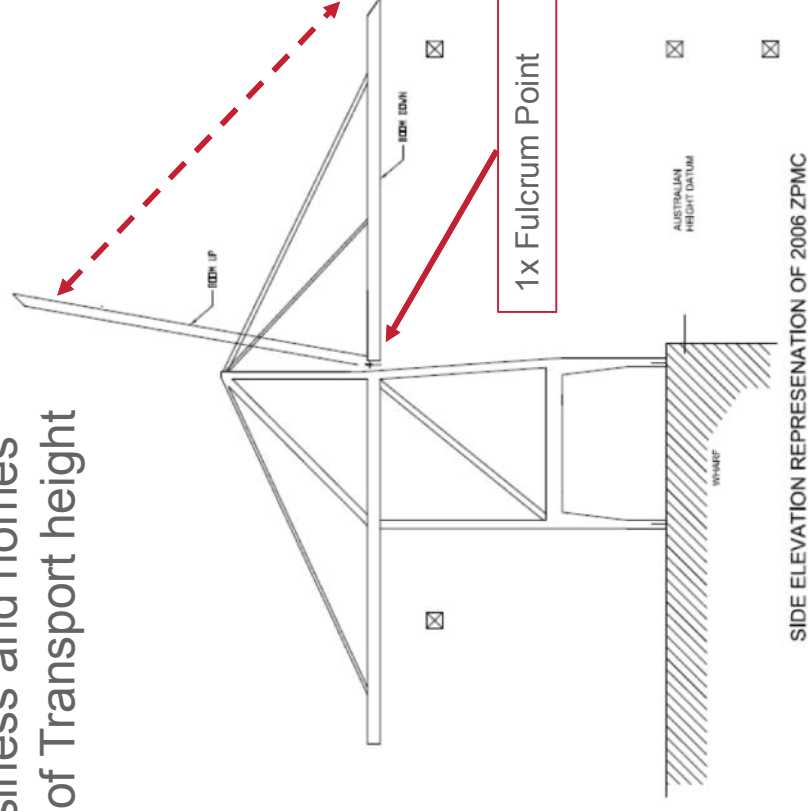
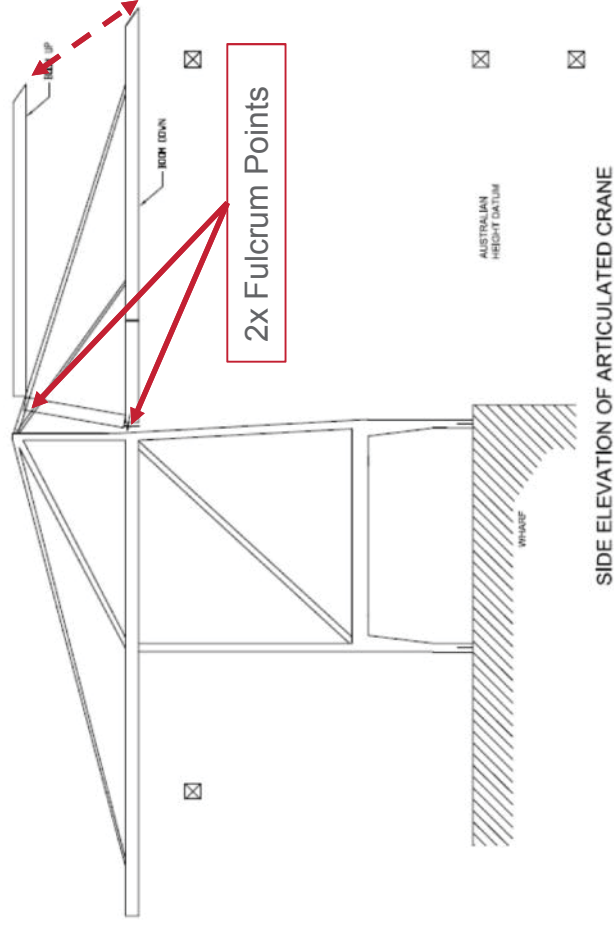
2015 'Knuckle Goose Neck' Crane

- + **50% more moves** per hour with the same manpower
- + Height constrained but 10 meters wider
- + Semi automated and specifically designed for AutoStrads™

COMPARISON WITH EXISTING CRANES



Minimises visual impact on surrounding business and homes as well as adhering to Federal Department of Transport height restrictions







STATUTORY APPROVALS PROGRESS

Patrick sought legal advice on existing consent obtained by NSW Ports for the knuckle as consent displayed some uncertainty for Patrick with regard to numbers, type and locations of cranes.

To ensure certainty for this significant investment it was recommended that Patrick follow the complying development consent pathway and obtain a complying development certificate.

Statutory Approvals Progress

Landowners Consent- Completed 28 May 2014

Lodgement of Complying Development Certificate Application with Botany Bay City Council – Submitted 19 February 2015

Lodgement of CEMP with NSW Ports – Not Yet Submitted

DOT Height Approvals of 75.74m AHD - Approved March 2013

Temporary Mobile Crane Application through SACL – Submitted December 2014



INSTALLATION AND COMMISSIONING



Crane components arrive in 2x shipments from Ireland and offloaded onto quayline at Port Botany.

All work to be performed

Mon - Sat 7.00am to 6.00pm

Sun 8.00am – 6.00pm

Up to 10 installation and commissioning vehicles entering and exiting site each day

Noise not expected to be above normal operating noise levels and within approval limits

Crane 1 erected in Pod 1

Cranes 2& 3 erected in Pod 2



CRANE INSTALLATION AND COMMISSIONING TIMING



2x Crane shipments to arrive from Ireland arrive in **early to mid April 2015** and arrive approximately 2 weeks apart

Date range provided due to the uncertain nature of shipping

Installation and commissioning complete by mid to late September 2015

Progressive handover to occur between mid-late September through to mid-late October 2015

Final Handover to Patrick operations mid –late October 2015

Update on EPA Noise Monitoring

**Port Botany Community Consultative Committee
3 March 2015**

**James Goodwin
Sydney Industry**



- **Conducted 5 to 13 November 2014**
- **Overall findings – quieter than July 2013**
- **Sleep disturbance analysis now completed**



- **Focus on period 11 pm – 5 am**
- **Sorted results on highest noise levels / 15 minute period**
- **Listened to audio**
- **Additional check using “L_{A1}(1 minute)”**



Sampling approach

- **Samples listened to comprised:**
 - The one maximum level in 65-69 dBA range;
 - All 17 maximum levels in 60-64 dBA range;
 - Every third of 42 maximum levels 55-59 dBA range
(14 samples);
 - Every fifth of 45 maximum levels 50-54 dBA range
(9 samples)

Sounds Like	50 to 54	55 to 59	60 to 64	65 to 69	Total
Aircraft	1		1	1	3
Birds		3	7		10
Bus		5	3		8
Clunks	1	1			2
Cars / trucks	2	4	1		7
Dog bark	2				2
Household / doors	3		3		6
Other		1	2		3



- **Sleep disturbance screening criteria = background plus 15 dBA (= 49 dBA)**
- **More detailed analysis required if screening criteria exceeded**
- **Used *Road Noise Policy***



- **Port-related maximum noise levels in November 2014 monitoring period:**
 - 1. would not have been a reason for not having good sleep during the hours of 11pm to 5am;***
 - 2. are unlikely to have awakened people from sleep; and***
 - 3. would not have been likely to affect health and wellbeing significantly.***



- **Analysis and interpretation of attended and “Barnowl” monitoring data**
- **Consideration of meteorological influences**
- **Further monitoring**

Port Botany CCC

11. PE monitoring results

Results from 2014 Annual Report

Shorebirds

- 2013/14 was the 1st year where all 6 target spp were spotted in PE
- Target was met or exceeded for 2 spp (Red Knot and Pacific Golden Plover)
- Red Knot and Curlew Sandpiper observed in PE for 1st time in a number of years
- Peak count of double-banded plover feeding in PE highest since 2009
- Red-necked stint showed a decline in this period but remain higher than during construction phase
- Bar-tailed godwit average showed a decline in 2013/14 peak season, but similar pattern was evident at the reference sites
- Disturbance to birds reduced with completion of the SICTL wall

Benthos

- Positive trends and results in abundance & biomass of invertebrates and sediment parameters
- General positive correlation of shorebird populations and invertebrate abundance suggests created intertidal habitat will be capable of supporting increased shorebird populations long term, despite both indices not yet meeting pre-construction levels

Saltmarsh

- Positive results with a majority of ecological targets being met

Seagrass

- Foreshore Beach:
 - o There are signs that sediment mobilisation, light availability and water circulation may be affecting the success of long-term establishment of large beds of seagrass (particularly *Z. capricorni* and *P. australis*) at Foreshore Beach
 - o Hopeful that groynes project will assist in creating conditions that improve the chances of successful recolonization of seagrass along Foreshore Beach
- Rehab Area:
 - o Colonisation of *Halophila* spp continued but not persisting
- Transplant Area (Quibray Bay):
 - o Condition successful

Water Quality

- Water quality outcomes in PE are suitable to support the enhanced habitats

Recommendations

- On-going predator control required, particularly for foxes
- On-going mangrove management will be required to prevent long term mangrove domination of the estuary
- Seagrass – Secchi depth and PAR (photosynthetic available radiation) will now be measured in monthly water quality surveys along Foreshore Beach (light data)
- Ongoing weed control and vigilance to erosion of roosting habitats



Southern exposure: Masters snapped up the 23,000sqm site in Banksmeadow, Sydney for \$25 million. It is 12km from the CBD.

Masters grabs hotspot site

Mercedes Ruehl and Jake Mitchell

Hardware retailer Masters is planning to build a large store in one of South Sydney's burgeoning retail hotspots after buying a site for about \$25 million from Orica.

A spokesman for Woolworths, which owns the Masters brand, confirmed Masters intended to bring a new store to the long-vacant parcel of land in Banksmeadow. "We have recently submitted a planning proposal to the Department of Planning and Environment and have

Occupiers are looking for land with better access to the motorways.

Michael Crombie, Colliers International

exchanged contracts for the 23,000-square-metre site," he said.

"We are in the early stages of the development approval process and we will continue to consult with the community and key stakeholders to deliver the new store."

Orica confirmed a contract had been exchanged but declined to comment further. It is known the explosives and chemicals company has several parcels of land that are still surplus to its operational needs in the Botany precinct.

It is a strategic acquisition by Masters, one of the biggest hardware chains in Australia. Colliers International's Michael

Crombie, who brokered the off-market deal on behalf of Orica, said the area was emerging as a retail hub thanks to a residential housing boom pushing tenants out of nearby Alexandria and other suburbs.

"The area is becoming a bulky goods and retail hot spot, with Eastgardens Shopping Centre across the road and a proposed new Bunnings just metres away on Denison Street," Mr Crombie said, although he declined to comment on the sale price.

"Alexandria precinct is becoming quite congested with the influx of residential homes and certain occupiers are looking for land with better access to the motorways, as well as sites that will not be impacted longer term by this residential encroachment."

Orica had been in the process of lodging a development application but it understood the multinational group decided the land was surplus to its needs. The company has been reported as planning to re-integrate the land back into the Botany region for commercial or industrial use.

Masters said the new store will create more than 500 jobs, including more than 100 ongoing retail positions.

The property is situated with street access and exposure to Corish Circle and Wight Street in the southern Sydney suburb of Banksmeadow. The property, close to Port Botany and Sydney Airport, is located about 12 kilometres south of the central business district and is within the local government area controlled by the Botany Bay Council.

Strategy Directions

Recommendations for action, including proposals for modifying zoning and development controls to accommodate future housing and jobs, have been organised under seven strategic directions, each with a series of objectives as listed below. These define the Strategy's intent and are geographically located in Figure 3.

1. Enhancing Housing Choice and Liveability

- Improve the urban environment, particularly where additional development is proposed.
- Minimise residential development in locations heavily affected by aircraft and traffic noise or other environmental impacts.
- Protect the valued characteristics of Botany Bay LGAs centres and suburbs and minimise the impacts from industrial areas and activities.
- Enhance access to high quality open space assets.
- Provide a greater range of housing types.
- Provide high quality community facilities.
- Advocate for a high quality public transport system and improve local transport management.

2. Revitalising Botany Road and Traditional Centres

- Reinforce the role of Botany Road as a major high amenity and activity spine through the LGA.
- Support and reinforce the centres along the Botany Road spine.
- Advocate for a light rail connection along Botany Road.

3. Managing Growth in the Eastern Centres

- Increase residential development potential in the eastern centres in the short term where there is good amenity and access to public transport.
- Create an urban environment and public domain capable of accommodating additional residential development in the eastern centres in the medium to long term.
- Revitalise existing higher density development where future development potential is limited.

4. Reviving the Local Economy

- Focus local light and service industry activities in existing industrial areas where these are currently the predominant uses (Botany South, Hale Street north, Baker Street and Hillsdale).
- Provide for additional retail and service activities in existing centres and a new retail area adjacent to Botany Centre.

- Promote the Botany Road and Gardeners Road corridors as locations for new enterprise and commercial activities (in centres and in business areas south of Rosebery, north of Botany centre, in Botany South and west of Banksmeadow).

5. Maintaining Sydney Airport as a Global Gateway

- Protect existing employment areas near the Airport for related activity.
- Support the development of new off-site employment locations near the Airport to accommodate the growth in demand for Airport related activity.
- Develop the Mascot Station precinct as a major retail and commercial centre.
- Develop O'Riordan Street precinct as a major City / Airport gateway.
- Ensure future expansion of Airport activities does not further compromise residential amenity.

6. Maintaining Port Botany as a Global Gateway

- Ensure employment areas near the Port are protected and able to accommodate Port-related activity and business.
- Ensure local and regional road networks are configured to support Port related activity.
- Ensure Port activities do not further compromise residential amenity.

7. Protecting the Natural Environment

- Protect and expand high quality flora and fauna corridors.
- Support improved water management for all forms of development.
- Support reduced energy consumption for all forms of development.
- Enhance the knowledge of environmental issues and constraints.

Chapter 4 sets out these strategic directions and objectives in detail.



ASSESSMENT REPORT

Section 75W Modification Orica Car Park Remediation Project (MP 06_0197 MOD 5)

1. BACKGROUND

Orica Australia Pty Ltd (Orica) is an Australian based global company that produces mining, chemical and consumer products. Orica has been manufacturing chemicals in Banksmeadow in the Botany Local Government Area since 1941.

The area in Banksmeadow, comprising the Orica facility as well as the adjacent industrial plants operated by Qenos and Huntsman, has been collectively referred to as the Botany Industrial Park (BIP) since 1996. The BIP occupies over 100 hectares and is bound by Denison Street to the east, Beauchamp Road to the south, and the Botany Rail Goods line to the west (see Figure 1).

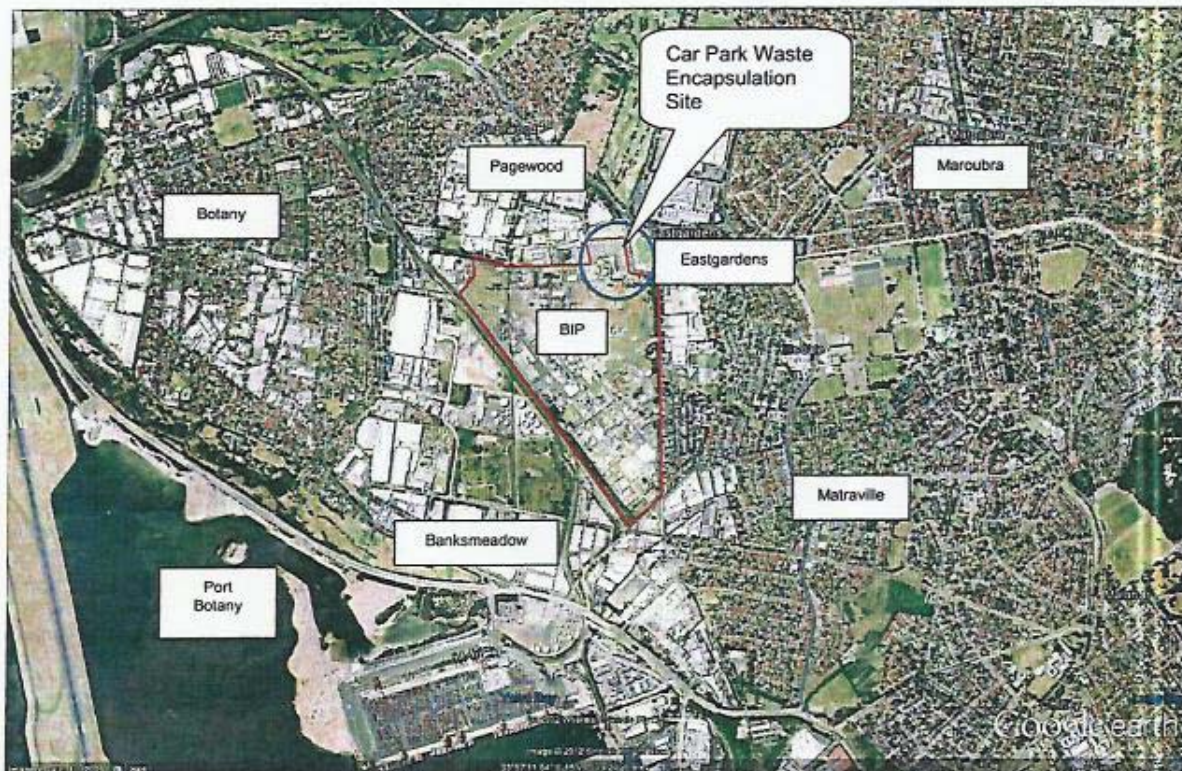


Figure 1: Botany Industrial Park Location

Car Park Waste Encapsulation Remediation Approval (06 0197)

From the 1960s, Orica operated a chlorinated solvents plant which produced industrial solvents for use as dry cleaning fluids and refrigerants. The waste products from the solvents plant lead to contamination of the underlying ash bed and sandy soil which were then excavated and relocated to the north eastern corner of the BIP. The contaminated material was then enclosed in a liner and

covered with bitumen. This area is referred to as the Car Park Waste Encapsulation (CPWE) site (Refer to **Figure 1**).

On 12 November 2009, the Director-General (as delegate of the then Minister for Planning) approved a major project application from Orica under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) for the remediation of the CPWE site. This approval allowed for the excavation and treatment of contaminated material, reinstatement of the remediated site, consolidation of land holdings by individual owners within the BIP and changes to lot boundaries. The changes to lot boundaries is shown in **Figure 2**.

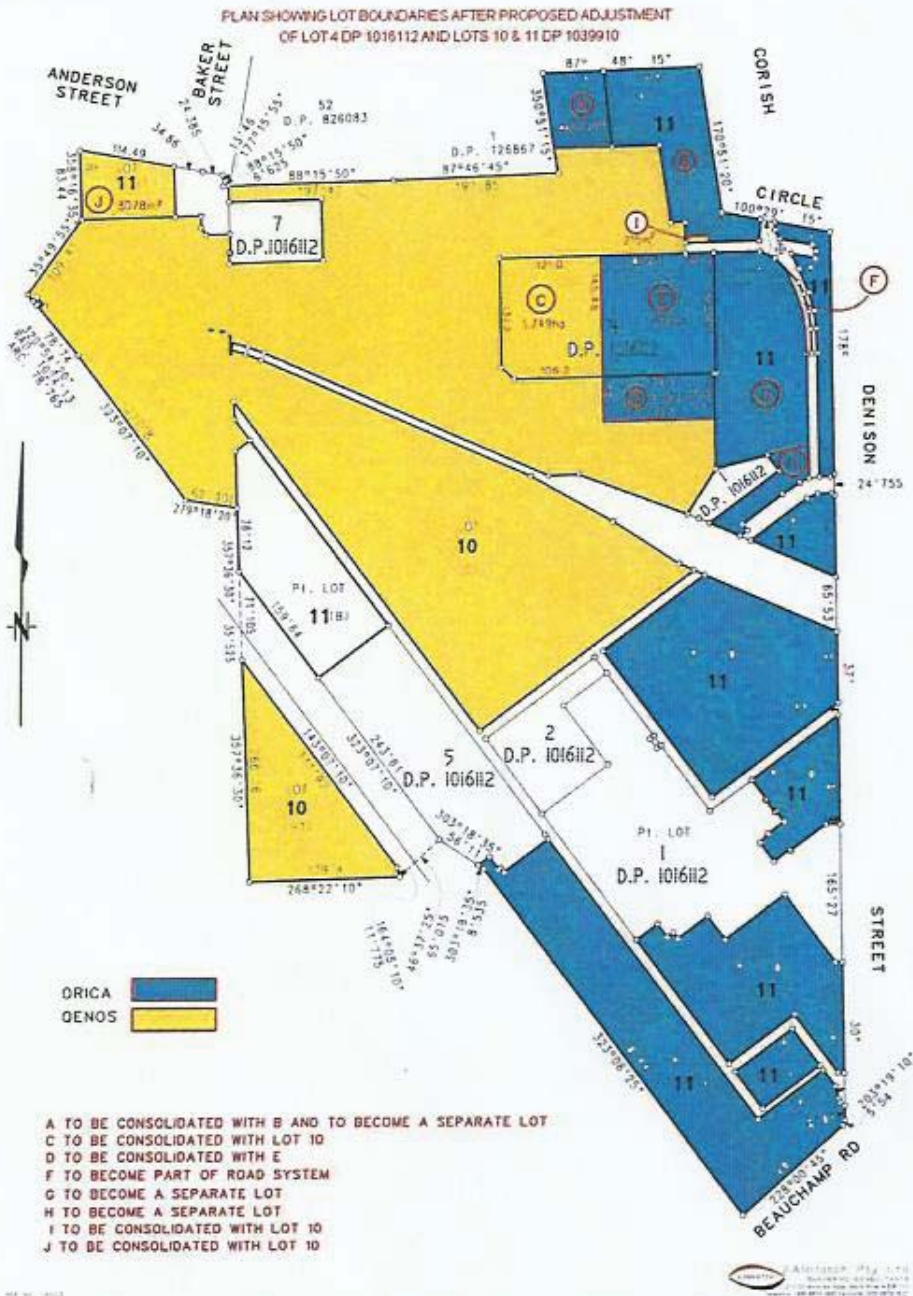


Figure 2: Existing lot boundaries approved under (MP 06_0197)

Following the successful remediation of the site, Orica deemed that the CPWE site was surplus to its future requirements. As the CPWE site is positioned on the boundary of the BIP, Orica considered that it represents an ideal opportunity for other industrial development to occur provided it is compatible with surrounding land uses.

Botany Industrial Park Subdivision 30/98 MOD 1

On 29 January 2013, the Executive Director (as delegate of the Minister for Planning and Infrastructure) approved a modification application from Orica under section 75W of the EP&A Act to excise certain land (including the CPWE site) from the BIP (Refer to **Figure 3**).

The conditions of DA 30/98 required Orica to form a Special Purpose Company (SPC) comprising Orica, Huntsman and Qenos. The primary responsibility of the SPC is to ensure that the management of hazards and risks across the BIP are undertaken in an effective and coordinated manner. Furthermore, the conditions also required that a covenant be applied to all land within the BIP and the covenant be placed on the title of each lot within the BIP. This covenant requires that all landowners comply with the conditions of DA 30/98.

Excising the land from the BIP removed the requirements and covenants contained within the Conditions of Approval (30/98) for the subject land and enabled the transfer of the land between the landowners. The remaining land located within the BIP would be unaltered from the 1998 subdivision approval (DA 30/98) and would still be subject to the conditions of DA 30/98.

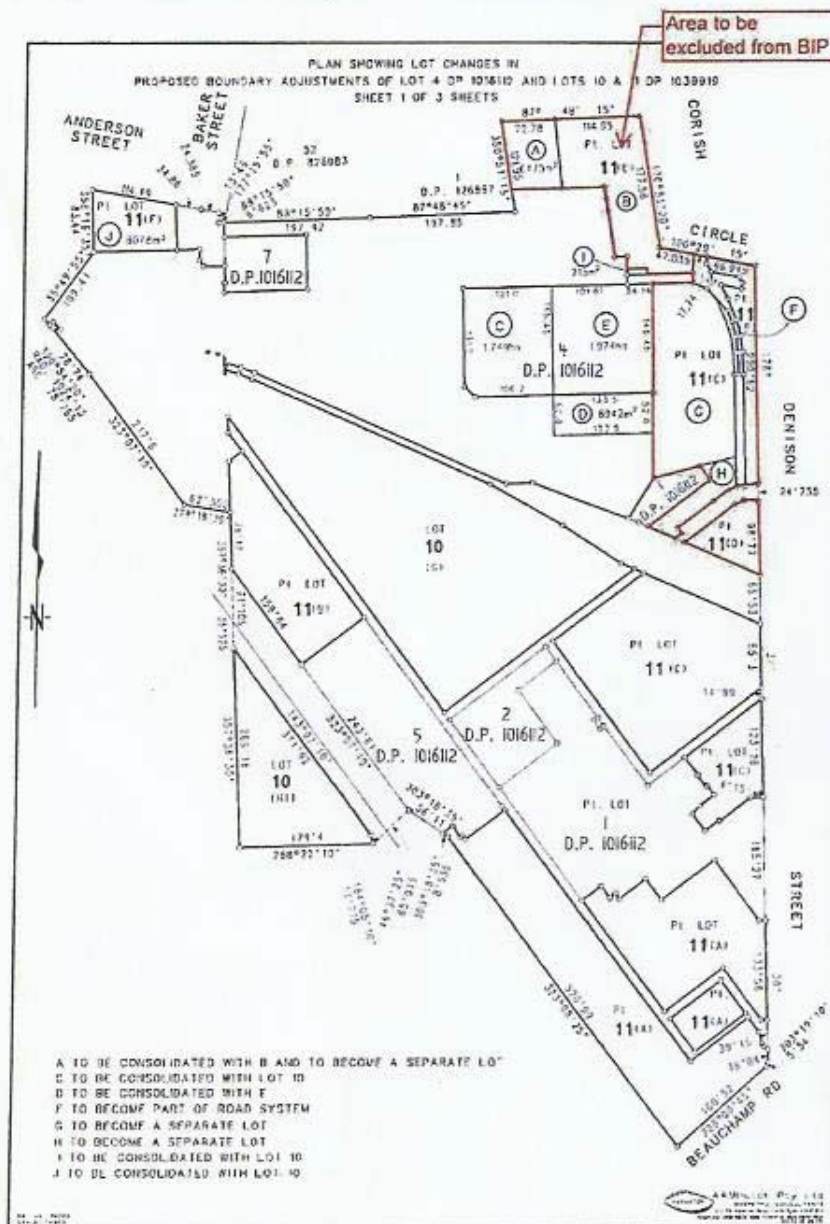


Figure 3: Land excised from the BIP

2. PROPOSED MODIFICATION

On 19 September 2013, Orica lodged an application to modify the Orica Car Park Remediation Project (06_0197) with the Department under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

Under the modification application, Orica seeks to amend the approved changes to the lot boundaries to assist in the sale or transfer of the land. The proposed modifications are detailed in **Table 1** and illustrated in **Figure 4** below.

Table 1: Proposed Modifications

Boundary Change No.	Proposed modification
1	<p><u>Subdivide 'Lot' B</u></p> <ul style="list-style-type: none">Existing conditions require the amalgamation of 'Lot' A and 'Lot' B to create a single lot.However, there exists a small brick office building located on 'Lot' B.The proposal seeks to subdivide 'Lot' B to allow for a clear distinction of the former car park being located on one allotment and the remaining land with the office building on another allotment.In effect, this will shift the existing lot boundary between 'Lot' A and 'Lot' B to the south.
2	<p><u>Create a separate allotment for the road</u></p> <ul style="list-style-type: none">The existing plan indicates that the road is to become part of the BIP road system. However, the road was recently excised from the BIP as part of 30/98 MOD 1.By creating a separate allotment for the road, this will enable its transfer in ownership.

The proposed modification will involve replacing the 'Boundary Readjustment' plan attached as Appendix D of Project Approval (06_0197). The proposal does not seek to alter the remaining Conditions of Approval.

Further, the proposal does not include any land uses. Any future land uses will be subject to separate development applications and any potential impacts will be considered during the assessment stage.

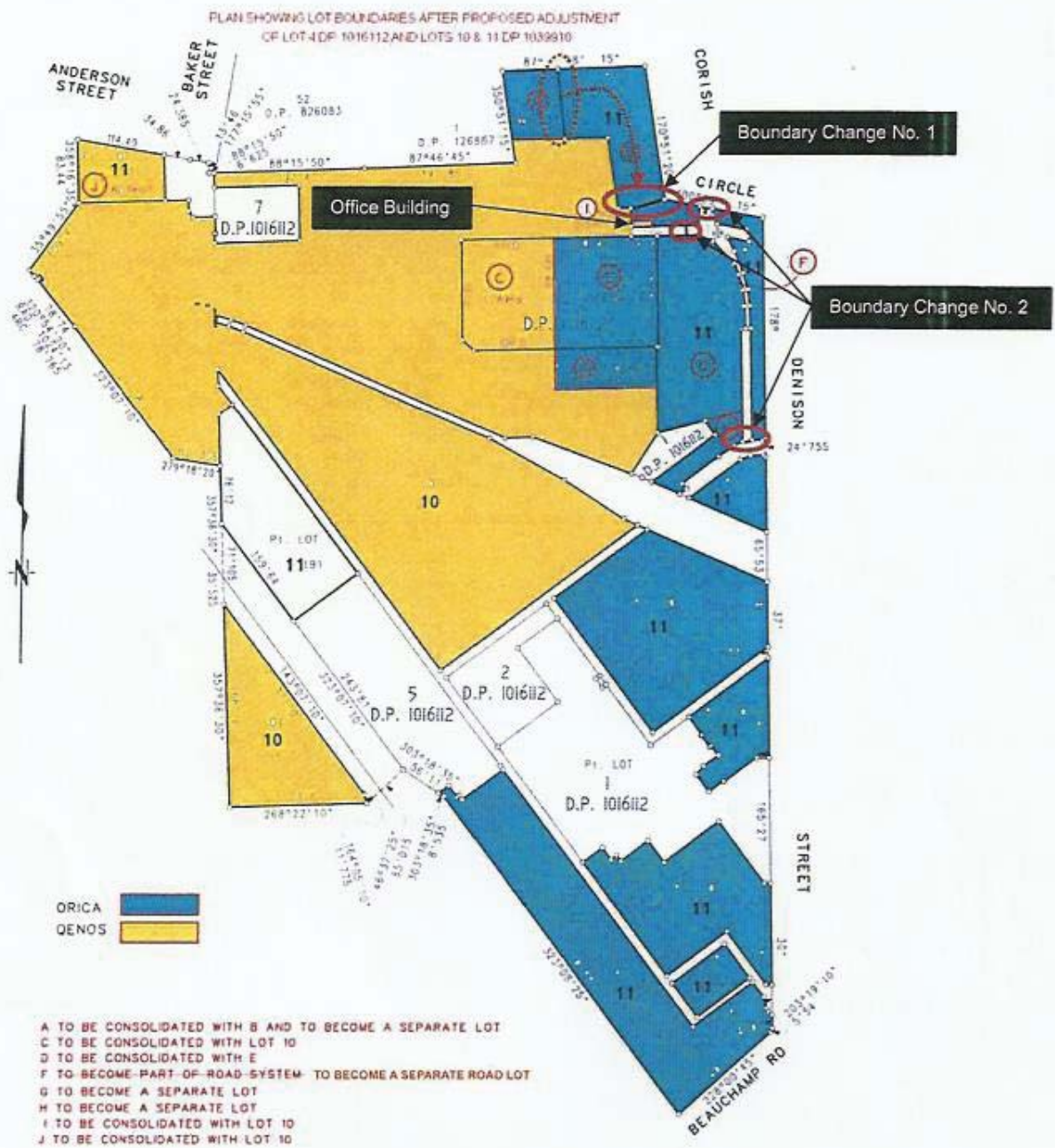


Figure 4: Modified lot boundaries

3. STATUTORY CONTEXT

Section 75W

In accordance with Clause 12 of Schedule 6A of the EP&A Act, Section 75W of the Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Under Section 75W of the EP&A Act, the Minister is obliged to be satisfied that what is proposed is indeed a modification of the original proposal, rather than being a new project in its own right.

The Department notes that:

- the primary function and purpose of the approved project would not change as a result of the proposed modification;
- the modification is of a scale that warrants the use of Section 75W of the EP&A Act; and
- environmental impacts would remain unchanged as a result of the modification.

Therefore, it is considered that the proposed modification is within the scope of Section 75W of the EP&A Act. Consequently, the Department considers that the application should be assessed and determined under Section 75W of the EP&A Act rather than requiring a new development or project application to be lodged.

Approval Authority

The Minister was the approval authority for the original project approval, and is consequently the approval authority for this application.

The Executive Director, Development Assessment Systems and Approvals, may determine this application on behalf of the Minister in accordance with the Minister's delegation dated 27 February 2013, subject to the following:

- where the relevant local Council/s has not made an objection;
- where a political donations disclosure statement has not been made; and
- there are less than 25 public submissions in the nature of objections.

The Department is satisfied that the application meets the terms of the delegation and that the Executive Director may determine the application under delegated authority.

4. CONSULTATION

The Department made the supporting documentation of the proposal publicly available on its website and sought comments from Botany Bay City Council (Council). Consultation with other government agencies and neighbouring sites was considered to be unnecessary as the environmental impacts of the proposal would essentially remain unchanged.

Council did not object to the modification subject to the development not impacting upon the existing approvals on the site.

A copy of Council's submission can be found in **Appendix A**.

5. ASSESSMENT

During its assessment of the merits of the proposed modification, the Department has reviewed the:

- Environmental Assessment of the original proposal;
- existing conditions of approval;
- supporting documentation of the proposed modification;
- submissions on the proposed modification; and
- relevant policies and guidelines.

The proposed modification is considered to be administrative. Further, there would be no impact upon any other Development Approvals or Environmental Protection Licences that currently apply to the site.

The Department considers that there will be no additional impacts associated with the proposed modification. Any potential impacts associated with future land uses of the subject land will be assessed as part of future development applications.

6. CONCLUSION

The Department has assessed the proposed modification in accordance with the requirements in Clause 8B of the EP&A Regulation. This assessment has found that the proposed modification would not have any environmental impacts. Consequently, the Department is satisfied that the modification should be approved.

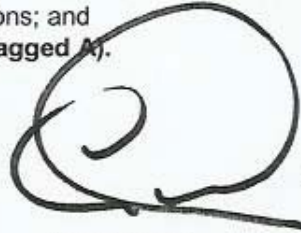
The Department considers that the proposed modification is acceptable, particularly given that separate development approval is required for any future development on the land that is subject to the proposed boundary adjustment. The Department is satisfied that the recommended conditions would ensure consistency with other approvals relating to the BIP.

7. RECOMMENDATION

It is RECOMMENDED that, as delegate for the Minister, the Executive Director:

- **consider** the findings and recommendations of this report;
- **determine** that the proposed modification is within the scope of section 75W of the EP&A Act;
- **approve** the application subject to conditions; and
- **sign** the attached notice of modification (**tagged A**).


Chris Ritchie 19/11/13.
A/Director
Industry, Social Projects and Key Sites


20. 11. 13
Ashley Cheong
Planning Officer

Chris Wilson
Executive Director
Development Assessment Systems and
Approvals

Our ref: RJ Dowsett-PPTY/17-16-20.11



22 October 2013

Ms Ashley Cheong
Planning Officer
Major Projects Assessment
Department of Planning & Infrastructure
23-33 Bridge Street,
Sydney NSW 2000

Dear Mr Cheong

**RE: Orica Car Park Remediation Project
Modification Application 06_0197 Mod 5**

The Council has received notification from the Department regarding the above mentioned modification application to seek minor variation to the approved boundary adjustment plan. The modification will assist in land swap arrangements for the area recently excised from the Botany Industrial Park (DA 30/98 MOD 1).

Based on the information provided by the Department, Council has no objection to the proposal subject to the following:

- The modification application (06_197 Mod 5) must not interfere with the implementation of Development Application Consent No.10/486 and the terms of that consent granted by Land and Environment Court dated 12 September 2012.
- The proponent must ensure access is provided to each of the subdivided lots. In particular, Lot A, G and the lot containing the existing small brick office building.
- The modification must not impact on the existing services and infrastructure (i.e. underground cable) on the site.
- Development approval is required for any new development on the subdivided lots.
- No additional work, use or amendment is to be approved as part of this modification approval.
- The subdivided lots must comply with relevant development approval and conditions (i.e. Project Approval 06_0197).

Should you have any queries please contact Mr Gilead Chen – Senior Strategic Planner on (02) 9366 3566 or the writer on (02) 9366 3553.

Yours faithfully

A handwritten signature in black ink, appearing to read "R J Dowsett", written over a horizontal line.

**R J DOWSETT
DIRECTOR – PLANNING & DEVELOPMENT**

Administration Centre, 141 Coward Street, Mascot NSW 2020 (PO Box 331 Mascot NSW 1460)

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