

sMeeting: Port Botany Community Consultative Committee – Meeting No. 14

Held: Tuesday 28 February 2017, 5.30pm-7.30pm
SICTL Training Room, 1 Sirius Road Botany

Present:

John Burgess (JB) – Community	Luke Frawley (LF) – Patricks Terminal
Paul Pickering (PP) – Community	Mark Bernhardt (MB) – Origin Energy
Mal Jagdev-Imrich (MJI) – Community	Michael Martin (MM) – Vopak
Lynda Newnam (LN) – Community	Aldo Costabile (AC) – Elgas Limited
Marcus Dwyer (MD) – Botany Bay BEC	Gary McKay (GM) – Caltex
Bronwyn Englaro (BE) – Randwick Council	Mark Walker (MW) – Qenos
Zoran Sarin (ZS) – Bayside Council	Blair Moses (BM) – SICTL Stevedores
Mitch Donohue (MD) – Electorate Offices for Member for Kingsford Smith	Daniela Vujic (DV) – NSW Ports
James Goodwin (JG) – EPA representative	Trevor Brown (TB) – NSW Ports
Laura Anstead (LA) – EPA representative	Adem Long (AL) – NSW Ports
Michael Wright (MiW) – SafeWork NSW	Roberta Ryan (RR) – Chairperson
Ryan Bennett (RB) – Port Authority of NSW	Sandra Spate (SS) – Minute taker

Apologies: Karen Jones – Orora, Jos Kusters – Caltex, Matthew Wright – Botany Bay LAC, Lisa Williams – Electorate Offices for Member for Maroubra, Johathon Lafforgue – NSW Ports

Item	Description	Action/Responsibility
1	Apologies and Introductions	
1.1	The Chair welcomed attendees. Apologies are listed above.	
2	Port Botany Community Assets	
	<ul style="list-style-type: none"> - Updates on Foreshore Beach groynes design and project - Penrhyn Estuary shorebirds/offsets - 	
2.1	<ul style="list-style-type: none"> - Updates on Foreshore Beach groynes design and project <p>RB reported groynes were completed in mid-December. Monitoring has indicated stormwater pipes are running freely. The beach is still active and sand redistribution may be needed. Regarding sheet piles, the colour scheme of marker piles doesn't meet International Association of Lighthouse Authorities (IALA) standards. Good beach usage of the beach by the public has been reported. Perpendicular pathways have been repaired to open access. Additional plantings may be undertaken when the beach has stabilised.</p> <p>JB tabled photos he had taken of Foreshore beach that afternoon compared to images from the 2003 Environmental Impact Statement. He described the current state of the beach as an act of vandalism at its worst. He said there is no resemblance to what the public was led to expect. Instead of a smooth contour to the beach from the grassed area there is a 2m high drop full of broken brick bats, rubble and road base. The community specifically asked that the groyne not be of that type. It is just a sheet pile line going out into the bay. JB doesn't know whether it</p>	<p>JB to forward photos of Foreshore Beach to RB with dates. RB will provide a response from Port Authority.</p>

	<p>has broken the wave action. The 2003 image showed a beautiful beach where you could take children to swim and fish.</p> <p>DV asked what could potentially be done given that the groynes are now in place.</p> <p>JB suggested serious earthworks are needed to level the area from the escarpment which could be a challenge, or bring in a lot more sand to turn it into a proper beach.</p> <p>DV asked whether it was related to different tides. JB thought it had nothing to do with tides.</p> <p>RB replied the escarpment has been created by storms. It was worse but it will be fixed. Port Authority is waiting for the beach to stabilise before evaluating whether bringing in more sand is required. The groynes have been designed by expert consultants to prevent the beach continuing to erode.</p> <p>JB noted the beach has been filled three to four times before the groynes were built. He doesn't have confidence in the consultants. He has seen the projections and doesn't believe the consultants have got it right.</p> <p>PP appreciated what JB is saying but suggests it is still early days. He has clear memories of when it was a beach and hopes with remediation it will be again. With the public using it he asked whether there is still room to clean the beach over the groynes.</p> <p>RB replied there will be ongoing beach cleaning and there is easy access past the groynes. He doesn't have the detail but there will be management in place. It is early days in a dynamic environment. The project manager said revegetation will occur, if required, after sand redistribution.</p> <p>LN noted a misleading article in the Southern Courier giving the impression of a successful makeover operation.</p>	
2.2	<p>- Penrhyn Estuary shorebirds/offsets</p> <p>LN asked what provisions for offsets exist in the Conditions of Consent if Penrhyn Estuary shorebird habitat is deemed to be a failure. She noted an article quoting Richard Kingsford regarding declining bird populations.</p> <p>RB reported peak season monitoring is occurring now.</p> <p>LN asked whether this is the last season for monitoring.</p> <p>RB replied it isn't. The five year monitoring period is from commencement of operations. If determined in consultation with DEC that works have not been successful, the applicant is required to provide funding for an agreed offset package under requirement 2.32. The success of the shorebird habitat won't be known for five years after the commencement of SICTL operations which is November 2018. The Port Authority is talking to their bird expert and Cardno around next steps. He noted Kingsford's article identified problems in regional bird populations.</p>	
3	NSW Ports Developments	
3.1	<p>DV reported that Modification 16 to the Port Botany Expansion approval regarding Hayes Dock is still with the Department of Planning. There was an outstanding condition asking for unit sizes of dangerous goods. The Harbour Master has confirmed NSW Ports' position that this can't be reported on. NSW Ports is working with the Department of Planning,</p>	

	<p>Patricks and SICTL to develop an appropriate condition of approval. DV noted that NSW Ports successfully completed the maintenance dredging of Brotherson Dock in December achieving the targeted depths.</p>	
4	Planning and Legislation	
4.1	<p>DV reported on the draft Coastal Management SEPP which was on exhibition till mid-January. NSW Ports made a submission on the draft SEPP. NSW Ports objected to the SEPP being applicable to ports based on the wording of the SEPP.</p>	
4.2	<p>DV reported on other reforms to the Environmental Planning and Assessment Act which are currently on public exhibition until the end of March. Part 3A transitional projects will be categorised under the existing project classification i.e. State significant development (SSD) or State significant infrastructure (SSI) projects. This will therefore dictate the process and scope for modifications to previous Part 3A projects.</p>	
4.3	<p>DV noted District Plans are on exhibition till the end of March. Regarding the Central District, NSW Ports has concerns that East Gardens and Maroubra Junction are identified as District Centres with projections for increased population and jobs. The concern is bringing more people closer to the port precinct when this needs to be protected for port related infrastructure and activities.</p> <p>JB reported District Plans were discussed at the Maroubra Precinct Committee the previous night. It was suggested this area would be least affected by changes to LEPs as it already has the highest concentration of population to green space, 14% green space compared to 49% and 57% in other areas. However, a precedent has now been set to recycle low density for high density of 28 storeys even if rejected by Council.</p> <p>DV said a challenge is that each district has to play a role in providing additional housing and jobs. Some areas are appropriate but there is only one major port in Sydney and Port Botany needs to be protected to cater for the container and bulk liquid trade growth. This can't happen with increasing population and density restricting landside corridors which have already been compromised over the years. As previously discussed Denison Street is now under threat. NSW Ports will be objecting to Maroubra and Eastgardens as high density centres but it needs more than one voice. Port Botany could reach capacity much earlier than predicted in NSW Ports' 30 year master plan if landside infrastructure isn't protected and road congestion around the port worsens.</p> <p>PP suggested there are three modes of transport that could move containers to and from Port Botany as they do around the world. They are trucks, rail and barges. Port Botany is missing out on barging containers.</p> <p>DV replied we need to look at where containers are going which is inland to western Sydney. This is partly being driven by the rezoning of industrial lands in the inner areas of Sydney. Warehouse distribution centres are relocating to industrial areas along the M5 and M7 corridors. PP noted that is where the river goes to. He thinks action is needed.</p> <p>AL reported an increase in rail over the last year with over 450,000 TEU expected to be moved by rail this financial year. The rail share is at 18.4%. A lot of the focus from Ports is rail and stopping urban encroachment.</p> <p>JB reported another major industrial estate on is on the market this week</p>	


	at Coal Pier Road (Coal Pier Estate see later). LN reported the Towards out Greater Sydney 2056 Plan is also on exhibition and closes on 31 March.	
4.4	LN reported on a request by the cemetery to expand into Bumborah Point is on before Council tonight. It is only going to Council for support as it is Crown Land, but having it supported by Council wouldn't be helpful. DV noted that NSW Ports was not notified of the proposal and wasn't aware that it was being considered by Council. NSW Ports would be concerned about the cemetery moving closer to the port on the basis of land use compatibility with ports uses. The Cemetery Trust previously raised concerns regarding noise and air quality impacts from the Truck Marshalling Area (TMA) development proposal on Bumborah Point Road.	BE will provide details to DV and update the CCC on the proposal for the cemetery to expand into Bumborah Point.
5	Accept minutes of last meeting Acceptance of the minutes from November 2016 was moved by MJJ and seconded by JB. The minutes were accepted.	
6	Actions arising from previous minutes	
6.1	Action 3.2 from November. RR to circulate to CCC members the website link for the Greater Sydney Commission consultation events. This was done. The action is closed.	
6.2	Action 3.3 from November. TB will follow up with ACFS the invitation to meetings. TB reported he has contacted them but had no response as yet. He will continue to pursue. The item remains open.	The item remains open.
6.3	Action 7.1 from November. Add to the agenda for next meeting the issue of right hand turning trucks from Foreshore road into Penrhyn Road. This is an agenda item for tonight's meeting. The action is closed.	
7	Development activities in the Port - Tenant developments	
7.1	Patrick LF reported a container crane is being decommissioned. This will take three weeks.	
7.2	SICTL There are no changes	
7.3	Elgas There are no developments to report	
7.4	Vopak MM reported the modification to the existing facility is on exhibition till Wednesday 1 March. Community consultation sessions were held in December and February. Two people attended the session in February.	
7.5	Caltex GM reported Caltex has no developments planned this year. A ruling two weeks ago fined Caltex \$400,000 for the spill in 2013. \$200,000 would go to Council's bushland project and \$200,000 to enhance local fishing. LN suggested as it was an emergency situation affecting the whole area she would have liked to see some money go to emergency services as discussed at this meeting. GM replied money was given to NSW Fire and Rescue to send firefighters to Texas for training on hazardous fires. LN said the other need is for training of the community. There is no	

	<p>community preparedness. She noted a member of the community having no understanding of what the sirens were for had wandered down at the time of the incident.</p> <p>GM noted Matt Wright from NSW Police is working to develop a plan and Caltex is involved in this.</p> <p>MiW and JG noted the strict guidelines around the type of projects that Environmental Service Orders can be used for. JG will send LN the website link for these.</p> <p>AL said the requirement is for NSW Police take over responses to emergencies.</p> <p>The website link to information on Environmental Services Orders is http://www.epa.nsw.gov.au/legislation/envirom_courtorders.htm</p>	<p>JG to provide the website link for the emergency response guidelines.</p>
7.6	<p>Origin There is nothing to report.</p>	
7.7	<p>PP asked whether Sydney Water have reported anything. He noticed sewerage has been released at the beach. It goes straight into the bay. JB said this is one of several sewerage overflow sites for excess rain. When stormwater reaches a certain level it discharges sewerage from the pipeline into Botany Bay. There are better ways of treating this which we have been talking about for 20 years.</p> <p>JG noted there is there is a major overflow site in the Millstream area and it has been designed to overflow at this point during wet weather. JB noted the sewerage line was built for Sydney in the 1900s but the population of Sydney is now over 4.5 million. The population has tripled but infrastructure has not been brought up to date.</p>	
8	<p>Port Botany Expansion Operational Update</p> <ul style="list-style-type: none"> - SICTL, including stockpile update – BM - Patrick – MG 	
8.1	<ul style="list-style-type: none"> - SICTL, including stockpile update <p>BM reported SICTL is still awaiting final approvals regarding the stock pile.</p> <p>JB said that seen from a distance the stockpile looks like sand and shell bits. As it was dredged from the bay it would potentially be perfect material to put on the beach rather than road base etc. It is a solution that could benefit everyone and he finds lack of progress frustration.</p> <p>BM replied there are requirements for approvals.</p> <p>TB asked if it is covered by resource recovery exemption.</p> <p>BM isn't sure where it sits. It was identified as waste and could not be disposed of at that time. Hot spots have now been removed and it has been reclassified. SICTL are waiting on final approval to move it.</p>	
	<ul style="list-style-type: none"> - Patrick – MG <p>There is no new information.</p>	
9	<p>Port Botany Noise Update</p> <ul style="list-style-type: none"> - Update on Liaison with the Greater Sydney Commission – RR - Port Botany Expansion Rail Noise (as per CoA 2.28) – TB 	
9.1	<ul style="list-style-type: none"> - Port Botany Expansion Rail Noise (as per CoA 2.28) <p>TB reported there are no complaints since the last meeting.</p>	
9.2	<ul style="list-style-type: none"> - Update on Liaison with the Greater Sydney Commission <p>LN has had a letter saying someone from the Commission would attend the CCC. The letter has been forwarded to RR. RR will follow up inviting the representative to either the next meeting or a special meeting.</p>	<p>RR to follow up the response from the Greater Sydney Commission around sending a representative</p>

		to the CCC meeting.
10	Safety and Environmental Incidents/Complaints	
	<ul style="list-style-type: none"> - Port traffic and safety – JL/AL - Biosecurity update – TB - Summary of complaints – TB 	
10.1	<ul style="list-style-type: none"> - Port traffic and safety – Foreshore Road and Penrhyn Road Intersection <p>AL followed up concerns around the right hand turn from Foreshore Road in relation to Orica’s permanent barrier works. RMS had no issues with these works. From traffic counts here RMS haven’t seen major issues. If and when the right hand turn lane is to be extended RMS have a written agreement with Orica. NSW Ports is actively advocating to extend the lane. AL hasn’t heard of issues from staff who turn right here, such as Patrick, Port Authority of NSW, TfNSW and NSW Ports. While there doesn’t seem to be an issue there a traffic study will be undertaken over the next couple of months. Orica barriers won’t impact if a decision is made to extend the lane. AL reported quicker response times from RMS since a restructure.</p>	
10.2	<ul style="list-style-type: none"> - Port traffic and safety – Port Botany Traffic Survey <p>AL reported that as per the Master Plan, NSW Ports is undertaking a traffic survey at Port Botany in collaboration with Transport for NSW. The background was a study of commercial vehicles on Foreshore Road in 2013 which counted 19,000 vehicles of all types in and 19,000 out in one day. Last December during the busy period 16,000 vehicles movements were counted into and out of the Port over a week. So that’s 16,000 truck movements a week vs 38,000 vehicle movements in one day.. The study will give counts for different areas. Everything other than container trucks will be counted as these numbers come through Port Botany Landside Improvement Strategy (PBLIS). It will count all cars, utilities, bulk liquid trucks etc. coming in and out of Port Botany and turning left or right at the end of Foreshore Road. There will be a combination of video over two days and traffic counts over two weeks. Information will be shared with RMS and tenants. It is hoped this will lead to a traffic plan for the future. Coal Pier Estate was mentioned earlier. These aren’t freight problems. It is cars not trucks and this was approved by Department of Planning without Council support.</p> <p>LN said small sedans can’t be compared with huge trucks. While trucks may not be as numerous they have large impacts. AL mentioned based on the numbers they have been given, in a week the estimate of 266,000 vehicle movements in and out of Foreshore Rd, compared with 16,000 truck movements in a week, does give evidence that the trucks are not the major issue.</p> <p>Footnote: This would have container related vehicles at 6% of the overall traffic numbers in Port Botany, which is similar to the numbers that the M5 Report in relation to heavy vehicle volumes on that road.</p> <p>JB asked when this would be complete. AL replied analysing data is an extensive process. It is hoped it would be complete in June.</p> <p>BE said Randwick Council would interested in results. Council is counting traffic in residential streets near port. AL noted RMS is doing this in Denison Street. JB would be interested to see throughput at Bunnings.</p>	
10.3	<ul style="list-style-type: none"> - Biosecurity update 	

	<p>TB said there were no significant incidents. On the policy front the federal Department of Agriculture has released draft standards which includes first points of entry. This is currently being reviewed.</p> <p>PP asked where the sand goes from the recent port dredging. TB and AL replied material isn't extracted but a tug pulls a sweep bar to flatten sand.</p> <p>TB reported facilitating with the Department of Agriculture monitoring and surveillance activity for potential pests with monitoring sites set up as part of a national surveillance program. PP asked if this is looking at marine pests. TB replied that the program is land-base, marine pest surveillance is more complex. There is currently a review around marine pest monitoring and the Department of Agriculture is running trials at some ports on new monitoring techniques which don't rely on divers but on DNA sequencing of plankton. These will test for priority pests.</p> <p>PP asked whether potential marine pests should be monitored by Australian Quarantine. TB replied AQIS is now part of the Department of Agriculture. Their main focus is on regulation. They don't see marine pest monitoring of port environments as their responsibility. They may introduce regulations around ballast water. There has been more than 10 years of discussion around who pays.</p> <p>JB noted a major issue of a disease in overseas prawns which has potential to wipe out the industry here.</p>	
10.4	<ul style="list-style-type: none"> - Summary of complaints <p>No complaints have been received since last meeting.</p>	
10.5	<ul style="list-style-type: none"> - National Fire Ant Tour <p>LN notified members of a forum at Sydney University on March 22 as part of a National Fire Ant tour. While there have been no other instances in Sydney it is a major issue in Queensland and has the potential to be a major issue elsewhere. The link is included below:</p> <p>https://www.eventbrite.com.au/e/fire-ants-down-under-tickets-32077443497</p>	
11	<p>General Business/Next meeting :</p> <ul style="list-style-type: none"> - Advertisement for new PB CCC members – TB - NSW Ports Staff Update – TB - NSW Ports sponsorship of <i>Clean-up Australia</i> – JL - Communication with the community re risks/emergencies 	
11.1	<ul style="list-style-type: none"> - Advertisement for new PB CCC members <p>TB reported an advertisement for PB CCC members was in the press in October. There was one applicant and there has been an attempt to recruit from the local business community. A representative from the Botany Bay BEC is trying to generate interest amongst his network.</p>	
11.2	<ul style="list-style-type: none"> - NSW Ports Staff Update <p>TB reported that Jonathan Lafforgue who attended last meeting from NSW Ports is General Manager of Operations and Environment.</p> <p>RR reported that in his new role with Bayside Council Steve Poulton would no longer be a representative on the CCC. She thanked him on behalf of the CCC for his long standing contribution to the committee. Zoran Sarin is attending tonight but in line with the new CCC Guidelines</p>	<p>RR to write to the General Manager of Bayside Council to invite Council to appoint a</p>

	RR will write to the General Manager inviting Council to appoint a new representative.	representative to the CCC.
11.3	<p>- NSW Ports sponsorship of <i>Clean-up Australia</i> – JL</p> <p>TB reported that for some time NSW Ports has supported Clean Up Australia. They will be leading a business clean up this Thursday at Prince of Wales Drive in the Yarra Bay area. He extended an invitation to tenants to spend an hour cleaning up and then share lunch.</p>	
11.4	<p>- Communication with the community re risks/emergencies</p> <p>LN asked, in relation to a bright flare that could be seen as fire from La Perouse, how people can be alerted that this one is ok and this is not. Discussion with EPA was dragged out. LN put it on twitter but it needs to be out there on some record, a process for people to go through in order to be assured they needn't be concerned about a particular incident. She said one day something serious will happen.</p> <p>JG said it was a Qenos flaring event on Saturday 3 December. Police have the lead role managing public communication in emergencies. EPA wasn't told about the event other than through Twitter and it is difficult for the EPA to issue communication for incidents that it has limited information about.</p> <p>TB takes these concerns seriously but everyone he has spoken to said the same, that emergency management must be coordinated by police. He forwarded the email to Matt Wright who will attend next meeting.</p> <p>LN suggested this was more about incident reporting rather than emergency management. On Saturdays there are 10 visitors for every resident.</p> <p>TB doesn't know whether this constituted an incident. It is hard to have a communication system for a non-incident. There is effective communication systems for real incidents. Flares are used regularly in Wollongong to regulate processes.</p> <p>MIJ said the issue is around communication. If residents hear sirens going off they don't know if there is a problem. We need to be able to say 'this is an example of a flare', perhaps put it in the local paper. We live near the port.</p> <p>JB agreed we need a process in place so people can delineate an emergency if we hear something. The current arrangement doesn't work well. He's not sure if people here can make it work. He suggested it is a big ask for police that they have been given the responsibility.</p> <p>RR asked if this is the sort of discussion we can have with MW. TB will take this feedback to MW. People want reference point, to be kept up to date. The primary focus needs to be if an incident is an emergency how emergency services respond.</p> <p>LN would like to see Twitter and Facebook used. Police do use these. It doesn't hurt to say this is just a flare.</p> <p>BM, with 17 years as a fire officer Queensland, said fire services are not notified of a flare if it is not an emergency. If a 000 call is received there is a procedure for escalating this. The last thing emergency services want is a panic. Incidents will be put out on Twitter, the news, SMS and</p>	

	<p>then police will drive up and down streets to evacuate areas. If smoke modelling programs in suburban streets suggest evacuation the tried and true method is a doorknock. However it is almost impossible to identify one flame from another.</p> <p>LN asked what people should do if they see a flame coming from a major facility. BM replied ring 000. Risk facilities have protocols in place to notify emergency services. Fire services rely on management of premises for hard information from affected premises.</p>	
11.5	<p>MD asked on behalf of the local member for an update on progress around reversing alarms. RR noted there have been updates. It will be included as an agenda item at the next meeting. JG reported EPA studies have narrowed down on sources of alarms and these studies have been possible through the assistance of NSW Ports in providing access to its rooftop. Progress is being made. As a result of the studies DP World will look at alternatives as a condition of licence. RR asked tenants continue to take back information from this committee.</p>	<p>Include on the agenda for next meeting an update on reversing alarms at Port Botany.</p>
11.6	<p>JG indicated the Caltex prosecution as a significant result. It was a long and complex investigation which included looking at circumstances under which things can go wrong. It is an important reminder about the need to develop and follow safe procedures of work. LN asked if this was bigger than the Stockton prosecution.</p> <p>JG replied this was a Tier 1 prosecution which was a significant action to take. Orica was Tier 2 and involved multiple incidents.</p>	
11.7	<p>JG reported since updates on PFAS around Sydney airport at a previous meeting, the Botany Industrial Park (BIP) has found contaminants. Challenges are emerging with many potential sources around Botany Bay and difficulties determining where they are from. There is more information on the website. BIP is holding a community meeting.</p>	
11.8	<p>LN asked that congratulations be conveyed to Belinda Pavey on becoming Minister for Ports.</p>	
	<p>The next is scheduled for Tuesday 23 May. PP asked to be noted as an apology for this meeting.</p>	
<p>These minutes have been endorsed by the meeting Chair</p> <p>Signed:  Date: 20.3.2017</p>		