

## Meeting Minutes

**Meeting:** Port Botany Community Consultative Committee – Meeting No. 28

**Held:** Tuesday 10 November 2020, 5.30pm-7pm  
McNevin Room – Prince Henry Centre Little Bay

Attendees	
<b>Community Members</b> Charles Abela John Burgess Peter Fagan Paul Pickering	<b>Tenants</b> Rabi Medina – ACFS Russell Brown – ACFS Peter Armenis – DP World Dozie Egeonu – Hutchison Ports Marie Gibbs – Patrick Stevedores Mark Walker – Qenos Karen Jones – Opal Pami Kohli – Vopak
<b>Council Representatives</b> Clare Harley – Bayside Council Bronwyn Englaro – Randwick City Council	<b>NSW Ports Representatives</b> Vida Cheeseman Sarah Downey Jonathan Lafforgue Greg Walls Alison Wedgwood
<b>Port Authority of NSW</b> Catherine Blaine	Roberta Ryan – Chairperson Stella Cimarosti – Minute taker

**Apologies:** Erin Barker – EPA, John Carnohan – Bayside BEC, Lynda Newnam – Community, Mal-Jagdev Imrich – Community, Mark Bernhardt – Origin, Clay Marks – Patrick Stevedores, Gary McKay – Clatex, Aldo Costabile – Elgas Limited, Steve Barclay – Quantem, Alexi Cassis – Electorate Offices for Member for Kingsford Smith, Dylan Parker – Electorate Offices for Member for Maroubra, Frank Pennings, SafeWork NSW, Oscar Guillen - Randwick City Council, Jos Kusters – Caltex, Michael Kinnell – Origin Energy, Patrick Medway – Bayside Chamber of Commerce, Aldo Costabile – Elgas Limited, Jennifer Stevenson – Hutchison

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Item	Description	Action/ Responsibility
1	<b>Welcome, Apologies and Introductions</b>	
1.1	<b>Apologies</b> Noted above	
2	<b>Actions arising from previous meeting</b>	
2.1	JB and JL endorsed minutes from previous meeting.	

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2.2	<p><b>Port Botany boat ramp repairs to light</b></p> <p>CB advised lights were ordered in March. The supplier had issues importing the stock from China. When the lights were received, they had the wrong fitting. Port Authority modified the brackets on the light poles to make the lights fit rather than sending the stock back to the supplier.</p> <p>The lights were then recalled by the manufacturer and had to be sent back. Port Authority are expecting the lights to go in at the end of this week.</p> <p>JB noted that this has been ongoing for six months now which is incomprehensible.</p>	
2.3	<p><b>Sir Joseph Banks Park (SJBP) – Bayside Council master plan</b></p> <p>CH provided an update noting:</p> <ul style="list-style-type: none"> <li>- SJBP is on the eastern banks of Botany Bay. Bayside Council is commencing the preparation of the master plan for the park. This process is in its early stages.</li> <li>- The plan is due to go to Council for endorsement in February 2021. Once it is endorsed it will be put on public exhibition for community comment.</li> <li>- An application has been submitted to the state government for funding as part of the legacy open space program.</li> <li>- The conservation Management Plan has been completed and will be taken into account.</li> <li>- Bayside Council are also seeking feedback on Bayside Priority Green Grid Corridors under the NSW Metropolitan Green Space Program and are currently working with stakeholders to identify opportunities. Focus is on finding ways to reconnect the community to green space and provide opportunities for active transport. This has just gone on display and will also be used to inform the master plan. This exhibition is available at <a href="https://haveyoursay.bayside.nsw.gov.au/planningourgreenspaces">https://haveyoursay.bayside.nsw.gov.au/planningourgreenspaces</a></li> </ul> <p>MG questioned if SJBP drains into the Penrhyn Estuary.</p> <p>CH noted that while the ponds in the park do need some work they don't drain. Water and drainage through the area is something that council need to look at. There are a number of flooding issues here.</p> <p>PP questioned the overflow issue.</p> <p>CH noted this is a Sydney Water issue. Council has made representations to Sydney Water regarding the overflow.</p> <p>PP questioned why it is currently overflowing.</p> <p>CB noted that this is a Sydney Water asset.</p> <p>JB noted that Sydney Water were recently prosecuted due to excessive discharge and questioned the status of their application to extend their license with the EPA?</p> <p>AW advised the EPA were an apology for tonight and NSW Ports aren't aware of the status.</p> <p>JB questioned council's position on this issue?</p> <p>CH advised council want a permanent fix to be put in place by Sydney Water.</p>	
3	<b>NSW Ports business update</b>	
3.1	<p><b>Congestion update</b></p> <p>JL advised:</p> <ul style="list-style-type: none"> <li>- Port Botany operates 24 hours a day handling nearly 1/3 of Australia's container trade and 99.6% of NSW's containers.</li> <li>- Recent media has reported delays in the supply chain – noting the example of Aldi Christmas tree deliveries being held up due to port congestion.</li> <li>- During COVID factories in North Asia and Korea started to shut down. As a result of this, shipping lines decreased the number of vessels they were bringing into Australia. Normally between Feb - June there is an output of containers. Port Botany is primarily an import port, which means we see a lot of containers full of consumer goods and building materials coming in. During this quiet period we flush out the majority of containers that are held at container parks so we can be ready to receive the peak season imports (Aug –</li> </ul>	

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	<p>December) when most of the Christmas supplies arrive. So because of these shut downs the empty container parks didn't decrease their volumes as much as they normally would.</p> <ul style="list-style-type: none"> <li>- Then as vessel numbers started to return, we saw a huge increase in container volumes. It went from very low to level 10 in June. Then in July, we had two low pressure systems come through the area which caused significant delays to port operations – we couldn't get ships in or out and port operations stopped during this time, leading to a build-up of vessels and vessels being off schedule.</li> <li>- When ships are running late they will discharge containers but may not wait to pick any up. For example, 100 containers might come off and 80 will go on. As a result, the empty container parks started to fill up.</li> <li>- Industrial action then started across the port. Industrial action isn't new however, this year was different as all three terminals went into EA negotiations at the same time. Normally when one terminal goes into negotiations, they have agreements with other terminals to continue operations so that shipping lines can maintain their schedules. As all three terminals had this happening at the same time this year the schedule went off track. At one point we had one terminal running 21 days late. This is a huge cost to the shipping lines. As a result, shipping lines started adding a congestion surcharge on movement of containers. To add to this the ports empty container parks were full.</li> <li>- This has all cost the supply chain. It means that goods that would normally be here aren't. It will also have huge impact on exporters – we are expecting a bumper grain season after all these years of waiting.</li> <li>- As the port manager, we are essentially a 'landlord' for the container terminal operators, it is frustrating that there are no buttons we can press or levers to pause to end industrial action. However there are things that we can do, and did do. We worked closely with industry, including ACFS to help bring online new capacity to increase empty container storage supply in the port. NSW. This included the creation of an additional 4,500 TEU capacity at ACFS in Port Botany which commenced operations in August as well as the opening of a new empty container park operated by Tyne Container Services, in June which delivered an additional 5,000 TEU empty container capacity.</li> <li>- Right now, industrial action has been suspended across all three stevedores. One Stevedore is close to an agreement with workers. And another stevedore is working to complete their agreement before the end of the month. The unions have also agreed to a ceasefire so there will be no further industrial action until the end of the year.</li> <li>- Since then, there has been an increase in productivity with record numbers of empty containers leaving the port. In October we had more empty containers go through the port than the year before and then we also had the biggest month on record for imports through Port Botany in nearly two years. This would not have been possible if industrial action had continued.</li> <li>- What we have seen over the past few months really brings home how important it is that each of the individual operators within the supply chain have the ability to work 24 hours a day to continue to handle the containers that support NSW.</li> </ul> <p>CH asked how long agreements are signed for.  JL advised three years.  CH noted that JL mentioned an impact on exports and questioned what this meant.  JL advised that this is looking more positive for our exports now as productivity has picked up.</p>	
3.2	<p><b>Planning Update</b></p> <p>GW advised that the Department of Planning, Industry and Environment have updated the Three Ports SEPP to allow for container parks to start stacking empty containers</p>	

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	<p>seven high as exempt development for a six month period to deal with the delays. This mainly affects sites that are otherwise limited in stacking heights by historical Development Approvals that pre-date the Three Ports SEPP. In order to stack above any historical limits, tenants have to prepare a stacking management plan including a risk assessment.</p> <p>The six month period ends in May 2021. If tenants wish to make this permanent they need to submit a modification to their DA.</p> <p>PP asked if there had been many incidents where stacks have fallen over.</p> <p>JL advised that there had been no recent incidents and noted that stacking usually occurs using a tiered system to avoid any falls.</p> <p>GW noted that the stacking management plan is required to consider different weather conditions.</p> <p>RB noted that weather notifications are received daily and safe operation procedures are in place and dictate what is required during certain weather conditions.</p>	
3.3	<p><b>Corporate Affairs update</b></p> <p>SD noted that management of the CCC has changed. VC and SD are now managing community forums. Thanks to AW and TB for their work in planning the forums to date. AW and TB will continue to be involved but management moving forward will be coordinated through SD.</p> <p>SD advised that in May NSW Ports developed a set of engagement principles for the business, in addition to revising the Terms of Reference for the group, bringing them into line with the latest government guidelines. All of this information is available on the NSW Ports website. NSW Ports will be ensuring the community are kept up to date in a timely manner, noting that the new website launched in August. Community members can sign up for updates from NSW Ports on the website.</p> <p>NSW Ports has also recently launched Facebook and will be utilising Facebook as an additional channel to reach the community, encouraging a two way conversations and responding to direct messages.</p> <p>As part of our planning for 2021 engagement, we will issue a survey to members of the group to understand more about what you'd like to hear more about in 2021, and how the community would to be engaged</p> <p>VC noted that the CCC is very important to NSW Ports and committee members will continue to be a great source of connection to the communities.</p> <p>VC advised that an update on the Molineux Point signage project was sent around in June asking for community feedback. Due to COVID there have been delays with this however NSW Ports has commenced work on this project and will share the designs in due course.</p>	
4	<p><b>Committee member updates</b></p>	
4.1	<p><b>Port Authority Update</b></p> <p>CB noted that general maintenance is ongoing on the beach and Penrhyn Estuary. Port Authority recently did some work on the sewer and toilet to ensure they continue to operate. There have been some issues with theft in the area so signage and additional security have been installed.</p> <p>PP noted that a new wharf is going in at La Perouse to replace the old one and questions if anything has been done in the design to dampen the waves to reduce damage to the new wharf.</p> <p>CB noted that this is not a Port Authority project and noted that it may be TfNSW, JB commented that he didn't believe any wave dampening had been considered in the design. JB noted that the research being done by TfNSW is extensive.</p> <p>GW questions where this was.</p> <p>JB advised that a new jetty was being designed at La Perouse and it was being installed by TfNSW. JB noted that TfNSW have been very receptive to community feedback.</p>	
4.2	<p><b>Port Botany Expansion</b></p>	

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	<p>MG noted that infrastructure of stage one is nearly complete with testing ongoing for Patrick site.</p> <p>JB questioned when it would be operational.</p> <p>MG noted that she wasn't sure.</p> <p>MG advised that a new crane was coming in, in the first quarter of next year.</p> <p>MG also noted that this would be her last meeting. MG is moving into a new role and Clay Marks would be attending moving forward as the new HSE manager.</p> <p>DE noted no updates from an operational side for Hutchison.</p>	
4.3	<p><b>Tenant developments</b></p> <p>DP World – noted that some redundant equipment would be pulled down in a few weeks.</p> <p>Quantum – Raising operational concerns on port roads –we have passed these concerns to the NSW Ports Operations &amp; Logistics team for follow up and action.</p> <p>Caltex - CALTEX Australia has officially changed names to AMPOL Australia and over the next 12 months all site signage will be changed.</p>	
4.4	<p><b>EPA update</b></p> <p><b>Port Botany Noise</b></p> <p>In response to the community concerns about noise the EPA has investigated a large number of potential noise sources in the area including ship engines, train engines, waste transfer stations, electricity transformers, sewage treatment plants and large industries such as the Opal Paper Mill and Botany Industrial Park. The EPA has undertaken noise monitoring in several suburbs around Port Botany, and joint noise surveys with Randwick Council and NSW Ports in the impacted suburbs. To date the source of the noise impacting the community has not been confirmed.</p> <p>The EPA has investigated increases or changes to ship types or movements, port operations, or to operations at nearby industries, with none found to correlate with the complaints received by the EPA. Noise impacts appear to be heavily dependent upon weather conditions, particularly wind.</p> <p>The EPA is working with NSW Ports, Port Authority of NSW, Randwick and Bayside Councils, the Department of Planning, Industry and Environment and local industries to identify the source of the noise that is impacting community members and potential mitigation measures.</p> <p>We will continue to work closely with the local community and other agencies to identify potential noise sources and possible noise mitigation options. If residents continue to be impacted by night-time noise, they should call the EPA's 24-hour Environment Line on 131 555 or NSW Ports on 1300 922 524.</p> <p><b>Major Hazard Facilities</b></p> <p>Premises that store large quantities of certain chemicals are classified as Major Hazard Facilities and are subject to regulation and oversight by SafeWork NSW, the Environment Protection Authority, and the Department of Planning, Industry and Environment.</p> <p>Environment protection licences for these facilities include strict conditions to manage risks to the environment and human health.</p> <p>The EPA regularly inspects all licensed premises to ensure compliance with licence conditions. In August the EPA inspected four licensed Major Hazard Facilities in Port Botany (Origin Energy, Vopak, Terminals and Elgas). Recent inspections have not identified any significant concerns with respect to chemical storage at these facilities. If you have any questions in relation to this update, please contact Erin Barker, Unit Head, Regulatory Operations Metropolitan on 9995 5420 or by email <a href="mailto:erin.barker@epa.nsw.gov.au">erin.barker@epa.nsw.gov.au</a>.</p>	
5	<p><b>HSE update</b></p>	
5.1	<p><b>Port Botany noise complaints and management</b></p> <p>AW presentation attached to minutes.</p> <p>Questions/comments:</p>	

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	<p>CA noted that he has been retired and at home for 20 years. From April onwards it has been way noisier than usual. The low frequency noise did occur a few years ago and it was traced back to a ship that was using its own power.</p> <p>JL noted that all vessels in Port Botany keep their engines running.</p> <p>CA asked if this was off their own power source</p> <p>JL advised that they all operate their own engines for their power and this has always been the case.</p> <p>AW noted that the question NSW Ports are trying to answer is what has changed as there have been no changes to port operations which would lead to a change in noise.</p> <p>CA asked if there were noise monitors in the port.</p> <p>AW advised yes and referred to page 6 of the presentation.</p> <p>CA questioned if monitors could triangulate the noise source.</p> <p>AW advised unfortunately it wasn't that simple and the data from inside the port is mostly being used for overall noise levels and directionality within the port precinct.</p> <p>RB asked about the new reporting system and questioned when it was introduced.</p> <p>AW noted it is a new system which was rolled out a few months ago.</p> <p>RB noted that perhaps the system is a reason for increased complaints. As it is now easier to make the complaint.</p> <p>KJ noted that Opal have had the same complain system for decades and have recorded an increase in complaints about noise.</p> <p>AW noted that the new system was set up after complaints started so doesn't explain the initial increase in complaints but all of this information has been provided to the consultants for their investigations.</p> <p>RB noted that if noise monitoring is being done at the port the number of structures between the port and residences will have an impact.</p> <p>AW noted that at the moment everyone is pointing to the ships as the source of the noise. As we don't know the exact noise output levels of the ships, and the differences between ships, we cannot rule it out. We want all of the information before we make any decisions or statements about the source. s.</p> <p>RM questioned if demographics of the complainants had been recorded or taken into account.</p> <p>AW advised this has not been recorded.</p> <p>RM commented that this might be beneficial to look into.</p> <p>AW noted that the range of human hearing differs dramatically according to our consultants. The question we are trying to answer is why now some people can hear this low frequency noise when operations have not changed.</p> <p>AW also noted that some residents have noted that they can hear the noise while others in their family cannot – so it impacts everyone differently.</p> <p>CA noted that he had overcome the noise in the past by sleeping in a different room. With this low frequency noise, sleeping in a different room doesn't make a difference. It's not just the decibels but also the noises ability to penetrate.</p> <p>RM noted that it would still come back to the DB of the sound.</p> <p>AW noted that quite a few of the tenants have noise conditions in environmental protection licenses that they have to abide by in terms of decibels. There have been no compliance breaches of those licence conditions as reviewed by the EPA but that doesn't mean people aren't being impacted.</p> <p>There have also been a small number of complaints about banging/beeping noises as well.</p> <p>AW requested that tenants look at this issue on site by reviewing any audible alarms on site and where possible replacing these with low tonal quacker style alarms.</p>	
5.2	<b>Port Botany Expansion rail noise</b> Nil complaints to report.	
5.3	<b>Biosecurity</b> Nil to report.	
6	<b>Other business</b>	

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6.1	<p>La Perouse Wharf BE noted that council are getting lots of enquiries about the new wharf and questioned if the CCC would like to have a presentation from TfNSW on the project. CCC agreed this would be good. CA noted concern about traffic jams in the area being worsened by the project. RR commented that this can be discussed at the next meeting when a TfNSW rep can attend.</p>	RR to reach out to TfNSW to organise presentation.
	<p><b>These minutes have been endorsed by the meeting Chair</b> <b>Next meeting date: 16 February 2021</b> <b>Signed:</b> Date:</p>	