

Meeting Minutes

Meeting: Port Botany Community Consultative Committee – Meeting No. 31

Held: Tuesday 11th May 2021, 5.30pm-7pm
In person (NSW Ports Port Botany Office) & online (via WebEx Meeting)

Attendees	
<p>Community members Charles Abela John Burgess Peter Fagan Lynda Newnam Paul Pickering Patrick Medway – Bayside Chamber of Commerce</p> <p>Electorate Office Alexi Cassis – Electorate Offices for Member for Kingsford Smith Dylan Parker – Electorate Offices for Member for Maroubra</p> <p>Port Authority of NSW Matt Batman</p> <p>Business representatives Russell Brown – ACFS Gary McKay – Ampol</p>	<p>Peter Armenis – DP World Dozie Egeonu – Hutchison Karen Jones – Opal Steve Barclay – Quantem Aldo Costabile – Elgas Limited Pami Kohli – Vopak Alan Chambers – Vopak Alex Brown - ARTC</p> <p>NSW EPA Erin Barker</p> <p>NSW Ports representatives Bryan Beudeker Vida Cheeseman Sarah Downey Jonathan Lafforgue Greg Walls</p> <p>Roberta Ryan – Chairperson Sophie Alais – Minute taker</p>
Apologies	
<p>Catherine Blaine - PANSW John Carnohan – Bayside Business Enterprise Centre Bronwyn Englaro – Randwick City Council George Tanevski – Origin Michael Wright – SafeWork NSW Mal Jagdev-Imrich – Community Member Lisa Rebeiro – ACFS Jos Kusters – Ampol Michael Kinnell – Origin Energy Mark Walker – Qenos Clay Marks – Patrick Terminals Mark Bernhardt – Origin Clare Harley – Bayside Council Leigh Heaney - Electorate Offices for Member for Kingsford Smith</p>	

Meeting Minutes

Item	Description	Action/ Responsibility
	General Business – 5 mins	
1	Welcome, apologies, introductions - Introduce NSW Ports Environment Manager - TB	
	RR welcomes everyone to the 31 st Meeting. TB introduces new Environment Manager Bryan Beudeker. TB says BB has extensive experiences in a range of areas like power generation, aviation, biofuels and consulting. TB says that Alison Wedgwood left NSW Ports in March and has since secured a role as Senior Environment Adviser at ARTC, where she will be working on the Port Botany Rail Line Duplication project. RR welcomes BB.	
2	Minutes of last meeting	
	SD and JB agree to sign off the minutes.	
3	Actions arising from previous meeting – 10 mins	
3.1	Update on Foreshore Road Boat Ramp (MB)	
	MB updates the meeting on the Foreshore Road Boat Ramp. MB says the group has questions about the cleaning. MB reports that the boat ramp is cleaned twice a month, aiming for king low tide, dependent on good weather conditions and access to ramp during non-busy periods. Contractors are signed in by security. When the contractors have finished the cleaning job, they send photographic evidence with report to Port Authority. MB says the latest contractor fortnightly report with photographic evidence was received recently. JB tells the group that the other day he talked to the contractor who was cleaning the ramp and did a thorough job. JB says that the standard of the boat ramp's cleanliness has improved dramatically and that there have been no incidents since January. However, JB doubts that the boat ramp has been historically cleaned twice a month. Additionally, JB says that the equipment that the contractor was using (a high-pressure water hose) is inadequate for this level of work and draws potable water from the fish cleaning facility. JB says there is more powerful and efficient equipment available that is also more environmentally friendly as it can run on salt water. JB advises MB to get someone to look at the contractor's equipment.	
3.2	Foreshore Beach water quality (BB & EB)	
	BB says that EB from EPA will take the question regarding the Foreshore Beach water quality. EB says the water quality is more of an EPA issue. EB elaborates on Mills Pond. <u>Mill Pond</u> NSW Ports took a QON at the last meeting about Mill Pond. NSW Ports approached the EPA and EPA determined it was more appropriate for the EPA to speak to this. EB has obtained advice from others in the EPA who regulate Sydney Water and advised: <ul style="list-style-type: none"> • Sydney Water operates a sewage overflow structure near Sydney Airport that discharges during wet weather into Mill Stream and then Botany Bay near to Foreshore Beach. Wet weather discharges from Sydney Water's sewer system are regulated by the EPA under environment protection licences (EPLs). 	EB takes several questions on notice. EB to organise a guest speaker with expertise in the areas of interest from the EPA.

Meeting Minutes

	<ul style="list-style-type: none"> • As these Mill Stream discharges impact on federal waters, Sydney Water has also been required to apply to the federal Department of Infrastructure, Transport, Cities and Regional Development for continued approval to discharge from Mill Stream. In Feb 2021, Sydney Water submitted an application to the federal department to continue discharging into Mill Stream until 2024. • The EPA was involved as a consultative stakeholder in the development of Sydney Water’s application, along with Sydney Airport, Bayside Council and the federal Department. Following this consultation, Sydney Water developed an application which includes: <ul style="list-style-type: none"> • An assessment of the environmental impacts of the Mill Stream discharges • Short-term measures that will be undertaken to minimise the environmental impacts of the overflows – these include clean-up of waterway debris following overflows, public signage, as well as works that aim to the volume and quantity of overflows occurring (sewer desilting and works to reduce stormwater infiltration into the sewer system) • Potential long-term measures to address Mill Stream overflows based on Sydney Water’s 2028-2035 servicing strategy. During the consultation process, a wet weather treatment system at Arncliffe (to improve discharge quality) and the construction of a sewage transfer tunnel to Malabar (to reduce overflow volumes and quantities) were flagged as the likely proposed long-term measures. • As of 5 May 2021, no known decision has been made by the federal Department on Sydney Water’s application – Sydney Water were given temporary permission to discharge from Mill Stream up until 31 March 2021. • In addition to this process, the EPA also regulates Sydney Water’s wet weather overflows generally through a program implemented on Sydney Water’s EPLs. This program requires Sydney Water to implement works to progressively reduce the impacts of wet weather overflows from its systems through the use of a risk-based approach <p>EB takes questions from the group.</p> <p>CA asks if Sydney Water has permission for dry weather sewerage overflows? CA says this has happened recently.</p> <p>EB thinks that Sydney Water does not have permission, especially given that EPA fined Sydney Water for dry water overflows in 2017. EB advises members to send a report to the EPA if they see this happening. EB also says that members can send this to Sydney Water – EB advises that Sydney Water’s ‘contact us’ page seems like the best way to go.</p> <p>LN asks if the EPA website has any information on dry weather overflows.</p> <p>EB says she does not know and will take the question on notice.</p> <p>LN says it can be hard to know how many people are concerned about issues, given that it is all individual complaints.</p> <p>EB says that it is a great comment, and the EPA is the regulator while Sydney Water is the infrastructure owner. Best to go straight to the infrastructure owner with the backing of something like the CCC.</p>	
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Meeting Minutes

	<p>JB asks that given the EPA is the regulator, can the EPA put pressure on Sydney Water or the State government to accelerate the pipeline to Malabar? JB says the project is moving slowly.</p> <p>EB says that Sydney Water has a massive infrastructure program, so it is a matter of priorities and unfortunately the Malabar pipeline is not high up. EB says for the next meeting, a colleague could be a guest speaker who can do justice on the topic.</p> <p>BB asks out of personal interest whether the Beach Watch Program is weekly or trigger event program?</p> <p>EB says it probably is regular monitoring but is happy to take that question on notice.</p> <p>PP asks what the risk-based managing program is given earlier references to Sydney Water's risk-based process. How does this work?</p> <p>EB says she will take the question on notice; the best approach would get a guest speaker who works in that area.</p>	
4	<p>Operations Update – JL</p> <p>JL gives a brief operation update mainly focusing on Port Botany and the containers within a global context.</p> <ul style="list-style-type: none"> • Global supply chains are working furiously to keep pace with consumer demand for goods. Not only is there high demand for final goods, but also for componentry used to manufacture goods. • This high demand is impacting on sea lines of communication across the globe. • Due to very high demand for sea freight, there are delays in exporters accessing containers in Major North Asian Export hubs, as well as waiting times for container slot availability on container ships. • Delays on delivery of goods to stores and warehouses in NSW and Sydney are not caused by congestion issues at Port Botany, rather these delays are due to congestion and high demand for freight services in the global supply chain. • Port Botany has been operating at normal productivity and efficiency levels since November 2020. While some ships are arriving off their normal service scheduled sailing times, they are generally getting serviced on arrival and are not waiting to berth. • Port Botany has experienced some exceptionally high volumes of container throughput in recent months and overall has handled these volumes well. <p>JL asks for questions.</p> <p>LN asks about the percentage of rail mode share.</p> <p>JL says that it is tracking at 17 – 18 per cent. Rail volumes are tracking higher than previous two years, though not as high as overall freight as it maintained at the same level and not as high at NSW Ports would have hoped. Lots of volume moving through are empty containers.</p>	
5	<p>Corporate Affairs update – Industry representative presentation invitation; Clean Up Australia Day – Port Botany event; Grants Program update – SD/VC</p> <p>SD updates everyone on a proposed action in response to the membership feedback survey from earlier in the year. SD says one of the key findings from the survey related to our industry representatives and tenants expressing that they are less clear on the role and value they derive from the forum. SD shared a proposal to invite industry representatives and tenants do a formal presentation annually on topics from operations, innovation, sustainability or environmental initiatives of interest to the community</p>	

Meeting Minutes

	<p>RR put it to the community and industry reps/ tenants for any comments or feedback – there was agreement from community that it would be a good idea.</p> <p>SD gives a shout out to the PB community for the recent successful Clean Up Australia day event. SD says that almost 40 volunteers from across industry and community collective 20 bags of rubbish from Port Botany and Prince Alfred Drive. SD thanks PP for representing our community representatives at the event. SD says they are open to feedback on the event and how we can improve for next year and to get in touch with BB or SD to share ideas or feedback.</p> <p>SD says it is the last week before the community grants Expression of Interest process closes at 5pm on Friday 14 May. Nearly half of all applications to date have come from communities surrounding PB such as from schools and charities. SD says thank you to community representatives that have shared the program information with their local networks and thanks to LN who has tapped into her community contacts to spread the word about this grant opportunity. The EOI closes at 5pm on Friday 14th May and so if CCC members know of any groups doing great things for people or the environment local to NSW Ports assets, make sure to spread the word. VC added that the EOI process is easy and straightforward to follow.</p> <p>SD says that NSW Ports has engaged the services of an organisation specialising in combining curricular/ educational content with theatre for children, and they are working on delivering a program of education to schools in the surrounding areas to Port Botany, to be rolled out later this year. Approximately 20 schools will experience a live theatre performance which includes content such as what are goods and trade, how Australia get the goods it needs and why are ports important etc. SD shared that there will be a homework element to the program where young children will be encouraged to engage with their families and carers and if anyone has children or knows of children at local primary schools, to keep an eye out for this program.</p>	
	Committee Member Updates – 25 mins	
6	Port Authority: Port Botany community assets - MB	
	<p>MB reports that the line markings and safety equipment have been refreshed recently, the annual dive inspection and waterside maintenance of jetties and pontoons is planned to be undertaken soon, the environmental management contract has been renewed for another year, and an investigation is underway on functionality of existing pathway lighting to facilitate a repair program.</p>	
7	Port Botany Expansion operation update (Patrick/Hutchison) – CM, DE	
	<p>RR asks if there are any reports.</p> <p>No reports from Patrick or Hutchison.</p>	
8	Tenant developments & round table updates – All & NSW Ports - Presentation from Vopak – update on B4A project update – PK/AC	
	<p>RB (ACFS) says they have engaged a town planner to help with the submission regarding the height of empty containers. It has gone to NSW Ports and is now with Randwick Council. They will take another 3 – 4 weeks. When RB hears back from them, he will contact NSW Ports.</p> <p>GM has nothing to report.</p> <p>AC has nothing to report.</p> <p>PA says they have a few things coming up but nothing to report. RR says to keep everyone posted.</p>	

Meeting Minutes

	<p>DE says nothing to report.</p> <p>KJ (Opal) says there is nothing operationally to report. There is the cogeneration plant project that has a separate community reference group. KJ says Suez is running that group and the group has met 4 times. It will keep going as EIS is being prepared, due to be finished at the end of October.</p> <p>No one present from Origin.</p> <p>ACh (Vopak) presents (see appendix 1 for slides).</p> <p>AC asks for questions.</p> <p>JB asks about whether Port Botany or Vopak are discussing storing LNG given recent announcements that Andrew Forrest (WA) was proposing to ship LNG from the west coast to the east coast but storage capacity was needed.</p> <p>ACh says they are looking at storing LNG in Victoria.</p> <p>VC says the construction of a new LNG Terminal is commencing at Port Kembla, not Port Botany (see link - https://ausindenergy.com/our-project/). Australian Industrial Energy will construct and operate Australia's first LNG Import Terminal at Port Kembla, which has capacity to supply more than 75% of New South Wales' gas needs by the end of 2022.</p> <p>CA asks how the increased storage at Vopak terminal fits within the 1996 Land Use Safety Study?</p> <p>ACh says that the new storage fits within safety regulation – risk assessment was done early in EIS. Furthermore, ACh says diesel is combustible, not flammable. So, the risks contours in storing diesel are smaller compared to alternative products.</p> <p>SB says Quantem have had a few visits with regulators like the EPA, Fire and Rescue NSW, Department of Planning. Progressing plans for a second combustor. The application was lodged in November 2020. There is currently some going back and forth with additional information. Planning Portal has information. (https://www.planningportal.nsw.gov.au/major-projects/project/40546).</p> <p>SB says once Quantem provides the final piece of information to the Department of Planning then they will email the PB CCC and everyone will be involved in that discussion. Department of Planning will likely email the group in 6 – 8 weeks.</p> <p>GW says NSW Ports will be lodging a Modification Application to the Port Botany Expansion approval which will consider closing or consolidating Conditions of Consent that are no longer relevant. NSW Ports has consulted with Port Authority of NSW as they have required actions under the Approval. GW says this information will go on exhibition once it is submitted to the Department of Planning.</p>	
9	<p>EPA Update - EB</p>	
	<p>EB provides several updates to the CCC.</p> <p>EB identified that on 1 April the EPA provided an update by email to this forum covering two items:</p> <ul style="list-style-type: none"> • the EPA sought feedback on proposed changes to the Energy from Waste Policy Statement recommended by the NSW Chief Scientist and Engineer by 30 April. 	

Meeting Minutes

	<ul style="list-style-type: none"> The draft NSW Clean Air Strategy was open for community and stakeholder consultation until 23 April 2021. <p><u>Port Botany Noise</u> EB advised that from the EPA has engaged specialist noise experts to conduct further monitoring to consider non-ship sources of low frequency noise in the Port Botany area. Noise monitors have been installed at the properties of five residents who have agreed to take part in the EPA's noise surveys. The monitoring results will be used to help better understand potential sources of low frequency noise that may be present in the Port Botany area and impacting on surrounding residents. Further information at https://www.epa.nsw.gov.au/news/news/2021/community-news-updates></p> <p>LN asks if Randwick Council would put a noise complaint tracker up on their website like Inner West Council does with White Bay? LN asks this question because organisations like Randwick Council, NSW Ports, EPA and Port Authority take complaints about noise on an individual bases, so people making complaints do not know who else is complaining. LN cites the Inner West Council as an example of how sharing up to date information on noise complaints is done in other LGAs.</p> <p>RR says she will take it as a comment.</p>	
	HSE Updates – 20 mins	
10	Summary of complaints/incidents – TB - Port Botany Noise Update	
	<p>TB summarises the complaints since last meeting.</p> <p>TB says there have been a total of 22 complaints. 21 complaints were related to noise. 11 were received on the 25th to the 26th of March. One complaint was from Phillip Bay about odour from Port Botany.</p> <p>TB says most noise complaints were about low frequency or throbbing noise.</p> <p>TB says that NSW Ports has progressed ship side monitoring with consultants. TB says they will do noise modelling work to help them understand the variability of noise impacts and the driving factors and help them in future with planning and planning controls.</p>	
11	Port Botany Expansion Rail Noise (as per CoA 2.28) - TB	
	TB says there were no complaints about the rail noise.	
12	Biosecurity - TB	
	<p>TB says that members may have been familiar with media coverage of a vessel Inge Kosan, after several crew members tested positive to Covid after they reached Vanuatu.</p> <p>TB says the ship previous port of call was Port Botany. and as soon as NSW Ports became aware, NSW Ports contacted NSW Health. TB says they cooperated with any port workers who had interactions with the ship, ensuring they were tested and isolated until clear. TB says they advised the public via the website and gave regular updates including test results as they came in. TB says it was a good exercise to practice all contingencies for Covid. TB says members can sign up for community emails, says it a good way to keep updated.</p> <p>CA asks if crew members are allowed to go into the city?</p> <p>TB says no, the Public Health Order on Maritime Quarantine applies. TB says there are very limited reasons why crew can come ashore and these do not include allowance to visit the city. If there needs to be crew changes, there are very strict protocols that are designed to protect the community. Public Health Order is available via the link below: https://legislation.nsw.gov.au/information/covid19-legislation/maritime-quarantine</p>	

Meeting Minutes

	<p>VC adds that it was approximately three weeks after the ship had called at Port Botany that they tested positive for COVID, so it was unlikely that they were infectious while in Australia, however all seaport workers wear full protective gear and follow tight COVID protocols to ensure their safety while interacting with crew members.</p> <p>LN asks about the algae that was mentioned last meeting.</p> <p>TB says there have been no updates because the DPI decided that the species did not pose a threat. The algae are monitored by the Botanic Gardens.</p>	
	Other Business	
13	The 3 Ports SEPP and adjacent land and water holdings - LN	
	<p>LN speaks about the 3 Ports SEPP. LN says there is no information available, and it is not coordinated. LN recommends an online visual presentation (a map + embedded/hyperlinked information) that records all approved DAs and EPLs and indicated MHFs and monitors the Conditions of Consent by Randwick and Bayside Councils and Department of Planning. This needs to be done by the Department of Planning. The cumulative impacts of all these approvals are not being accounted for.</p> <p>GW says the different ways of communicating the information is an issue for the NSW Ports, but NSW Ports is probably not the best body to consolidate and report on Government approvals.</p> <p>LN says she has rung the Planning Minister's office, and written to the Minister regarding coordination about DAs, EPLs and indicated MHFs, and monitoring Conditions of Consent. LN notes that Department of Planning staff rarely attends these CCC meetings.</p> <p>GW says that all Councils have moved to an online portal in the last 12 months which makes it easier to track and monitor development applications. GW says it may not help track EPLs however now applicants must submit through a centralised planning portal from DPIE.</p> <p>LN says that they are not getting the 'budget' for the traffic movement i.e., that assessments only look at current traffic movements not ones planned future increases by others in the area. LN says major hazard facilities are not identifiable, LN says she had to pick it up herself and put it on her own website. LN says it is ridiculous because there is no other place in NSW that has all the information together. LN says the last time they did a review of SEPP, they did not talk to the smaller players and it was badly handled. The project LN is talking about is the project on McPherson ST (Orica Warehousing over a 5ha Flood Detention Basin).</p> <p>LN states that the Department of Planning demonstrates a lack of knowledge in this critical infrastructure area and cited the example of the Major Projects Portal where the Hutchison Container Terminal is not captured on the map they use (LN says it looks as though Botany still has a beach even though construction began in 2008 and the terminal was opened in 2014).</p> <p>LN cites another example of the last time the SEPP was reviewed and lack of consultation with affected stakeholders. LN notes that the area covered by the SEPP is highlighted as critically important and needing protection in various strategic plans such as the Greater Sydney Commission District Plan NSW Ports and Freight Plan Transport for NSW 2056 and Infrastructure NSW and Infrastructure Australia Plans.</p>	
14	Accuracy of information in presentations – LN	
	<p>LN says there is an issue with the accuracy of what people say in meetings and how this is reflected in the minutes. For example, LN says the presenters about the La Perouse ferry in the last minutes said it was the first place of contact for Indigenous people and</p>	

Meeting Minutes

	<p>Europeans in Australia but that is not accurate. LN says there should be an asterisk in the minutes when information is not correct.</p> <p>LN notes that based on historical records the statement is untrue. It ignores centuries of European contact - eg. Janszoon, Cartensz, Brouwer, Hartog, Brooke, Tasman, Dampier, Vlamingh and in the context Transport consultants are making the claim to promote their DA.</p>	
14.1	Other issues	
	<p>RR asks the group if there are any more items.</p> <p>CA says there is concern with the new residential development in Little Bay. CA says it is a major development with 4000 units meaning 9000 people. CA says that 9000 people is like a new suburb plus the traffic.</p> <p>RR says for the record that she is on the Eastern Planning Panel, so she recused herself from the discussions about this project given that she chairs this CCC. RR considers herself potentially conflicted on the matter. RR says she is not involved in any way with the project but given her role as independent chair in the NSW Ports CCC it may be seen as a conflict of interest.</p> <p>RR advises concerned members to write letters to the Panel because she says they do get read.</p> <p>PF says that himself and CA are co-chairs of a reformed Precinct Community, known as the Bays and Beaches Precinct. PF says there are good lines of communication and the group meets once a month.</p> <p>JB says that Sir Joseph Banks Park and the designs for Molineux Point has not been discussed and would like it on the next meeting's agenda.</p> <p>VC says the designs have been done for the public space at Molineux Point. VC says the Indigenous community have been consulted about artwork, through Indigenous elders and the land council. VC had a conversation with the original architect, but he didn't follow through with any information.</p> <p>JB says he missed the last meeting's ferry presentation. JB says he remembers NSW Ports initially opposed the idea of ferries of docking overnight at the southern head of Penrhyn Estuary and that the ferry route would interfere with shipping routes. JB inquired if this was still NSW Port's position</p> <p>VC says that NSW Ports advised during consultation that the ferry would not be able to dock within the port precinct. Current proposal is for ferry to dock at La Perouse outside the port.</p> <p>GW says that they want to see more information. The Port Authority are responsible for navigation but it is an issue for NSW Ports as well.</p> <p>JB also inquired about the status of the submarine power cable running between Kurnell and La Perouse. JB is not aware of any remedial work being undertaken to rebury the exposed cables. JB has heard nothing since this was discussed some years ago.</p> <p>GW says Ausgrid is responsible, programs for rock armouring were being discussed previously. GW will follow up.</p> <p>CA says regarding the ferry, Bayside Council have always wanted a ferry from La Perouse to Rockdale because of parking issues at Rockdale servicing their coastline restaurants. Patrons would park in La Perouse and ferry across. JB stated he was aware</p>	<p>JB says that Sir Joseph Banks Park and the designs for Molineux Point has not been discussed and would like it on the next meeting's agenda.</p> <p>GW to seek status update from Ausgrid or DPIE</p>

Meeting Minutes

	of several ferry operators who were looking to operate commuter/ tourist ferry services between several locations within Botany Bay and the Georges River.	
	Next Meeting	
	<p>These minutes have been endorsed by the meeting Chair Next meeting date: 10th August, 5.30 – 7pm.</p> <p>Signed: ROBERTA RYAN Date: 2nd June, 2021</p> 	



Meeting Minutes

Appendix 1

Storing vital products
with care



Vopak Expansion Project in Port Botany





Vision at the concept stage - location



SITE B - FUELS

**B4A
EXPANSION**

**SITE B5
BITUMEN**



Vision at the concept stage - design



Site B

B4A 3 TANKS



Concept to Reality

**State Significant
Development Consent
(SSD7000)**

**Received from DPIE
in 2016**

2019

**Completed preliminary design and
tendered out contracts**

2020

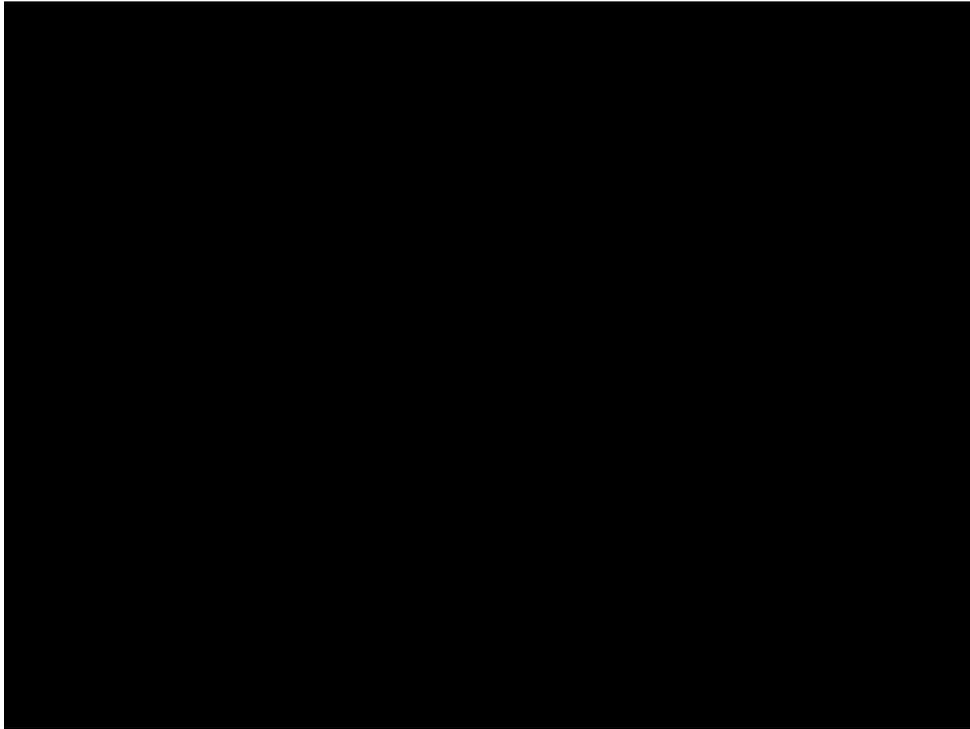
**Awarded contracts and commenced
construction in March 2020**

2021

**Construction planned for completion in
Q3 2021**



Project Progress





Benefits - Current and Future



SUPPORTING THE LOCAL ECONOMY

- Construction works have been awarded to local Sydney contractors
- Project continued through the COVID pandemic
- Increase in utilisation of the Port facilities
- Stability of work for Operation and Maintenance contractors



PROVIDING IMPROVED FUEL SUPPLY

- Adding 105 million litres of diesel storage
- Providing stability and supply of fuel for Sydney
- An independent offering for fuel storage
- If requested, able to address strategic storage requirements

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Thank you