Port Botany Expansion Community Consultative Committee

Date: 26 February, 2008 Meeting number: 8

Attendees:

John Burgess - Community Representative Nancy Hillier – Community Representative Neil Melvin - Community Representative Paul Pickering - Community Representative Patrick Williams - Community Representative Bronwyn Englaro – Randwick City Council Paul Shepherd – City of Botany Bay Council Roberta Ryan - Chairperson Sandra Spate - Minutetaker Colin Rudd – Sydney Ports Corporation Kamini Parashar – Sydney Ports Corporation Paul Jerogin – Sydney Ports Corporation Vince Newton – Bualderstone Hornibrook Project Director Margaret Harvie – Baulderstone Hornibrook Community Relations Linda Armonstrong - Baulderstone Hornibrook Community Relations

Apologies: Neil Brener (Business Representative)

Not present:

Item	Issue	Action	By whom	When
1	Welcome and introduction of new members to the group			
1.1	Chair welcomed members for 2008 and introduced to the meeting representatives of the Project team from Baulderstone Hornibrook .			
2	Update on Project and Program for Construction			
2.1	Presentation by SPC (Colin Rudd)			
	The contract was awarded to Baulderstone Hornibrook Jan De Nul Consortium (BHJDN) on December 20, 2007.			
	Preparations are underway to commence construction			
	Detailed designs are being developed.			
	Management Plans have been developed and are in the process of obtaining relevant approvals. This process will happen progressively over the next 8 months.			

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	By mid year site offices should be established. Early works in Penrhyn Estuary will begin at the time of site establishment. Prior to this there will be some presence on site with studies, investigations and salt marsh seedling collection in preparation for construction.		
	Major construction works for the project will start towards September.		
	Parsons Brinkerhoff have the role of independent verifiers for the project. Questions and discussion		
2.2	RR asked what role Parsons Brinkerhoff would have with the committee.		
	CR replied that they would not need to attend meetings on a regular basis, but may be requested to attend to address specific questions. Their role will be to ensure adherence by the BHJDN Consortium to the terms of the contract.		
2.3	PP asked whether there would be changes to the plan as they had been presented.		
	CR replied that by and large what has been presented is what will be built with some refinement to detail.		
2.4	PP noted previous discussions regarding the possible movement of freight by barge. PP's correspondence on this issue was distributed to the meeting as was SPC's response.		
	KP suggested that as the person who was to provide expert advice on this question was unable to attend the meeting, the traffic and transport discussion be held over till the following meeting.		
	The CCC agreed to hold over the traffic and transport item to a later meeting.		
	CR noted that if a decision was made in the future to use barges, the design of the port would not preclude this.		
2.5	JB asked whether the intention was still for a vertical wall to abut the backfill and		

	expressed reservations regarding the technical expertise for carrying this out.		
	CR indicated this was the intention and suggested technical advances had been made since the building of the third runway.		
3	Introduction to Baulderstone Hornibrook Jan de Nul Port Botany Consortium (BHJDN)		
3.1	Presentation by BHJDN (Vince Newton)		
	An outline presented to the meeting included: the scope of the project; an overview of the BHJDN team; a statement of the principle objective "to ensure timely, safe and efficient construction of the works to the material, workmanship and durability criteria specified in the design, in an environmentally and community sensitive manner"; an outline of the commitment to consultation (as required in MCoA B3.2); suggestions for communication strategies; an outline of the project plans and sub-plans to be presented; a proposed framework for consultation; current status of plans; and a construction and communications update for March.		
	The construction and communications update includes:		
	•1 Design activities for all facets of the project		
	•2 Survey work currently being conducted, traffic control is in place		
	•3 Geotechnical investigation for the pedestrian bridge at Foreshore Rd		
	•4 Seed collection of indigenous saltmarsh species commencing in early March. These seeds will be propagated and transported back to the site during rehabilitation works.		
	Questions and discussion		

3.2	RR emphasized the importance of the CCC understanding the Minister's Conditions of Approval.		
3.3	PS suggested that the project verifier attend the committee on a regular basis in order to demonstrate that work is being done in accordance with the Contract He drew parallels with the Orica situation, where the independent verifier presents regularly to the committee. There was further discussion as to what the role of the independent environmental monitor role is on the project. This matter is to be reconsidered once construction work begins.		
	CR responded that this information could be presented in a number of ways. One of these could be the presentation of reports of audits to the committee. Representatives of Parsons Brinkerhoff could attend meetings if this became necessary, but their role was more to work with the BHJDN team.		
	NH noted that as Parsons Brinkerhoff was contracted by BHJDN there would be no independent auditors.		
	CR outlined the role of the verifier was to verify that BHJDN complied with the contract including environment and technical engineering conditions. The environmental representative is an appointee that has been approved by Department of Planning and the environmental conditions have to be complied with.		
3.4	NH asked whether contracts would be sub-let for different components of the project e.g. the pedestrian bridge, the bike track.		
	VN responded that it was one project with BHJDN as the principal contractor. The main contract will be divided into a number of subcontracts. While some work will be put out to sub - contractors, much of the work will be done with BHJDN's own team. Specialist		

	subcontractors will be required for some aspects, but BHJDN is responsible for the project overall. The main driver for the project is the Management Plans and associated sub-plans			
	NH asked who is auditing the subcontractors.			
	CR replied that BHJDN is the principal contractor and is responsible for ensuring that subcontractors meet the Contract Conditions. On this project there is unlikely to be more than 10 subcontractors.	BHJDN to	BHJDN	
	PS asked that list of different design projects be made available to ensure that not too many will be presented at one time. He noted the committee would want to comment on detail of certain designs, e.g. the pedestrian bridge, the appearance and the type of screening. To assist this could a list of the various design projects and the sub consultants related to these be provided to the CCC?	provide a list of the components of the project and the related sub- consultants to the CCC when these are available.		
	CR indicated 35 design packages would be prepared altogether, of those the most relevant to the committee would be highlighted.			
3.5	NH asked what licenses are required and whether the committee would see applications for licenses.			
	VN replied that two licenses are required: one for setting up of the batching plant and, secondly dredging requires a license. This information would be made public once approved			
3.6	PP asked whether Foreshore Beach would be off limits to the public during the construction period.			
	VN replied that work would be staged and 150 metres of beach will be kept open at all times.			
3.7	JB asked what parking provisions would be made for the workforce and subcontractors during the construction period. He cited parking issues that had			

	arisen at other construction projects e.g. Prince Henry Hospital site.		
	VN replied that a carpark would be built on site for the workforce and onsite staff during construction.		
	PP also asked whether residents of Dent St and other local streets would experience exacerbated parking problems with workers from the site parking here.		
	VN responded that BHJDN would be discouraging parking in local streets by workers on the project.		
	MH also suggested that if issues such as this arose they should be raised with BHJDN community relations.		
3.8	NH asked whether BHJDN would be liaising with Orica and the paper mill regarding the clean up and the south lands.		
	CR responded that BHJDN was not responsible for this liaison and this was a SPC responsibility.		
	MH noted that the BHJDN community relations team would be liaising with community relations staff of the other projects in the area		
3.9	PS asked when plans for the batching plants and park facilities would be available.		
	VN replied this would be in the next couple of weeks with the site management plan.		
3.1.0	RR emphasized the importance of meeting to provide feedback on these issues as early as possible.		
	The meeting agreed to fortnightly meetings over the next period, with the next meeting on Wednesday March 12 at 3.30pm.		
	The meeting also agreed to BHJDN's proposed Consultation Plan of Plans being provided to members approximately 10 days before a meeting, a briefing regarding the plans		

	would be held at the meeting with 5 days after the briefing for final written comments/submissions.		
3.1.1	JB expressed disagreement with the scope of the MCoA's requirement for consultation.		
	RR responded that this committee is constituted under the Minister's Conditions in the role of an advisory committee specifically for construction issues. The local knowledge of the CCC is an important aspect of this. Other issues can be dealt with outside this committee.		
	PS suggested that the other liaison committee for Port Botany should be reinstated to look at the wider issues related to the operations of the Port.		
	CR informed the meeting that this committee would be reestablished.		
	KP reported that terms of reference for a port- wide liaison group were currently being drafted and would be circulated when complete.		
3.1.2	BE requested information on communication strategies, noting the importance of distributing the revised timetable to the community as quickly as possible.		
	PS suggested a display room.		
	MH replied the website is running, the phone number is being transferred to BHJDN closer towards site establishment, and a newsletter would also be going out. Strategies to get broader coverage were being considered, perhaps a combination of permanent and temporary displays where the public could access them easily. The community relations team wants to get this right and relies on information provided by the CCC on how to best provide information to the community .		
	NH suggested a caravan, street meetings, notices in coffee shops etc.		

4	Report on offset package	
4.1	Presentation by SPC (Paul Jerogin)	
	The final draft of the offset package is available.	
	The offset package is a MCoA. If the Plans for the Penrhyn Estuary or any components fail then an agreed offset package is to be put into practice post construction. Discussions with DECC have indicated specific potential projects for saltmarsh restoration and shore bird habitats. The report will be finalised in the next couple weeks and submitted to the DoP.	
4.2	PP asked where the material for the shorebird habitat would come from. PJ replied that additional material will be brought in for shorebird habitat.(PJ to check)	
4.3	PW asked where the habitats in the package would possibly be.	
	PJ responded in the Rockdale Council area. There is a National Parks transfer to the Taren Point wetland.	
4.4	JB noted that loss amenity for the general public is not included in the offset package for a plan which may not succeed in the estuary. There is attention to the environmental issues but the public rates lowly. NH agrees that the public is not being	
4.5	compensated for loss of amenity.BE asked whether the final versionwould be available on the website.PJ responded that it would be.	
5	Banksia St overpass	
5.1	Presentation by SPC (CR)	
	As this is outside joint venture scope of works for BHJDN a separate contractor would be engaged.	
	Concept designs have been developed and are to be approved by Railcorp. This may take up to 10 months. After that building should be complete by the end of 2009.	

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	As some landings will be on Botany			
	Council land consultations with council			
	are taking place.			
	Diagrams of the proposed overpass			
	were distributed to the meeting.			
	Questions and discussion			
5.2	NH raised questions from the access			
	committee requesting adequate			
	handrails and lights for safety.			
5.3	JB noted the 50 metres on each of the			
	ramps is a long distance for people			
	needing to use the ramps.			
5.4	PS asked on council's behalf whether			
	the plans could be publicly exhibited.			
	KP replied that these drawings were for			
	approval only.			
6	Other issues raised by community			
	members for discussion			
6.1	Bicycle Path (raised by PP)			
	A letter to PP from Botany Bay Council			
	regarding a request for a duel-shared			
	pedestrian-bicycle path from Foreshore			
	Rd to Prince of Wales Drive was			
	distributed to meeting. SPC's response			
	to PP's related email was also			
	distributed.			
	In speaking to this PP suggested that			
	Botany, Randwick and Rockdale			
	Councils have jointly agreed in principle			
	to a bike trail from Sir Joseph Banks			
	Park to Foreshore Beach, then along			
	the south side of Foreshore Rd to a			
	bridge opposite Beauchamp Rd, then to			
	Randwick Council district along			
	Bumborah Pt Rd, Prince of Wales Drive			
	then linking to the Yarra Bay path.			
	CR reiterated SPC's opposition to a			
	bike track within the port precinct due to			
	the danger posed to cyclists from trucks			
	PP replied that as cyclists already travel			
	through the industrial area, in his			
	opinion a dedicated cycle track was			
	safer.			
7	Desalination pipeline overview –			
	report on meeting			
7.1	Discussion was introduced by SPC (KP			
		1	1	1

	and PJ)		
	SPC have established a regular forum to exchange information with those on the desalination project and also with those on the Energy Australia cable.		
	Conditions of approval for the pipeline and the Energy Australia cable require consultation with SPC around common issues regarding management of the bay.		
	Questions and discussion		
7.2	NH asked whether there was a Masterplan for the works in the bay.		
	KP responded that this was provided to the meeting previously. This has also been provided to the Office of Co- ordinator General for the Bay. (An additional copy was provided to NH).		
7.3	JB suggested a potential issue in relation to the Energy Australia cable for SPC may be the location of the cable in the channel used by shipping near Bare Island. He drew attention to two major cable- related interrupting shipping internationally in the past year.		
	CR responded that discussions with Energy Australia had taken place and conditions were stipulated to allow for shipping 50 years in the future. The cables were to be at a depth to allow this. There may be synergies between 3 projects.		
	RR also suggested that the three projects combined may have additional impacts on the community.		
	CR said these potential additional impacts were being considered.		
	NM noted the impact of work on third runway taking place at the same time.		
8	Community Enhancement Program		
8.1	Presentation by SPC (Kamini Parashar)		
	A letter from DoP approving the Community Enhancement Plan was distributed to the meeting.		

	Agreement has been reached in consultation with the JJ Cahill School and the Dept of Education and Training for the provision of a community gymnasium at the JJ Cahill School. All funds allocated under the Community Enhancement Program will be directed to this project.Questions and discussion			
8.2	PS suggested that the community may have benefited more from expenditure elsewhere and was keen to see evidence that the community could access this facility.	Regular reports on the progress of the Community Enhancement Program will be given to the committee	SPC	
9	Assessment of CCC reports and actions following feedback.			
9.1	Discussion introduced by SPC (KP)			
	Comments from members had been collated and an evaluation distributed to members.			
	Questions and discussion			
9.2	RR thought that the committee had been working well overall, but some aspects could be improved.			
	NH asked what the value of the assessment was to SPC.			
	KP responded that SPC wanted to know whether the committee has been worthwhile, whether it is meeting MCoA, and what could be improved.			
9.3	NH expressed the opinion that individuals could be identified from the published comments. In her opinion some of the comments could have been hurtful.			
	NM noted members were not told that comments would not be confidential. Had he known he would have modified his comments. This is highly unprofessional and should not happen again.			

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	SPC apologized for sending the comments out. KP suggested that if the committee felt strongly, the printed comments be withdrawn and only the evaluation be placed on the website.		
	JB suggested that some of the things in the comments spreadsheet needed to be said. He therefore disagreed with the recall of the spreadsheet.		
	RR noted that there was no intent on the part of SPC to cause offense. However, there should always be the opportunity for robust discussion and as chair she will ensure this is possible.		
	The majority of the Committee agreed that the spreadsheets be recalled and that the overall summary of the evaluation and copy of survey be made public.		
	Spreadsheets were then recalled.		
	JB put on record his opposition to the decision to recall the comments spreadsheet.		
9.4	Membership		
	NM noted that there had been some confusion as to who is on the committee as business representatives and community representatives. The Ministers Conditions were for one business representative. He understood that proxy representatives could not		
	attend meetings in place of members.		
	attend meetings in place of members. PW emphasized his commitment to the committee as a businessman and a community member.		
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	PW emphasized his commitment to the committee as a businessman and a community member. RR responded that some confusion has arisen because many members have more than one role in the community, but one committee member attends as a business representative. The question of increasing membership		

	by representatives of government agencies.			
	These matters will be considered by the chair.			
9.5	Proxies		Chair	
	PS spoke in favour of allowing alternates as not everyone can come to each meeting.			
	RR responded that the committee has a lot of material that requires expertise and background, and SPC has invested time and money in ensuring that the committee has this expertise and background. The committee could not run on the informal lines of some committees. The Chair is required to report to the Department of Planning on the conduct of meetings. It is a formally constituted committee and not a community committee in the sense that members can nominate someone to replace them. However, the chair is happy to work with members who are unable to attend for a period to find a suitable replacement. Categories of members are set by Conditions of Consent and candidates identified. PS accepts the chairs comments, and realises that membership has to be approved by minister. He suggested a	Terms of reference to be reviewed and changed. Further		
	change in wording be "proxies are permitted with the agreement of the chair". Agreed.	comments will be sort by the Chair.		
9.6	Minutes			
	RR indicated there had been suggestions for more detailed minutes so community groups could more easily see views expressed by CCC members. The chair stated that the minutes are meant to be a record of decisions. The Chair signs off on the minutes. She suggested that the format of the minutes may need to be changed.			
	Any comments on the minutes should go to RR and be copied to KP. PS raised the slowness of the			

	distribution of the minutes and requested a quicker turnaround. RR responded that there would be an endeavour to speed this up.		
9.7	PP sought clarification on whether issues of a confidential nature could be discussed publicly.		
	JB noted that members can speak publicly as individuals but not as a representative of the CCC.		
	RR responded that the CCC can decide whether something discussed at a meeting not be made public. She confirmed that issues raised can be discussed by individuals in public in an individual capacity.		
9.8	PS suggested a briefing paper be distributed before each meeting.		
	RR suggested that perhaps some handouts be distributed to the meeting. There is a commitment to distribute plans in a timely manner.		
9.9	NH asked whether SPC required more from the CCC members.		
	KP responded that SPC would like to receive feedback from the committees that members sit on.		
	Next Meeting/s- agenda items Next meeting is on Wednesday March 12, 3.30pm.		

These minutes have been endorsed by the Chair, Roberta Ryan.

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Assessment of Port Botany Expansion Community Consultative Committee January 2008 – Final Report

Introduction

The Port Botany Expansion Project received approval in October 2005, with a condition of approval that Sydney Ports Corporation (SPC) establish a Community Consultative Committee (CCC) for the expansion.

In mid-2006, Sydney Ports Corporation advertised and received applications for membership of the CCC. Six members of the community and two Local Council representatives were appointed to the committee. An independent Chair was selected by SPC and approved by the Department of Planning.

The introductory meeting of the CCC was held in September 2006, with 7 meetings held up to December 2007.

Assessment of the CCC

In October 2007, SPC commenced an evaluation of the CCC, one year after the first meeting. The purpose of the evaluation was to obtain feedback from all participants on the following aspects of the CCC:

- The functioning of the committee
- The SPC representatives and their performance
- The Community members and their performance
- The Chair and minute taker and their performance

The evaluation was conducted through a questionnaire sent to all members of the CCC with completed questionnaires received by the end of December. All the answers were then tabulated and specific comments noted.

Top level outcomes

Functioning of the committee

All respondents agreed that the committee functioned as per the terms of reference set out at the beginning with attendance, participation, achievement of objectives, communication of information and location all rating well.

Issues to be addressed

Inadequate parking at the meeting venue, and not enough participation by the community members were identified as areas needing addressing. There also seems to be frustration that no real progress is being made. Members would also like to see some of the debate and discussion reflected in the minutes, which were seen as too brief.

Sydney Ports' representatives

All members of the CCC were in agreement that SPC representatives were well informed, appropriate and preparation by them for meetings was good.

Issues to be addressed

More time is required to 'digest' the material distributed at the meetings and members requested material in advance if possible.

Community representatives

The feedback indicates that the input, representation and level of debate provided by Community representatives could be better, especially in terms of feedback on documents provided to them. A question has also been raised on whether members of the committee truly represent the community and that many community representatives have deliberately not applied for membership of this community as the Terms of Reference were seen to be 'restrictive'.

Issues to be addressed

Should more members be asked to join the Committee, with slight changes to the Terms of Reference.

Chair and Minute taker

The conduct of the meetings, timeliness, access to the Chair and quality of minutes was generally considered to be acceptable.

Issues to be addressed

The format of the minutes in a tabular format as well as the incorporation of committee members comments into the minutes were seen as areas which needed improvement.

General comments and suggestions

Committee members were generally satisfied with the performance of the committee. The main issues and challenges to be addressed are the validity of the Terms of Reference and whether the community is being adequately represented.

Next steps

This report will be circulated to all committee members and the next steps decided in conjunction with members.

Report prepared by Kamini Parashar 23 January 2008

Detailed results

	FUNCTIONING OF THE COMMITTEE						
1. The Committee achieves the objectives set out in the Terms of Reference?							
Strongly Disagree	Disagree 1	No opinion	Agree 6	Strongly Agree 2			
Minimal contrib of group.	ution by member	s, most groups who	are informed ch	ose not to be par			
	ance and partic objectives of th	ipation by Comm e Committee?	ittee members	is sufficient to			
Strongly	Disagree	No opinion	Agree	Strongly Agree			
Disagree	1	1	5	2			
Committee mem	ibers cannot chan	ge outcome of EIS					
		ge outcome of EIS	d frequency of	the meetings i			
 The location suitable Strongly Disagree 	n, equipment, ca	atering, timing an	d frequency of Agree 5	the meetings i			
 The location suitable Strongly Disagree 1 	n, equipment, ca Disagree	atering, timing an No opinion 1	Agree	-			
 3. The location suitable Strongly Disagree 1 Location is releved 4. Agenda item 	n, equipment, ca Disagree 2 vant, parking inad	atering, timing and No opinion 1 equate actually meet my	Agree 5	Strongly Agre			
 3. The location suitable Strongly Disagree 1 Location is releven 4. Agenda item 	n, equipment, ca Disagree 2 /ant, parking inad	atering, timing and No opinion 1 equate actually meet my	Agree 5	Strongly Agre			

FUNCTIONING OF THE COMMITTEE							
1							
Limited scope, r	Limited scope, no decision making power, TOR limits it.						
5. Information	is communicate	ed honestly and o	completely?				
Strongly	Disagree	No opinion	Agree	Strongly Agree			
Disagree	1	2	5	2			
Minutes are som	Minutes are sometimes too brief						

	SYDNEY PORTS REPRESENTATIVES						
1.	1. Attendees from Sydney Ports are well informed and appropriate?						
	Strongly Disagree	Disagree	No opinion	Agree 6	Strongly Agree 3		
W	Well versed and seek external consultants.						
2.	Presentation understand	material and	handouts are	well prepared	and easy to		
	Strongly Disagree	Disagree	No opinion	Agree 8	Strongly Agree		
3.		ding and short in	genda items in a	timely manner			
	Strongly Disagree	Disagree	No opinion 1	Agree 7	Strongly Agree		
	Minutes on website need to reflect changes made 4. Sydney Ports' representatives respond to inquiries and questions outside						
		n a timely mann		,			
	Strongly Disagree	Disagree 1	No opinion 1	Agree 6	Strongly Agree		

SYDNEY PORTS REPRESENTATIVES							
As far as possible.							
5. The Sydney Ports website is	s adequately upo	lated					
Strongly Disagree	No opinion	Agree	Strongly Agree				
Disagree	4	4	1				
Minutes hard to find.	Minutes hard to find.						

	COMMITTEE MEMBERS							
1.	1. Committee Members are truly representative of the Community							
	Strongly	Disagree	No opinion	Agree	Strongly Agree			
	Disagree	3	2	3	1			
2.	Committee	Members share	information/rais	e issues from th	ne communities			
	they represe	ent						
	Strongly	Disagree	No opinion	Agree	Strongly Agree			
	Disagree	Disugree	Disagree 1		1			
3.			e feedback on do	ocuments and iss	sues raised with			
	them on a ti	mely basis.						
	Strongly	Disagree	No opinion	Agree	Strongly Agree			
	Disagree	1	4	2	1			
4.	Committee	Members attend	meetings regular	ſly				
	Strongly	Disagrap	No opinion	Agree	Strongly Agree			
Disagree 1 7								

COMMITTEE MEMBERS

Good attendance, SPC provides assistance for members to attend.

1. The Chair gives everyone a fair and reasonable chance to be heard and					
raise issues.	Disagree 1	No opinion	Agree 4	Strongly Agree 4	
Professional					
. The minutes are ac	curate and time	ly			
Strongly Disagree	Disagree 2	No opinion	Agree 6	Strongly Agree 1	
				-	
able format hard to und	erstand and take	too much paper	to print.	-	
able format hard to und	erstand and take	too much paper	to print.	-	
	he minutes by		-		
minutes accurately.	he minutes by	Committee me	-	orporated f	
. The feedback on t	he minutes by	Committee me	embers is inco	orporated	
The feedback on the minutes accurately. Strongly Disagree	he minutes by Disagree	Committee me	embers is inco Agree	orporated f	
8. The feedback on the minutes accurately.	he minutes by Disagree	Committee me	embers is inco Agree	orporated f	
9. The feedback on the minutes accurately. Strongly Disagree	he minutes by Disagree	Committee me	embers is inco Agree	orporated i	

CHAIR AND MINUTE TAKER						
Strongly Disagree	Disagree	No opinion 1	Agree 6	Strongly Agree 2		
Not needed but willing to be contacted.						
5. The meetings are co	nducted in a ti	imely and orde	rly fashion. Agree	Strongly		
Strongly Disagree	1	No opinion	6	Agree 2		
Timely and generally orde	erly					

SUMMARY COMMENTS

Issues of road and rail not discussed. Trailer parking not discussed

Each member has own group interest, not sure if general community interests covered.

Impressed with knowledge and patience of Sydney Ports' representatives.

Chair runs tight meetings.