

PORT BOTANY EXPANSION MODIFICATION APPLICATION 16 TO DA-494-11-2003I PERMANENT USES HAYES DOCK SERVICES AREA AND ADMINISTRATIVE CHANGES TO SOME CONDITIONS

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lendlease



PORT BOTANY EXPANSION MOD APPLICATION 16

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TERMS AND ABBREVIATIONS

AHD	Australian Height Datum
APA Regulations	<i>Airports (Protection of Airspace) Regulations 1996</i>
CASA	Civil Aviation Safety Authority
DG	Dangerous Goods
DP&E	Department of Planning and Environment
EIS	Environmental Impact Statement
EPA	Environment Protection Authority
EPBC Act	<i>Environment Protection and Biodiversity Conservation Act 1999</i>
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
OEMP	Operation Environmental Management Plan
PB CCC	Port Botany Community Consultative Committee
PBE	Port Botany Expansion
SEPP	State Environmental Planning Policy
SICTL	Sydney International Container Terminal Pty Limited
SACP	Sydney Airport Corporation Limited

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1.0 Introduction

1.1 Background

Sydney Ports Corporation (Sydney Ports) obtained planning approval from the Minister for Planning for the Port Botany Expansion (PBE) (DA-494-11-2003i) on 13 October 2005 and 22 August 2006.

The PBE project involved the construction and operation of a new container terminal of approximately 63ha at Port Botany and associated infrastructure, environmental improvement works and community facilities.

The PBE project resulted in the procurement and awarding of the third stevedore contract at Port Botany, with approximately 45ha of the PBE area handed over to the lessee, Sydney International Container Terminal Pty Limited (SICTL). The remaining 18 hectares, known as “The Knuckle” was leased to existing terminal operator Patrick Stevedores (Patrick). Operations at the third stevedore commenced in 2014. The operational conditions of approval of the PBE DA-494-11-2003i were addressed by both leases in their respective environmental management documents prepared in accordance with the PBE planning approval.

The PBE planning approval also allowed the construction and operation of approximately 360m² of the northern tip of Hayes Dock as a tug berthing facility for up to 3 tug berths. This area is located immediately north of the SICTL operated new container terminal. The tug berthing facility has not been constructed as yet and will likely be undertaken at a time when the market demand is sufficient to support 3 tugs at the Hayes Dock. The “Temporary Use” of the northern tip of Hayes Dock by lines boats, barges and associated activities was the subject of a modification application (Modification 14 approved in June 2013) as further discussed in **Section 1.2**.

In 2013, the NSW Government entered in a long term lease of Port Botany, with NSW Ports (a privately owned company) becoming the land manager for Port Botany under a 99 year lease, taking over from the previous Sydney Ports Corporation.

This application seeks to modify the Port Botany Expansion approval (DA-494-11-2003i) under Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to allow for both temporary and permanent port, maritime and waterway related uses within the northern tip of Hayes Dock (also known, and referred to in this document, as the “Hayes Dock Services Area”) as outlined in **Section 1.2** and further detailed and assessed in **Section 4.1**. The general location of the site subject to this modification is shown in **Figures 1 and 3 (Appendix A)**.

1.2 Outline of Proposed Modification

In June 2013, the delegate for the Minister for Planning approved a modification (MOD 14) of the planning approval to allow the temporary use of the northern tip of Hayes Dock by lines boats, barges

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and other low impact temporary uses for a period of two years, while the area awaits its intended approved development as a tug boat berthing facility.

The MOD 14 submission (Sydney Ports, January 2013) was prepared prior to the commencement of State Environmental Planning Policy (Three Ports) 2013 (the Three Ports SEPP). Schedule 1 of the Three Ports SEPP allows for temporary structures and temporary uses to be exempt development for periods up to 12 months and 182 days (in any period of 12 months) respectively if the development / use is compliant with Clause 24 of the Three Ports SEPP.

The purpose of this proposed Modification is to allow for the continuation of temporary uses (and associated installation of temporary structures) to occur at the Hayes Dock Services Area for periods of up to two years in each instance as well as allow similar low potential impact port, maritime and waterway uses (as defined in Section 4.1.2) to be permitted to operate permanently from this area. The proposed modification does not impact on the future development of the area as a tug berth facility. No construction works are proposed as part of this modification application to facilitate the temporary and / or permanent use of the site (beyond that already approved under the PBE project) with the exception of temporary structures required for the temporary uses, for a period of up to two years. Should works be required to facilitate the temporary and / or permanent use of the site for port, maritime and waterway related uses, the applicable planning pathway will be considered and complied with in accordance with the Environmental Planning and Assessment Act, 1979 (EP&A Act) and applicable environmental planning instruments i.e. whether the development is 'exempt', permitted 'with consent' (Part 4 development) or permitted 'without consent' (Part 5 development).

This modification also seeks administrative changes to some conditions of the planning approval that either have become obsolete or that require updating in line with the current operational context. Redundant conditions include B2.27, B2.28, B2.29 and C4.3. Conditions that require amendment include C3.2, C2.17, C3.1 and C4.2. The requested changes to these conditions will allow for improved operational and environmental management of the consent as well as compliance reporting.

This modification application is considered to be of no/minor environment impact and primarily administrative in nature. For further details refer to **Section 4**.

1.3 Justification

The Hayes Dock Services Area has been operated by lines boats, barges and other low impact temporary uses in accordance with the PBE planning approval, including MOD 14. These uses are minor in the context of the overall port operations and to date have not resulted in any environmental impacts, incidents or community complaints.

There is a need to continue these operations at the port and the northern tip of Hayes Dock provides the necessary space, access and facilities for these services and is well placed in close proximity to the stevedores.

As indicated in Section 1.2, there is a need to delete and modify some conditions of approval to allow for improved operational and environmental management of the consent as well as compliance reporting. Further discussion and reasons for these changes are provided in **Section 4.2**.

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2.0 Statutory Context

The primary pieces of legislation relevant to this modification are discussed below.

2.1 Commonwealth Legislation

2.1.1 Environment Protection and Biodiversity Conservation Act 1999

The *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) provides the legal framework for the protection and management of matters of national environmental significance. Approval from the Commonwealth Minister for the Environment is required for any actions that may have a significant impact on matters of National Environmental Significance, except in circumstances which are set out in the EPBC Act.

Matters of national environmental significance include:

- World heritage properties;
- Commonwealth Heritage properties;
- Ramsar wetlands;
- Nationally threatened species and ecological communities;
- Migratory species protected under international agreements;
- Commonwealth marine areas;
- The Great Barrier Reef Marine Park;
- Nuclear actions, including uranium mining; and
- a water resource, in relation to coal seam gas development and large coal mining development.

There are no matters of national environmental significance at the proposed location for the works. The site does not provide a suitable habitat for migratory species protected under international agreements. The ongoing operations at the site are considered to be of low impact, including the nearby Penrhyn Estuary Habitat.

It is therefore concluded that the proposed works would have no significant impact on matters of national environmental significance.

2.1.2 Airports Act 1996

The airspace at and around airports in Australia is protected under Part 12 of the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996* (APA Regulations).

Because of the proximity of the PBE to Sydney Airport, the primary concern to air traffic with any altered structures is penetration of prescribed air space. The prescribed airspace is the space above two sets of defined surfaces above the ground around an airport namely the:

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- Obstacle Limitation Surface (OLS); and
- Procedures for Air Navigational Services Operations (PANS-OPS) surface.

The OLS are conceptual surfaces associated with a runway, which identify the lower limits of the aerodrome airspace above which objects become obstacles to aircraft operations. They provide protection for aircraft flying into or out of the airport when the pilot is flying by sight. The PANS-OPS surface is generally above the OLS and is designed to safeguard an aircraft from collision with obstacles when the aircraft's flight may be guided solely by instruments, in conditions of poor visibility. The OLS for the airspace over the third terminal of the PBE is 51m AHD.

The *Airports Act* defines any activity resulting in an intrusion into an airport's prescribed airspace to be a "controlled activity" (section 182), and requires that controlled activities cannot be carried out without approval.

Controlled activities are defined under Section 182 of the *Airports Act* as including the following:

- a) constructing a building, or other structure, that intrudes into the prescribed airspace;
- b) altering a building or other structure so as to cause the building or structure to intrude into the prescribed airspace;
- c) any other activity that causes a thing attached to, or in physical contact with, the ground to
- d) intrude into the prescribed airspace operating a source of artificial light, where:
 - (i) the intensity of the light emitted exceeds the level ascertained in accordance with the regulations; and
 - (ii) the light is capable of blinding or confusing pilots of aircraft operating in the prescribed airspace;
- e) operating prescribed plant, or a prescribed facility, that reflects sunlight, where:
 - (i) the intensity of the reflected sunlight exceeds the level ascertained in accordance with the regulations; and
 - (ii) the reflected sunlight is capable of blinding pilots of aircraft operating in the prescribed airspace;
- f) an activity that results in air turbulence, where:
 - (i) the level of the turbulence exceeds the level ascertained in accordance with the regulations; and
 - (ii) the turbulence is capable of affecting the normal flight of aircraft operating in the prescribed airspace;
- g) an activity that results in the emission of smoke, dust or other particulate matter, where:
 - (i) the emission exceeds the level ascertained in accordance with the regulations; and
 - (ii) the smoke, dust or particulate matter is capable of affecting the ability of aircraft to operate in the prescribed airspace in accordance with Visual Flight Rules;
- h) an activity that results in the emission of steam or other gas, where:
 - (i) the emission exceeds the level ascertained in accordance with the regulations; and
 - (ii) the steam or gas is capable of affecting the ability of aircraft to operate in the prescribed airspace in accordance with Visual Flight Rules.

Under section 183 of the *Airports Act*, it is an offence to carry out a controlled activity without approval.

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The approved Port Botany Expansion has been designed to ensure that all structures would not penetrate prescribed space of Sydney Airport or cause light reflectivity problems to aircraft operating within the prescribed airspace. The proposed modification does not propose the installation of any new structures above the prescribed airspace or the installation of lighting. Should works be required to support any temporary use of the site, consideration will be given to the requirements of the Airports Act and applicable regulations and standards (e.g. the Civil Aviation Safety Authority Manual of Standards Part 139 – Aerodromes relating to lighting).

Given no new structures above the prescribed airspace or lighting are proposed as part of this modification application, it is considered that the proposed modification would not be a controlled activity and would not require approval under the *Airports Act*.

2.2 State Planning Legislation

2.2.1 Environmental Planning and Assessment Act 1979

The *Environmental Planning and Assessment Act 1979* (EP&A Act) aims to encourage proper management, development and conservation of natural and artificial resources to ultimately promote the environment and the economic and social welfare of the community.

The Port Botany Expansion project was declared to be classified as State Significant Development by virtue of a declaration made by the Minister for Planning on 29 June 2001 under section 76A(7) of Part 4 of the EP&A Act (now repealed). The development was approved on 13 October 2005 and subsequent modifications to the development have also been approved.

This modification application is submitted under section 75W of the EP&A Act pursuant to clause 8J(8)(c) of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation) and clause 89 of Schedule 6 of the EP&A Act. These clauses provide that for the purposes of modification only, a development consent granted by the Minister under Part 4 of the EP&A Act relating to a State Significant Development, that had been determined or was pending determination at the commencement of Part 3A of the EP&A Act on 1 August 2005, is taken to be an approval under Part 3A of the Act and section 75W applies. As the project falls into this category, this section applies to the modification application. The existing consent, following modification, would remain a consent under Part 4 of the EP&A Act.

Transitional arrangements are in place as a result of the repeal of Part 3A of the EP&A Act. Clause 12 of Schedule 6A of the EP&A Act states that section 75W of the EP&A Act continues to apply to modifications of development consents referred to in clause 8J(8) of the EP&A Regulation and applies whether an application for a modification is made before or after the commencement of this clause.

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2.3 Relevant Environmental Planning Instruments

2.3.1 State Environmental Planning Policy (Three Ports) 2013

The site subject to this modification is within land to which the State Environmental Planning Policy (Three Ports) 2013 (the Three Ports SEPP) applies.

The site is zoned SP1 Special Activities under the Three Ports SEPP. The objectives of this zone are:

- To provide for special land uses that are not provided for in other zones.
- To provide for sites with special natural characteristics that are not provided for in other zones.
- To facilitate development that is in keeping with the special characteristics of the site or its existing or intended special use, and that minimises any adverse impacts on surrounding land.
- To maximise the use of waterfront areas to accommodate port facilities and industrial, maritime industrial, freight and bulk storage premises that benefit from being located close to port facilities.
- To enable the efficient movement and operation of commercial shipping and to provide for the efficient handling and distribution of freight from port areas through the provision of transport infrastructure.
- To provide for port related facilities and development that support the operations of Port Botany, Port Kembla and the Port of Newcastle.
- To facilitate development that by its nature or scale requires separation from residential areas and other sensitive land uses.
- To encourage employment opportunities.

The proposed modification proposes to allow port, maritime and waterway related uses within the Hayes Dock Services Area. Both the temporary and proposed permanent uses for the site are consistent with the objectives of the zone and are not prohibited in the SP1 Special Activities land use zone of the Three Ports SEPP.

As indicated in **Sections 1.2** and **4.1**, no development works are proposed to facilitate the temporary or permanent use of the site under this application with the exception of temporary structures required for the temporary uses, for a period of up to two years for each temporary use. Should works be required, consideration will be given to the exempt and complying development provisions of the Three Ports SEPP and other applicable legislation when carrying out the works. Works



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approved to facilitate the development of the site for a future tug facility are not proposed to be impacted by the proposed temporary or permanent uses.

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3.0 Consultation

The Port Botany Community Consultative Committee (CCC), established under C3.2 was advised on 30 August 2016 of NSW Ports' intention to submit a modification application to amend the Port Botany Expansion development approval. The Port Botany CCC includes, amongst others, representatives from Botany Bay City Council, Randwick City Council, Port Authority of NSW, EPA, Industrial/commercial facilities adjacent to Port Botany, the local community and the port operators. NSW Ports outlined the scope of the proposed modification application at the 30th August meeting. No concerns were raised by the CCC members that attended the meeting. A copy of the CCC meeting minutes from the 30th August meeting are attached in **Appendix C**. Final meeting minutes are issued to DP&E and also uploaded to the Port Botany CCC webpage: <http://www.nswportsbotany.com.au/community/port-botany-community-consultative-committee/>.

The DP&E has been consulted since 2015 on different aspects of this modification. A meeting with DP&E officers was also held on the 11 August 2016 to discuss the final scope of the modification.

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4.0 Assessment of Proposed Modification

4.1 Temporary and Permanent Use of Hayes Dock Service Area – Port, Maritime and Waterway Related Uses

4.1.1 Existing Situation

MOD 14 of the PBE planning approval (DA-494-11-2003i), approved on 11 June 2013, allowed the temporary use of the northern tip of Hayes Dock by lines boats, barges and other low impact temporary uses (as per conditions of approval C1.2, C1.2A and C1.2B). The PBE planning approval defined “Temporary Uses” as follows:

Uses of the northern tip of Hayes Dock generally for the mooring of commercial vessels, including line boats and barges, for the purpose of providing a location for crew/operators to board and disembark and ancillary activities as outlined in modification application DA-494-11-2003i MO14

The originally approved PBE project incorporated the construction and operation of approximately 360m² of the northern tip of Hayes Dock as a tug berthing facility for up to 3 tugs. The approved tug berthing area allowed for 3 berths, each having a minimum depth of 6m and the capability to accommodate large tugs. The development of the northern tip of Hayes Dock as a tug berthing area has not been undertaken and will likely occur at a time when the market demand is sufficient to support a new tug facility at the Hayes Dock location.

4.1.2 Proposed Modification

NSW Ports is seeking to allow for port, maritime and waterway related uses to operate permanently from the Hayes Dock Services Area in addition to the temporary use of the site (which were the subject of Mod 14). The proposed modification does not impact on the future development of the area as a tug berth facility which was approved in the original consent.

Proposed port, maritime and waterway related uses will typically involve the mooring of non-trading vessels, including line boats, barges and tugs, permitted to operate 24 hours, seven days a week and include associated activities such as:

- i. Loading /unloading general operational gear to and from the vessel
- ii. Storage of general gear / equipment
- iii. Parking of crew / operator vehicles at the site
- iv. Installation and use basic land based crew amenities, including toilets, storage container, small demountable building
- v. Occasional refuelling of the vessels either by road fuel truck or in the future via on site infrastructure which may be installed at a later point in time (e.g. under the exempt and complying development provisions of the Three Ports SEPP)
- vi. Temporary uses and installation of temporary infrastructure for periods of up to two years in each instance / occasion
- vii. Loading / unloading and temporary storage of small volumes of Dangerous Goods (DGs) for the purpose of minor site and boat maintenance and related activities and boat refuelling

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(Note: the site is not intended to be used for the handling, packing or unpacking of DG cargoes).

No development works are proposed to facilitate the temporary or permanent use of the site for port, maritime or waterway related uses at this point in time with the exception of temporary structures required for the temporary uses, for periods of up to two years (e.g. temporary amenities, small demountable building, fencing, etc).

Should other works be required, consideration will be given to the exempt and complying development provisions of the Three Ports SEPP and other applicable legislation when carrying out the works. Works approved to facilitate the development of the site for a future tug facility are not proposed to be impacted by the proposed temporary or permanent use of the site for port, maritime or waterway related uses.

Given the minor nature of the proposal, which has not resulted in any environmental impacts, incidents or community complaints as a result of the temporary use of the site, NSW Ports seeks to exempt the proposed port, maritime and waterway uses at the Hayes Dock Services Area from a number of current ongoing operational conditions (similar to those excluded for the Temporary uses).

NSW Ports requests that the proposed changes to the conditions are amended as follows:

1. Schedule 2 Definitions

Replace "Temporary Uses" and its definition for the following:

Port, Maritime and Waterway Related Uses: Permanent and temporary uses of the northern tip of Hayes Dock (referred to as the Hayes Dock Services Area) for the mooring, loading and / or unloading of non-trading vessels, including line boats, barges and tugs including associated activities as outlined in modification application DA-494-11-2003i MO16

2. Modify C1.2 as follows:

*C1.2 The conditions in this sub-schedule of the consent must be complied with by the Applicant, or any party undertaking activities and works referred to under C1.1, with the exception of the undertaking of **Port, Maritime and Waterway Related Uses** at Hayes Dock Services Area ~~Temporary Uses~~, which are subject to condition C1.2A. Should more than one terminal operator undertake operations within the terminal area, compliance with the conditions of this Schedule may be undertaken individually by operators, or collectively.*

3. Modify C1.2A as follows:

~~Temporary Uses~~ **Port, Maritime and Waterway Related Uses – Hayes Dock Services Area**

C1.2A The conditions in this sub-schedule of the consent must be complied with by the Applicant, or any party undertaking activities and works associated with **Port, Maritime and Waterway Related Uses** ~~Temporary Uses~~, except conditions C1.3, C1.4, C1.5, C2.5, C2.12, C2.16, C2.17, C2.18, C2.20, C2.25, C3.2, C3.3, C4.2, C4.3, C4.4 and C4.5.

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4. Modify C1.2B as follows:

C1.2B Temporary Uses **at the Hayes Dock Services Area** shall be limited to a period of two (2) years **in each instance / occasion**, unless otherwise agreed by the Director-General. Any request to extend the period shall be supported by a Temporary Use Environmental Management Report detailing compliance with the conditions of consent, including environmental impacts and performance

5. Modify C1.2C as follows::

Operational Environmental Management Plan – Port, Maritime and Waterway Related Uses Hayes Dock Services Area ~~Temporary Uses~~

C1.2C The Applicant shall prepare an Operation Environmental Management Plan –Port, Maritime and Waterway Related Uses ~~Temporary Uses~~ prior to the commencement of temporary Port, Maritime and Waterway Related uses on the site....

6. Delete C2.15A

4.1.3 Assessment

The Environmental Impact Statement (EIS) (URS, 2003) for the Port Botany Expansion assessed the proposed use of the northern tip of Hayes Dock as a tug berthing facility, for up to 3 large tugs. In addition, the EIS assessed the operation of 3 other tug berths adjacent to the boat ramp (about 100m to the north of the site). The EIS included an assessment of the potential impact of the tug facility on the subject site and surrounds. The assessment concluded that the operation of the tug berthing facility would not result in significant environmental impacts to the Penrhyn Estuary and surrounding land uses.

Based on the assessment made in the EIS for the tug facility and the existing record of performance of the facility for the last two years, the proposed use (i.e. “port, maritime and waterway related uses”) is considered to be a low impact activity, particularly in relation to the size of the land and potential use. Although similar in nature to the berthing of 3 tug boats assessed in the EIS and approved under DA-494-11-2003i, vessels berthed at the site would typically include smaller commercial vessels such as lines boats, barges and occasionally tugs (e.g. layup of a tug used to carry out seabed levelling works). The impacts associated with these activities would not be greater than the 3 tug boats assessed in the EIS. The assessment undertaken within the EIS is therefore a conservative assessment of the proposed ‘Port, Maritime and Waterway Related Uses’. The permanent berthing arrangement is not anticipated to interfere with any current uses of Brotherson Dock or future construction activities at the port.

NSW Ports is supportive of construction and operational environmental management plans being prepared to manage potential impacts from future construction works and operational activities associated with the temporary and permanent uses of the site. A summary of potential impacts and proposed mitigation measures specific to the proposed Port Related Uses is provided in Table 1.

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Table 1: Summary of Environmental Impacts and Mitigation Measures for Proposed Port, Maritime and Waterway Related Uses

Category	Potential Impact	Assessment and Mitigation
Noise	Potential noise sources include: - Berthing and disembarking of barges, lines boats and tugs - Occasional refuelling of barges, lines boats and tugs - Loading and unloading of gear, equipment and related operations (approximately 3 truck / heavy vehicle per day) - Crew personnel's vehicles accessing the site (approximately 10 light vehicles per day) - Occasional use of plant equipment (generator, etc)	- The site is situated within an existing industrial area in proximity to operating shipping terminals and Sydney Airport. Any potential operational noise is considered negligible in comparison with these existing operations - The site is at least 500 m from sensitive residential use to the north - Noise from the movement of vessels would be limited to engine noise which would be no greater than the approved use as a tug berthing facility and is considered acceptable within the context of the Port location. - The operation of the site does not involve the generation of significant noise. ▪ Mitigation: - Workers' inductions to include noise management awareness. - OEMP(s) prepared under C1.2C address operational noise.
Traffic	Traffic may include the following: - Truck / heavy vehicle movements associated with the delivery / pick up of equipment, gear, refuelling of boats, etc: approximately 6 movements per day on any day - Crew personnel vehicles: up to	- All traffic will continue accessing the site by the dedicated access way along the eastern edge of Hayes Dock as shown in Figure 2 of Appendix A. - The proposed operations will generate very little traffic. Due to the low number of movements, no congestion or access issues are anticipated and hence a standalone traffic management plan is not considered necessary. Onsite

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Category	Potential Impact	Assessment and Mitigation
	approximately 20 movements per day - Vessel movements (subject to shipping requirements and nearby waterway construction activities)	parking arrangements and general vehicle access requirements would be identified in the OEMP. - Vessel movements will be similar to the number of tug movements assessed in the project EIS (URS, 2003). These movements were considered negligible in relation to current vessel activities in Brotherson Dock and at the nearby boat ramp. The destination of most vessels proposed to be moored at the site would service Port Botany or Caltex's facility at Kurnell and therefore the location of this facility is suited for proposed uses.
Water quality /contamination	- Spillage from occasional refuelling of vessels or equipment being used at the site (eg. generator, vehicles) - Spillages of small amounts of dangerous goods being loaded/unloaded	- The potential risk of spillages is very low given the low scale of the operations and the infrequent nature of activities that could potentially cause spillages. - The existing site wharf surface frontage is compacted asphalt and the site access is sealed with sprayed bitumen. Mitigation: - Secondary containment (e.g. double-skinned tanks or bunding) of stored hazardous liquids. - A Spill kit will be available on site during operations. - Staff will be training on spill management. - OEMP(s) prepared under C1.2C include measures to protect water quality and minimise the risk of spillages.

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Category	Potential Impact	Assessment and Mitigation
Air	Potential emissions from the operations include: - Exhaust emissions from vehicle movements, barges and occasionally from equipment that may be used on site (eg. generator)	- Potential impacts on air quality are considered insignificant given the scale and type of operations. ▪ Mitigation: - OEMP(s) prepared under C1.2C address air quality and odour
Waste	Waste generated by the site operations will be minimal, generally limited to general solid waste from the land based crew amenities including food waste and packaging waste (putrescibles and recyclables)	▪ Mitigation: - Secure waste bins will be provided on site for general putrescible waste and recyclables. - OEMP(s) prepared under C1.2C address waste management.
Recreation / Amenity / Visual / Aviation	Amenity impacts on the public boat facility located to the north of Hayes Dock on the Foreshore Visual impacts of lighting	- No amenity impacts are anticipated given the low number of boat movements and nature of the operations. The site is not visible from the nearest residential location and the visual elements of the site are insignificant compared with the developed port areas. - As indicated in Section 2.1.2, the proposed modification does not propose the installation of any new structures above the prescribed airspace or the installation of lighting. Should works be required to support any temporary use of the site, consideration will be given to the requirements of the Airports Act and applicable regulations and standards (e.g. the Civil Aviation Safety Authority Manual of Standards Part 139 – Aerodromes relating to lighting).

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Category	Potential Impact	Assessment and Mitigation
		▪ Mitigation: - OEMP(s) prepared under C1.2C address Amenity and Lighting. - Any temporary structures will comply with the Airports Act and applicable regulations and standards (e.g. the Civil Aviation Safety Authority Manual of Standards Part 139 – Aerodromes relating to lighting)
Risks (DG)	Potential risks associated with small amounts of chemicals (which may fall under the definition of DGs) that could be stored or be loaded/unloaded at the site for maintenance purposes, and with small fuel or LPG storage tanks that may be installed as exempt development under Clauses 11 and 15 of Schedule 1 of the Three Ports SEPP	- The site is not a cargo facility but a small berth and service area for barges, lines boats and tug boats. The loading / unloading of cargo DGs is not proposed. Maintenance activities at the site may involve the use of small amounts of chemicals that could fall within the definition of DGs. - Any use of small amounts of DGs at the site would be infrequent and would comply with the Australian Dangerous Goods Code (NTC, 2016). - The DG risk analysis undertaken in the EIS for the PBE concluded that the risks were acceptable. The storage of small amounts of DGs in accordance with Schedule 1 of the Three Ports SEPP and the occasional load/unload of small amounts of DGs at the site is considered to be insignificant compared with the approved movement and handling of DGs at the stevedores and hence would not change the risk assessment undertaken in the EIS. ▪ Mitigation:

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Category	Potential Impact	Assessment and Mitigation
		- Any fuel storage tank that may be installed as exempt development at the site will comply with Clause 11 of Schedule 1 of the Three Ports SEPP, the Australian Dangerous Goods Code and AS1940-2004. - Any LPG storage tank that may be installed as exempt development at the site will comply with Clause 15 of Schedule 1 of the Three Ports SEPP. - OEMP(s) prepared under C1.2C address hazard and risk management, specifically in relation to the handling or use of chemicals on site.
Sea Level Rise / flooding	As assessed in the EIS (URS, 2003), the site RL is 5m AHD which is above the 1 in 100 year ARI level and the projected sea level rise prediction for 2100.	- No impacts predicted
Security	Unauthorised access to the site	The site is fenced and access is controlled through locked gates.
Flora and fauna	- There is no existing vegetation on the site - The site does not provide a suitable habitat for threatened species - The use of the site will be a continuation of current uses, with no increased impact predicted on the Penrhyn Estuarine habitat	- Potential impacts on Penrhyn Estuarine from a spill are considered insignificant given the low scale of the operations and the infrequent nature of activities that could potentially cause spillages. - The mitigation measures discussed above in 'Water quality /contamination' are considered sufficient to manage the risk of spills and potential impacts on Penrhyn Estuarine.
Heritage	There are no heritage items on site	- No Impacts predicted

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4.2 Administrative Changes to some Conditions of Approval

4.2.1 Proposed Changes and Justification

As discussed in **Section 1.2**, this modification also seeks administrative changes to some conditions of the planning approval, as outlined below and further justified in **Table 2**.

Delete Redundant Conditions of Approval

- CoA B2.27 Port Traffic & Train Noise Management Plan – noting that each port operator has detailed and specific operational traffic and noise management plans and port traffic is now managed in accordance with the Port Botany Landside Improvement Strategy under the responsibility of Transport for NSW.
- CoA B2.28 Rail Noise Working Group – the function of the group has been adequately accommodated in the Port Botany Community Consultative Committee (CCC). Condition C3.2 to be amended to formally include rail noise as an on-going agenda item for each CCC meeting.
- CoA B2.29 Rail Noise Assessment Botany Yard Cooks River – this condition relates to the potential duplication of the freight rail line which is not part of the PBE project. NSW Ports will not be the proponent for the duplication project and, if it proceeds, it will require a separate development approval including a rail noise assessment.
- CoA C4.3 Operational Environmental Representative (ER) – operational environmental compliance is rigorously reviewed through independent auditing and reporting specified by other approval conditions. Roles & responsibilities of the ER are routinely incorporated in each port operator's management team and additional multiple independent (often external) environmental management resources are unnecessary and impractical.

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Amend Conditions of Approval

- CoA C3.2 Community Consultative Committee – As a result of deleting condition B2.28, a new subclause (e) can be added to C3.2 requiring rail noise to be an agenda item for CCC meetings.
- CoA C2.17 Storage & Reporting of Hazardous Goods – dangerous goods are regulated in the Port by the Port Authority of NSW. Data regarding the 'packaging sizes for each class of dangerous goods' is not made available to NSW Ports and its tenants and therefore cannot be reported. All other items of this condition can and are being complied with.
- CoA C3.1 Community Information Complaints Handling - delete requirement to provide quarterly complaints reports to DPE & EPA. Quarterly reporting of complaints is unnecessary with annual complaint reporting required by operator Environmental Protection Licence's and other approval conditions such as the inclusion of the complaints register in the Annual Environmental Management Report. In addition all complaints received at the Port are discussed at each CCC meeting which the EPA attends. The CCC meeting minutes are provided to DP&E once finalised. Complaints in relation to the specific operation of the PBE site are extremely rare with the majority of the quarterly complaints reports specifying no complaints received.
- CoA C4.2 Annual Environmental Management Report – remove requirement for the Director General to 'approve' each report. This is an unnecessary administrative requirement as the reports are made publicly available and reviewed by the independent environmental auditor. This modification requests that the report is 'submitted to the DP&E'.

The requested changes in the conditions above will allow for improved operational and environmental management of the consent as well as efficient compliance reporting.

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CoA Number	Current Wording	Proposed Changes	Justification
B2.27 – Port Traffic and Rail Noise Management Plan	Within two years of commencement of terminal operations at the development, a Port Traffic and Rail Noise Management Plan shall be prepared by the Applicant in consultation with relevant stakeholders, including the Community Consultative Committee, DEC, DOP, Botany Council, SSROC and RailCorp. The Plan shall include consideration for traffic re-routing, traffic clustering and traffic rescheduling.	Delete condition	Port traffic and rail noise management matters have already been addressed as part of SICTL and Patrick's Operational Environmental Management Plans, approved by the DP&E in accordance with C1.3. These Plans have addressed the following matters and have been prepared in consultation with the relevant stakeholders including the Port Botany Community Consultative Committee (CCC): • Identification of preferred truck routes to minimise noise impacts on the surrounding community; • Physical and operational measures (including signage) to mitigate noise impacts from vehicles accessing and leaving the terminal; • Measures to limit the impact of traffic noise on Foreshore Road and Botany Road; • Driver education and information to promote driver habits to minimise noise; • Timetabling, scheduling and details of vehicle booking systems;

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CoA Number	Current Wording	Proposed Changes	Justification
			Identified the risk of noise from rail and implemented mitigation measures to assist in reducing noise levels. It should be noted that since the PBE project was approved, legislation has been introduced to manage port traffic at Port Botany. The Port Botany Landside Improvement Strategy was established under Part 3 of the <i>Ports and Maritime Administration Regulation 2012</i>. The Port Botany Landside Improvement Strategy team from Transport for NSW has the responsibility for traffic monitoring and scheduling within the port precinct. All port tenants must comply with the Port Botany Landside Operations Mandatory standards in connection with the provision of truck servicing by stevedores at Port Botany under Part 3 of the <i>Ports and Maritime Administration Regulation 2012</i>. Both the Patrick and SICTL sites are licenced by the EPA (Environment Protection Licence (EPL) numbers 6962 and 20322 respectively). EPA representatives have visited both sites to discuss reducing potential sources of noise – including from rail operations. Both

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CoA Number	Current Wording	Proposed Changes	Justification
			EPLs require the operators to comply with noise criteria and to monitor and report noise. Given the above, NSW Ports is of the opinion that the matters to be addressed in condition B2.27 have already been adequately addressed. Hence the preparation of the Port Traffic and Rail Noise Management Plan would be a duplicate of existing management plans and processes currently in place to manage port traffic and rail noise.
B2.28 – Rail Noise Working Group	While expansion will generate an increase of trains on freight rail lines, the manager of the freight line RailCorp is subject to an Environment Protection licence with the EPA. The Applicant must establish a Rail Noise Working Group prior to the operation of the development. The Rail Noise Working Group shall address all associated rail noise issues and shall include but not be limited to RailCorp, ARTC, SPC, DOP, relevant councils and representatives of Community Consultative Committee and is required to consult with relevant regulatory authorities including DEC.	Delete condition and amend condition B3.2 to add a new subclause (e) which requires rail noise within PBE site to be discussed.	An initial RNWG meeting was held on 2 May 2014 where it was agreed that a separate Group to deal with rail noise was not required. A recommendation from the meeting was for a standing agenda item to be included on the Community Consultative Committee quarterly meeting agenda to discuss any matters relating to port rail noise from the PBE site (refer to minutes provide in Appendix B). This has been occurring to date, with rail noise being an item on the CCC agenda. DP&E were in attendance at the first RNWG meeting and were supportive of this condition being deleted.

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CoA Number	Current Wording	Proposed Changes	Justification
			The PB CCC meeting of the 20 May 2014, discussed the use of the PB CCC as the consultation mechanism for rail noise instead of having a separate group. PB CCC meeting minutes since May 2014 all include PBE rail noise as an item for discussion as indicated above. PB CCC minutes are available at: http://www.nswportsbotany.com.au/community/port-botany-community-consultative-committee/
B2.29 – Rail noise assessment – Botany Yard – Cooks River	Prior to construction of Stage 4 – rail duplicated line, a noise assessment should be conducted by the Rail Noise Working Group to identify potential impacts on residents along duplicated line and to recommend mitigation measures, including identification of responsibility for implementation of such measures.	Delete condition	The duplication of the rail line was not approved as part of the PBE development approval. A separate development approval will be required for the duplication of the rail line, which is likely to be undertaken by ARTC. It is assumed that the proponent for the rail duplication project will be required to undertake a noise assessment and hence that there would be opportunity to review the assessment at that point in time by all stakeholders. NSW Ports is of the opinion that it is not appropriate for the RNWG (or other groups formed under the PBE planning approval) to prepare such an assessment. This view was acknowledged by the DP&E representatives that attended the RNWG meeting on 2 May 2014 (refer meeting minutes).

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CoA Number	Current Wording	Proposed Changes	Justification
C2.17 – Storage and Handling of Dangerous Goods	The Applicant shall ensure that the throughput of dangerous goods of each Class and the unit size shall not exceed those listed in table 6.8 of the Preliminary Hazard Analysis (Revision 7, June 2004) and is required to submit periodic reports to the Director-General detailing information on the actual tonnages, numbers of TEUs and package sizes for each class of dangerous goods handled in the previous five years for all port terminals.	Amend condition to remove the requirement to report on the “package sizes for each class of dangerous goods”.	The Port Botany stevedores and NSW Ports are unable to obtain package sizes of each class of dangerous goods (DGs) passing through the port. The Port Authority of NSW are the authorised and responsible body for receiving and approving documentation in relation to DG in the Port Botany area (which is reported directly by the Ships to the Port Authority under the Port Authority of NSW web-based reporting system known as SHIPS). The Port Authority of NSW has informed the stevedores that they will not issue this level of detail to the stevedores companies. Records can be obtained by the stevedores of dangerous goods being carried on each vessel and whether those dangerous goods are being imported, exported or in transit (i.e. remaining on the vessel). In addition, there are systems in place for Patrick and SICTL to know the total quantity of DGs in each shipping container and the DG class within it, but not the package sizes for each class of DGs.

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CoA Number	Current Wording	Proposed Changes	Justification
C3.1 – Community information complaints handling	The Applicant must meet the following requirements in relation to community consultation and complaints management: - all monitoring, management and reporting documents required under the development consent shall be made publicly available; - provide means by which public comments, inquiries and complaints can be received, and ensure that those means are adequately publicised; and - includes details of a register to be kept of all comments, inquiries and complaints received by the above means, including the following register fields: - the date and time, where relevant, of the comment, inquiry or complaint; - the means by which the comment, inquiry or complaint was made (telephone, fax, mail, email or in person); - any personal details of the commenter, inquirer or complainant that were provided, or if no details were provided, a note to that effect; - the	Amend the condition to remove the requirement to “provide quarterly reports to the DP&E and DEC where relevant, outlining details of complaints received”.	Complaints registers and methods of communication have been established as per the condition. Complaints are reported in the Annual Environmental Management Reports (AEMR) prepared by the operators under Condition C4.2 and submitted to DP&E annually. Complaints Registers can also be made available upon request. Complaints are also reported to the EPA by the operator in the annual returns prepared under their respective Environmental Protection Licences (EPLs 6962 and 20322). Complaints are also reported at each CCC meeting and recorded in the minutes which are also provided to DP&E. It is also noted that the majority of port complaints are not able to be attributed to a defined premises – therefore it is difficult to determine whether a complaint relates to the land covered by this approval. Given the high frequency of the requirement of these reports and the extremely low frequency of complaints attributable to the Port Botany Expansion – the majority of the reports do not contain complaint details and are therefore submitted to DP&E for administrative purposes only.

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CoA Number	Current Wording	Proposed Changes	Justification
	nature of the complaint; - any action(s) taken by the Applicant in relation to the comment, inquiry or complaint, including any follow-up contact with the commenter, inquirer or complainant; and - if no action was taken by the Applicant in relation to the comment, inquiry or complaint, the reason(s) why no action was taken. Provide quarterly reports to the Department and DEC, where relevant, outlining details of complaints received.		Quarterly reporting of complaints is considered unnecessary with annual complaint reporting to the DP&E and the EPA occurring under C4.2 and the EPLs.
C3.2 – Community Consultative Committee (CCC)	Within 6 months of this consent or prior to the commencement of construction, whichever is earlier, the Applicant shall establish a CCC to oversee the environmental performance of the development. This committee shall: (a) Be comprised of - 2 representatives from the Applicant, including the person responsible for environmental management - 1 representative of Botany Bay City Council; and	Include new clause (e) requiring rail noise within the PBE site to be a standing agenda item for each CCC meeting	Refer to B2.28

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CoA Number	Current Wording	Proposed Changes	Justification
	- At least 3 representatives from the local community (b) Be chaired by an independent party approved by the Director-General (c) Meet at least four times a year, or as otherwise agreed by the CCC (d) Review and provide advice on the environmental performance of the development, including any construction or environmental management plans, monitoring results, audit reports, or complaints <i>Note: The Applicant may, with the approval of the Director-General, combine the function of this CCC with the function of other Community Consultative mechanisms the area, however, if it does this it must ensure that the above obligations are fully met in the combined process</i>		
C4.2 – Annual Environmental Management Report (AEMR)	The Applicant must prepare an Annual Environmental Management Report for the development. The Annual Environmental Management Report must: - detail compliance with the conditions of this consent;	Remove reference to approval by the Director-General and change it to submission to the Department of	Construction AEMR's have been provided to DP&E for a number of years. The first AEMR for operations for both operators have been submitted and comments from DP&E were minimal. NSW Ports proposes to continue to submit the reports to DP&E, but removing the requirement for Secretary approval will help

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CoA Number	Current Wording	Proposed Changes	Justification
	- contain a copy of the Complaints Register (for the preceding twelve-month period, exclusive of personal details) and details of how these complaints were addressed and resolved; - include a comparison of the environmental impacts and performance predicted in the EIS and additional information documents provided to the Department and Commission of Inquiry; - detail results of all environmental monitoring required under the development consent and other approvals, including interpretations and discussion by a suitably qualified person; - contain a list of all occasions in the preceding twelve-month period when environmental performance goals have not been achieved, indicating the reason for failure to meet the goals and	Planning and Environment.	streamline the process. The AEMRs are also made publically available and are subject to independent review by the environmental auditors.

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CoA Number	Current Wording	Proposed Changes	Justification
	the action taken to prevent recurrence of that type of incident; - be prepared within twelve months of the commencement of operation, and every twelve months thereafter; - be approved by the Director-General each year; and - be made available for public inspection.		
C4.3 Environmental Representative	– Prior to the commencement of operations, a suitably qualified and experienced Environmental Representative(s) shall be nominated to and approved by the Director-General. The Environmental Representative(s) shall be employed for the duration of operations, or as otherwise agreed by the Director-General. The Environmental Representative shall be: - the primary contact point in relation to the environmental performance of the terminal operations; - responsible for all Management Plans and Monitoring Programs required under this consent, in relation to the terminal operations;	Delete condition this	The terminal operators at PBE are subject to a number of regulatory and compliance pathways that ensure approval and environmental obligations are upheld, including: - Annual Environmental Management Reports - Annual Independent Environmental Audits - Environment Protection Licences - Lease requirements administered by NSW Ports. As has been demonstrated through these pathways, both terminals are operating in compliance and with good environmental performance records.

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CoA Number	Current Wording	Proposed Changes	Justification
	- responsible for considering and advising on matters specified in the conditions of this consent, and all other licences and approvals relating to the environmental performance and impacts of the terminal operations; - responsible for the management of procedures and practices for receiving and responding to complaints and inquiries in relation to the environmental performance of the terminal operations; - required to facilitate an induction and training program for relevant persons involved with the terminal operations; and given the authority and independence to require reasonable steps be taken to avoid or minimise unintended or adverse environmental impacts, and failing the effectiveness of such steps, to direct that relevant actions be ceased immediately should an adverse impact on the environment be likely to occur.		The responsibilities for these obligations are often shared amongst a number of staff on the terminal, with all relevant environmental staff involved in the development of OEMPs. It is difficult for the terminal operators to be able to nominate an ER who has the desired level of independence (i.e. would need to be an external consultant) and who would then be able to carry out the remaining functions – i.e. responding to complaints/ enquiries, primary point of contact, inductions and training etc. Given the condition is for an indeterminate amount of time, hiring a consultant to fulfil this role is not efficient over the long term.

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5.0 Conclusion and Recommendations

It is concluded that the proposed permanent and temporary uses at the Hayes Dock Services Area (defined in this document as “Port, Maritime and Waterway Related Uses”) is substantially the same use as the Temporary Uses approved under Mod 14, and would have minimal environmental impact. Temporary uses have been proved to pose minor environmental risk and have not resulted in any environmental impacts, incidents or community complaints for the last two years. There is a need to continue these operations at the port and the Hayes Dock Services Area provides the necessary facilities for these services and is well placed in close proximity to port and maritime facilities.

Any potential environmental risks associated with the proposed Port, Maritime and Waterway Related Uses can be easily managed with the implementation of an Operational Environmental Management Plan (OEMP). The OEMP would identify the types of activities that are likely to be undertaken and is proposed to address the environmental aspects currently identified in condition C1.2C as well as the mitigation measures in Table 1 of this assessment report.

This modification also seeks to delete and modify some conditions of approval to allow for improved operational and environmental management of the consent as well as compliance reporting. These changes are considered administrative in nature and will not result in additional environmental impacts.

It is therefore recommended that the proposed Section 75W modification be approved in accordance with this submission.

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6.0 References

National Transport Commission (NTC), Commonwealth of Australia (2016). Australian Code for the Transport of Dangerous Goods by Road and Rail

Qest Consulting (June 2004). Port Botany Expansion Preliminary Hazard Analysis. Prepared for Sydney Ports Corporation. Rev 7.

Sydney Ports (January 2013). Hayes Dock – Port Botany. Port Botany Expansion – Section 75W Modification 14 to DA-494-11-2003i for Temporary Uses at northern tip of Hayes Dock

URS (2003) *Port Botany Expansion Environmental Impact Statement*, prepared for Sydney Ports Corporation



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Appendix A: Figures and Photos

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Figure 1: Subject site – Hayes Dock Services Area



Figure 2: Site Access

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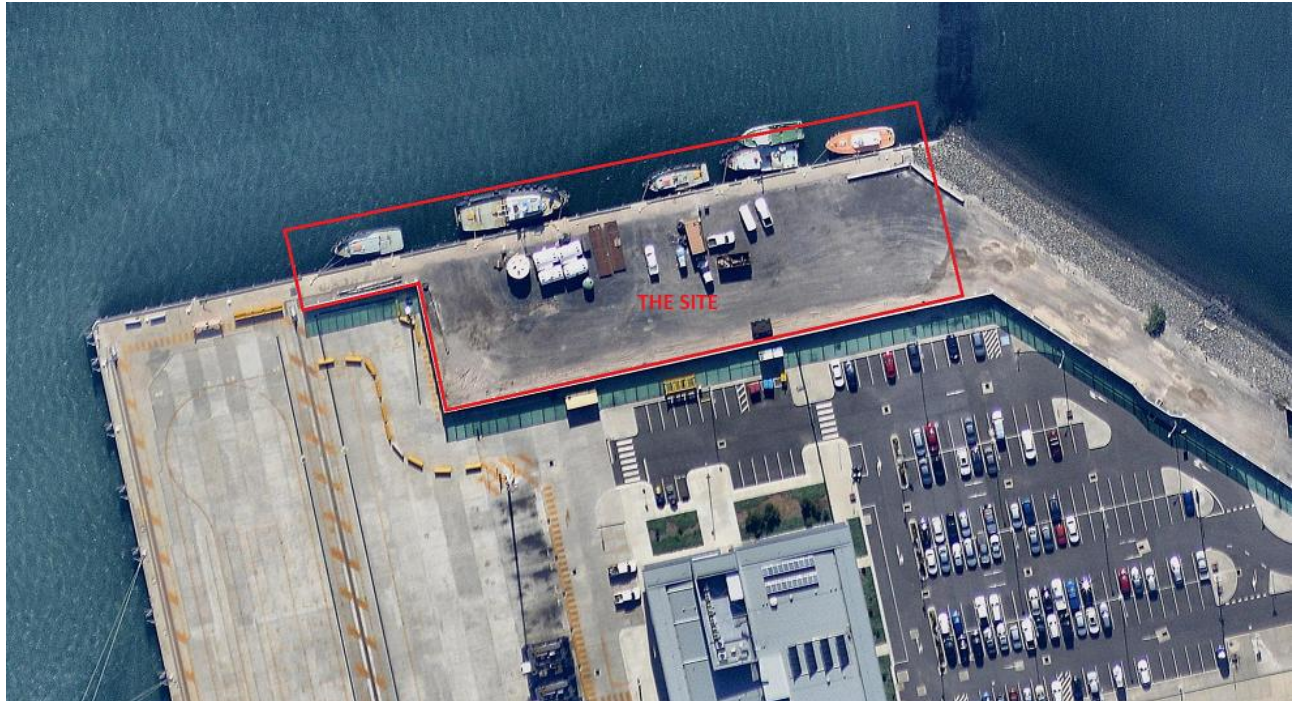


Figure 3: Aerial View of the Hayes Dock Services Area operating site

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Plate 1: View of site from Boat Ramp area, with SICTL's stevedores in the background



Plate 2: Site wharf



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Appendix B: Minutes of PBE Rail Noise Working Group Meeting 1

Meeting: Port Botany Expansion (PBE) Rail Noise Working Group (RNWG) – Meeting No.1

Held: Friday 2 May 2014, 11am – 12 noon
Brotherson House, Port Botany

Attendees:	Organisation
Lisa Mitchell (LM) Jeff Parnell (JP)	NSW Planning & Environment
Susan Kay (SK) Michael Walsh (MW)	ARTC
Radek Kochanowski (RK)	Sydney Trains
Janice Dennany (JD)	Randwick City Council
Nicholas Narbey (NN)	Botany Bay Council
Mark Ferson (MF)	NSW Public Health Unit
Lynda Newnam (LN)	Community Representative
John Vladamis (JV) John Ieroklis (JI)	SICTL
Shane Hobday (SH) Paul Jerogin (PJ) Daniela Vujic (DV)	NSW Ports

Apologies: John Burgess (Community Representative); Peter Bragg (Sydney Trains)

Meeting Chair: Shane Hobday

Minute Taker: Daniela Vujic

Item	Description	Action & Responsibility
1	Apologies and introductions Attendees introduced themselves.	
2	PBE Project Overview PJ provided an overview of the PBE project as follows: 60 hectares of land was reclaimed which included the construction of 5 new container berths, a new rail siding, road infrastructure improvements and foreshore improvement works. - Construction of terminal footprint infrastructure commenced in 2008 and was completed in mid-2011. Construction of terminal operation infrastructure commenced in September 2012. Both Patrick and SICTL are developing terminal infrastructure on the PBE. - SICTL commenced operations of the new container facility on 6 November 2013. Rail works should be completed in the coming weeks with operation of the rail line due to commence in mid 2014.	Note
3	Condition of consent and scope of RNWG PJ stated that CoA B2.28 of the PBE development approval requires a Rail Noise Working Group (RNWG) to be formed. CoA B2.27 requires a Port Traffic and Rail Noise Management Plan to	Note

	be prepared within two years of the commencement of terminal operations (i.e. before 6 November 2015) in consultation with a number of relevant stakeholders including the Community Consultative Committee (CCC). The Plan would include matters regarding rail noise. The CCC is a requirement of the PBE approval, both for construction and operation of the development, under CoA's B3.2, B3.3, C3.2 and C3.3 and meets four times a year. PJ also mentioned that the EPA has convened a working group to address noise from the Port Botany precinct. NSW Ports and a number of attendees of the RNWG also attend the EPA chaired meetings. DV advised that the EPA working group is currently considering the preparation of a Noise Strategy for Port Botany and the scope and implications of the Strategy. LN stated that there are no community representatives on this working group being chaired by the EPA. PJ confirmed that the terminal operators of the PBE site are required to prepare operational management plans (including a noise management plan) and for SICTL this includes operation of the new rail siding. A plan was tabled at the meeting identifying the new PBE rail siding / spur (attached). SH advised that NSW Ports was of the opinion that CoA B2.28 only applied to the new PBE rail siding. JP questioned why NSW Ports formed that view and that the condition should apply outside the Port. SH advised that the rail line outside the Port precinct was managed by ARTC under an Environmental Protection Licence (EPL) and that it wasn't appropriate for the RNWG to consider noise issues which are being managed under another environmental management framework.	
4	Purpose of the RNWG / Draft Terms of Reference The draft Terms of Reference prepared by NSW Ports were tabled and discussed briefly (attached). DV questioned the need for the RNWG to continue to meet given the existing noise management forums that have been established to address noise matters, including rail. Such forums, including the CCC were not in place at the time that the PBE project conditions were drafted and therefore NSW Ports is of the view that the RNWG would be duplicating discussions already being held to date. SH confirmed that the majority of RNWG members already reside on the EPA noise working group and that community representatives are informed and updated of the group's progress at the CCC meetings. LN raised concerns that the community was being excluded from participating in the development of the noise strategy for Port Botany and suggested that CoA B2.28 be replaced with a reference to the EPA working group. LM commented that the Department would be open to considering consolidating discussions relating to PBE rail noise if there are other groups / forums more broadly looking at port noise issues. However, the Department would be concerned if there was no backing in place to the role of the group/issue, such as the consent currently provides. DV responded that it was unlikely that the EPA working group would continue once a Port Botany noise strategy was developed to manage noise from the precinct. If developed, the relevant stakeholders would be responsible for implementing the relevant actions of the strategy. This could also link in with the management plan required under CoA B2.27. Notwithstanding this, DV confirmed that there is a statutory	

	requirement for the CCC to be in place and NSW Ports could ensure that an agenda item of the CCC meetings include the PBE rail line and a noise discussion relating to this matter. Attendees were requested to advise if they thought there was any value in continuing to hold the RNWG and meeting in the future. The vast majority of attendees agreed that the PBE rail noise matters could be addressed in the EPA working group and CCC forum. MF commented that there needed to be a forum for the community to raise concerns regarding noise. SICTL advised that they were happy to continue to meet to update members regarding their rail operations and would do this at the CCC. SH advised that NSW Ports would write to the Department of Planning & Environment advising them of the following: • That a meeting of the RNWG had been convened • Members of the group generally agreed that the matters to be discussed at future RNWG meetings could be consolidated into other existing forums (i.e. the CCC and the EPA working group meetings). No further meetings will be held.	NSW Ports
5	Meeting frequency Confirmed no further meetings would be held.	Note
6	Other matters JD raised whether it was appropriate for CoA B2.29 to require the RNWG to undertake a noise assessment for the Botany Rail Line duplication works. MW stated the rail duplication project is unlikely to occur in the next 10 years. DV noted that as part of the rail duplication project, ARTC would need to undertake an environmental assessment which considered noise impacts and therefore the implementation of CoA B2.29 would be a duplication of process. LM commented that SPC/NSW Ports may wish to consider amendment to the condition as it is the role of the proponent undertaking the rail duplication project to prepare such an assessment and not that of a working group established in a consent. DV recommended that this condition be deleted as part of any future modification to the PBE approval. There was no objection from any of the RNWG members.	NSW Ports to seek an amendment to the PBE approval to delete CoA B2.29 given a noise assessment would be undertaken by the proponent carrying out the rail duplication works.

Meeting Concluded: 11:50am

Meeting minutes circulated to all attendees, apologies and TfNSW.



PORT BOTANY EXPANSION MOD APPLICATION 16

**PERMANENT USES HAYES DOCK SERVICES AREA AND ADMINISTRATIVE
CHANGES TO SOME CONDITIONS**

Appendix C: Minutes of Port Botany Community Consultative Committee – 30 August 2016 meeting

Meeting: Port Botany Community Consultative Committee – Meeting No. 12

Held: Tuesday 30 August 2016, 5.30pm-7.30pm
SICTL Training Room, 1 Sirius Road Botany

Present:

Charles Abela (CA) – Community	Luke Frawley (LF) – DP World
John Burgess (JB) – Community	Marie Gibbs (MG) – Patricks Stevedores
Bronwyn Englaro (BE) – Randwick Council	Michael Martin (MM) – Vopak
Steve Poulton (SP) – Botany City Council	Aldo Costabile (AC) – Elgas Limited
Nick Moncrieff-Hill (NM) – Electorate Offices for Member for Kingsford Smith	Jos Kusters (JK) – Caltex
James Goodwin (JG) – EPA representative	Gary McKay (GM) – Caltex
Ryan Bennett (RB) – Port Authority of NSW	Blair Moses (BM) – SICTL Stevedores
Paul Britt (PB) – Port Authority of NSW	Seine Abe-Weatherhead – Vopak
Roberta Ryan (RR) – Chairperson	Alison Wedgwood (AW) – NSW Ports
Sandra Spate (SS) – Minute taker	Daniela Vujic (DV) – NSW Ports
	Wayne Ashton (WA) – NSW Ports

Apologies: Paul Pickering – Community, Lynda Newnam – Community, Mal Jagdev-Irrich – Community, Trevor Brown – NSW Ports, Mark Walker – Qenos, Adem Long – NSW Ports, Andrew Battye – SafeWork NSW, Catherine McMahon – Botany City Council, Laura Ansted – EPA representative, Brent Geeves – Terminals Pty Ltd, Matthew Wright – Botany LAC, Shane Halliday – Botany LAC, Janice Dennany – Randwick Council

Item	Description	Action/Responsibility
1	Apologies and Introductions Apologies are as recorded above.	
2	Accept minutes of last meeting Acceptance of the minutes from May 2016 was moved by JB and seconded by AC. The minutes were accepted.	
3	Actions arising from previous minutes	
3.1	(Arising from Action 3.2 August 2015) NSW Ports to provide SP with the name of the RMS contact. SP to follow up RMS's response regarding the Foreshore Road verge. SP has followed up with RMS on conditions of verges. AW reported a response from RMS contractors that they maintain a certain area of roadside verge and areas of disrepair may be outside this scope. SP has tried to ascertain what the areas are and to meet with RMS Asset Manager. He is yet to receive a response. He contacted RMS on June 6 and followed up with an email today. SP will continue to follow the matter up and update the CCC when there is something to report.	
3.2	Action 10.2 December 2015. Port Authority of NSW to consider whether to extend seagrass monitoring in light of groyne construction. RR reported a letter was sent to Brad Milner and an acknowledgement has been received. Discussions will continue with PAoNSW. The Chair will follow this up. RB noted Port Authority is considering the request but can't provide an answer at this stage. An update will be provided at the next meeting.	Request to consider the extension to the seagrass monitoring in light of the groyne construction.

		RR to follow up with Brad Milner PAoNSW for a response.
3.3	The Chair to send a formal request from the CCC to PAoNSW for the extension of seagrass monitoring. This was done. The action is closed.	
3.4	Action 5.3 March 2016. The CCC formally requests Port Authority of NSW extend seagrass monitoring beyond 2017 to assess impacts of construction of groynes on Foreshore Beach. JB asked whether Fisheries NSW was consulted around requirements for seagrass monitoring and groyne construction. RB confirmed a permit was received from Fisheries for groyne construction.	
3.5	Action 9.3 March 2016. A letter to be drafted from the CCC to the Minister for Planning around strategic noise monitoring, buffer zones and the need for State Government Planning buy in. AW reported a letter to the Minister for Planning has been forwarded on behalf of the CCC and a response received from the Minister (both letters attached to minutes). The response from DPE outlined that they were unable to make any commitments in regards to these issues at this time and recognised they are complex issues with multiple parties needing to come together. The letter suggests the role of the Greater Sydney Commission offers opportunity to input into issues that may affect residents around the Port. DV reported the Greater Sydney Commission anticipates the release of draft district plans later this year. The Central District Plan is the relevant plan for this area and for Port Botany. NSW Ports hopes the Central District Plan will address these complex land use issues around Port Botany. DV noted the Plan for Growing Sydney has a commitment to protect Port Botany and strategically important industrial zoned land in and near Port Botany. She suggests waiting to see if and how the Central District Plan addresses issues raised.	
3.7	Action 4.2 May 2016. TN will take on notice and respond to the issue of the bird hide being closed during the day on April 10. A response from Port Authority of NSW was provided to the CCC community reps on 3 June. RB reported the gate wasn't locked but positioning of a padlock made it look as though it was. The lock is now moved to a different position to avoid this in the future. AW noted the gate should be closed but not locked. The action is closed.	
3.8	Action 7.2 May 2016. RR to be in touch with the Commissioner for the Central District outlining noise concerns and inviting them to attend a CCC meeting. RR reported she has been in touch with the Commissioner but is yet to receive a response. She understands we are not inviting the Commissioner to attend a CCC meeting but to seeking a meeting with a smaller group of interested CCC members. DV suggested that because of time pressures it may be preferable to organise a separate meeting with those interested.	RR to follow up on organising a meeting with the Commissioner and invite interested parties.
3.9	Action 7.3 May 2016. TB to discuss a 24 hour noise number with tenants and bring a response to the next CCC meeting. AW provided a response from TB. Discussions have been held with the three stevedores on this matter. It would be difficult to reach appropriate operational staff 24/7 within the port who would be able to act on and investigate the source of a complaint which are generally non-specific in nature. NSW Ports will continue to keep working with tenants around noise issues but at this stage a 24 hour complaints line is not feasible. Noise complaints to NSW Ports have been down over the recent period.	

	If there is a complaint she urges people to call and leave detailed information on the after-hours message service. It will be investigated as soon as possible the following work day. WA asked people to leave as much information as possible as NSW Ports records wind direction and speed at the time of complaints and can check against possible locations. CA asked whether noise levels are recorded. If not how can complaints be investigated? WA replied noise levels aren't recorded at this time. NSW Ports looks at the nature of the complaint and wind direction and then speak with their tenants to try and identify the source. AW said with a specific type of noise such as an alarm NSW Ports can ring around and asked whether tenants have undertaken an activity which may have resulted in a complaint at a specific time. General complaints about a noisy port are more difficult to identify.	
3.10	Action 9.2 May 2016. RR to draft a letter of thanks on behalf of the CCC to Ross Salter. A letter of thanks was sent to Ross. The action is closed. (This is attached to the minutes.)	
3.11	Action 9.3 May 2016. CM to respond to NSW Ports on status of a risk study for Denison Street. AW noted an email from CM indicating Botany Council has undertaken a review of current risk-related planning controls in the area around Denison Street. This will be considered by Council on 7th September at its next Development Committee meeting. The document will be available on the Council website when the business paper for the meeting is made public. There will be formal notification of the risk study to people in the area and relevant stakeholders after 7th September. The action is closed.	
3.12	Action 9.3 May 2016. CM to respond as to whether the 20-lot commercial subdivisions was approved by Botany Council. AW reported a note was added to the minutes of the last meeting indicating approval was by the Land and Environment Court. The action is closed.	
3.13	Action 11.5 May 2016. DV to provide a link to the Department of Planning's website This link was provided to the CCC on 3rd June. The action is closed.	
4	Port Botany community assets - Updates on Foreshore Beach groynes design and project - Update on Penrhyn Estuary	
4.1	- Updates on Foreshore Beach groynes design and project PB reported the contract has been let and contractors have been on site for two weeks?. Sheet piling has been driven and is half completed. They will extend further into the water. There are day and night markers. Construction of rock groynes was commenced yesterday at the Livingstone end. This will be followed by the Chelmsford end then the middle. There have been no safety issues related to the construction site and no complaints registered with the Port Authority or Council. Work is scheduled to be complete by mid-December, weather permitting. RB reported contractors will be working normal week day hours on Saturday. PB noted the ability to extend hours under conditions of consent. Work has to follow tides for safety reasons so Port Authority is allowing work on Saturdays and Sundays with noise controls in place as per consent for the port.	
4.2	- Update on Penrhyn Estuary RB reported Penrhyn Estuary annual reports are currently being reviewed by the Port Authority and are expected to be finalised and placed on the website shortly. The CCC will be notified when they are	

	available. They contain results of the unscheduled seagrass monitoring undertaken prior to groyne construction. JB asked whether the report makes reference to the Orica fish study in Botany Bay undertaken by the EPA. RB replied it didn't reference the fish study. Port Authority allowed use of the area for the study.	
5	Port Botany Expansion Operational Update - SICTL including stockpile update - Patrick	
5.1	BM reported all expansion is on hold except the stockpile. SICTL is still waiting for approval to move the stockpile. JB asked if the possibility of using the stockpile for the groynes and beach restoration had been explored with the Port Authority. It seems ridiculous to transport sand in while the stockpile is there and will eventually need to be transported off site for removal. BM replied if they gain approval to use it SICTL will make enquiries. They can't currently do anything with it. PB noted Port Authority is aware of the option which it ranks ahead of the option to import sand.	
5.2	RB thanked SICTL and NSW Ports for work to remove an osprey nest from the top of a light pole. The Port Authority's avian expert suggested the presence of the predatory birds may contribute to the absence of smaller target migratory and shore birds in the estuary. Approval was granted by NSW Parks and Wildlife to remove it. AW reported the nest material was there from a couple of years ago when the ospreys were inhabiting the nest. There was no evidence that the birds has actually nested there this season. It was recommended that material be removed to discourage them from potentially using it again. She thanked SICTL for undertaking the maintenance work to remove the material. She asked Patrick to be aware of the potential issue in case birds try to nest on their site as well. BM reported a maintenance plan exists to ensure the nest doesn't return. This will hopefully assist in encouraging the migratory birds back.	
5.3	- Patrick MG reported Patrick has been purchased by a joint venture of Qube and Brookfield and is no longer owned by Asciano. As they are going through a transition period there is no other update on plans. Secondly, Patrick recently sold their share in ACFS trucks so no longer own trucks. Some trucks may not yet have been rebranded. There may be an opportunity to involve ACFS in CCC meetings.	AW to speak to ACFS regarding the possibility of sending a representative to CCC meetings.
6	Development activities in the Port - NSW Ports developments - La Perouse to Kurnell Ferry Wharves Feasibility Study Submission - Tenant developments	
	<u>NSW Ports developments</u>	
6.1	DV reported on two developments. The first is another maintenance dredging campaign at Brotherson Dock with bed levelling starting in November and expected to finish before Christmas. Dredging of up to a depth of 15.7 metres is regarded as maintenance. NSW Ports is aiming for a minimum depth of 15.4m with shallower depths in berth boxes (approximately 14.7m). It is going through assessment now. The second is a proposed modification to the Port Botany Expansion (PBE) planning approval which covers the SICTL area, the Patrick knuckle area and the Hayes Dock area which currently has approval for a tug facility. The PBE Approval was previously modified to allow for	NSW Ports to advise the CCC when the PBE modification application is on public exhibition

	temporary uses such as work barges for the groyne construction works and lines boats for Port Botany and Kurnell Caltex shipping operations. At present the approval for the temporary uses is for two years. The modification seeks to extend this with no specific time limit for these types of port and maritime / waterway related uses until there is a need to develop the tug facility. In addition NSW Ports wants to delete the condition for a separate rail noise working group to avoid duplication as it continues to be discussed in this forum and the requirement to send quarterly PBE complaints reports to DPE is also unwarranted. Complaints are tabled here in meeting minutes and also in annual reports, which are both submitted to the Department of Planning. NSW Ports are also seeking an amendment to a dangerous goods reporting requirement that requires reporting on the package size of dangerous goods. This information is only held by the Port Authority with the shipping lines providing this information directly to them. The stevedores are only advised the total quantity of dangerous goods in each container. Hence an amendment is proposed to the planning conditions to allow the stevedores to report on the information they have access to. The intention is to tidy up and remove some other administrative burdens within the planning conditions. It is anticipated that the proposed modification application will be submitted to DPE at the end of September. NSW Ports will keep the CCC informed as to when they are accepted and on exhibition.	
6.2	JB reported an issue – however it is not related to what NSW Ports is doing. Government money was made available out of the Port sale for Fisheries to construct a platform/jetty next to the sea wall at the boat ramp as a fishing access facility and evacuation jetty for emergencies. This is progressing too slowly and JB feels Fisheries reluctance may be based on EPA concerns over contamination issues affecting the estuary. He is concerned that if it doesn't progress money may end up being returned to Treasury. DV hasn't had any information on this. She suggested progressing this at a ministerial level. AW suggested talking to Port Authority of NSW as well as this would relate to land managed by the Port Authority.	
6.3	- La Perouse to Kurnell Ferry Wharves Feasibility Study Submission AW noted the link to the Feasibility Study was forwarded to CCC members. DV reported submissions have closed. NSW Ports' main concern with the draft study was the potential interface with ferries and associated recreational vessels crossing the Botany Bay shipping channels. NSW Ports is of the opinion that priority should be given to commercial ships associated with the port. JB reported his organisations' concerns is the proposal for a ferry terminal/ berthing facility to be located near the original designated tug berthing area together with a jetty to service other commercial boating activities such as whale watching and eco diving. Additional visitor patronage would exacerbate what is already a critical shortage of parking space at the Foreshore Rd boat ramp. DV suggested the boat ramp is not a likely location. If it were proposed for the area i.e. opposite Hayes Dock, it should not be allowed to impact on the future tug facility or other port facilities and operations. JB stated that if on the northern side of Penrhyn Estuary it would create additional parking pressure at the boat ramp. He noted the community is split with a range of views on the whole project. BE reported Randwick Council have lodged a submission. Council is generally supportive because of cultural links between La Perouse and	

	Kurnell Aboriginal people as well as potential tourism benefits to the area. She noted if it progresses an Environmental Assessment would have to be undertaken. DV suggested Transport for NSW may still consider late submissions. She suggested there would have to be a business case to justify costs associated with the development, that is construction and operational costs. JB suggested if the service was limited to just a run between La Perouse and Kurnell, viability would be doubtful. If a commuter type service and other tourist activities were added this would improve viability prospects but would require a larger fleet. CA said study identified the preferred option was the location at La Perouse but the main issue is parking. By 11 am there is no parking. An extra 82 spaces would fill up with beach goers in 15 minutes. It is the closest beach for people using the M5 and there is a stream of cars on Sunday travelling round the loop and not finding parking. The previous service was to service tankers. When the port was built the ferry stopped. The other issue is a small vessel pitching in the swell on the return journey. JB suggested a potential location is at Yarra Bay at the back of the cemetery but this is a long walk from La Perouse. BE noted talk of extending the light rail to La Perouse.	
6.4	Regarding communications about work on high voltage power cables under the bay JB said community members knew nothing of it till they read of it in the local paper. He was surprised there hadn't been consultation with NSW Ports. DV replied it had just gone on exhibition when our last meeting was held. NSW Ports and Port Authority of NSW were consulted with during the preparation of the environmental assessment. AW said it was noted that the modification did not propose any works or additional dredging but was more a correction to what had been constructed. JB raised a reference in the project documentation for the potential need to widen the shipping channel by 200m to the south. He asked how that could be achieved. Cables can't be placed lower than they are currently without cutting into the sandstone. DV replied there isn't a need currently to deepen or widen the shipping channel. If and when it arises impacts will be looked at. We know the depth of the cable and therefore will need to consider how to accommodate for the larger vessels.	
6.5	<u>Elgas</u> AC reported no new developments.	
6.6	<u>Vopak</u> MM reported a DA is being prepared for an awning on the side of their main office building. The DA will be submitted to DPE for assessment. The other Section 75W application for their B1-3 site is still under internal review. Vopak has submitted responses on the B4 expansion draft conditions of consent to DPE and is currently awaiting a determination for this project.	
6.7	<u>Caltex</u> GM reported the new fire system is complete and in the commissioning phase. There are no new planned developments. JB asked if there are implications due to part of the Kurnell site being declared a contaminated site. JK replied there are no implications. The process of demolishing the refinery will be followed by assessment of soils. JB asked whether a clean-up order from the EPA is expected. JK replied it is not expected at this stage.	
6.8	<u>Orora</u>	

	AW reported that NSW Ports are aware that there has been some communication with the community around the noise wall proposal but she doesn't have the details. Orora could provide an update at the next meeting if a representative attends.	
6.9	DP World LF reported ongoing civil works to maintain infrastructure.	
6.10	Terminals DV reported on two developments (i.e. Complying Development Certificates), raised at the last meeting, submitted to Randwick Council have been approved. One was for removal of pipelines on the former Vopak Site A site and the other was for the re-use of the existing bulk liquids tanks. Terminals have commenced some of the works. The site is due to be operational in early in 2017.	
6.11	JB raised concerns that Sydney Airport may be contaminated with PFC (perfluorinated compounds) chemicals from firefighting equipment as is the case with Defence airports at Williamstown and Oakey. It is now likely that all eastern seaboard airports may have such a problem affecting groundwater and river/bay systems – Coolangatta may be a major problem. He understands that the airport is under Commonwealth control and not under NSW EPA jurisdiction. He raised concerns three years ago that a fish kill may have had a link to contamination from a drain adjacent to where firefighting exercises occurred. No one knows how to remediate PFOS. CA noted the proximity of the airport to Cooks River and asked whether fishing may be banned in the Bay. He asked whether these exercises are still undertaken at the airport. JB noted fishing has been banned in large areas of the Hunter and farmland is also affected as a result of the Williamstown contamination. JG reported EPA has included Sydney Airport in the PFAS project and there is cooperation from the Commonwealth – who are responsible for the site – in working through the issue. He noted fire fighting exercises are still being undertaken at the Airport but not using foams that include the chemical PFOS. There has been awareness in the Commonwealth of the issue for seven or eight years. There is a legacy from use of 30 to 40 years. Sites are being tested for a range of things, including PFOS which is an emerging contaminant. It has a high profile. There is now more informed decision making. At this point there is no indication we will have a situation like Williamstown at Sydney Airport. JB noted human health assessments here have been very toxin specific with no regard for PFC. JG suggested that Human Health Risk Assessments consider relevant chemicals, including chemicals that have more harmful effects than PFOS.	
7	Port Botany Noise Update - Update on EPA noise monitoring program - Port Botany Expansion Rail Noise (as per CoA 2.28)	
7.1	- Update on EPA noise monitoring program JG said more noise monitoring trials have been undertaken recently at NSW Ports Brotherson House building and local areas in Matraville, including to test the concept of a possible Citizen Science project . Due to wind conditions on the night nothing could be heard from the proposed observation point in Matraville and so a new site was located for the tests. A noise pollution study has been added to DP's environment protection licence. EPA is using opportunities to influence plans for Sydney but they are a small stakeholder.	

7.2	BE reported Randwick Council has been approached by a number of residents regarding truck noise and whether there are non-compliance issues with road licences. Council has an internal meeting this afternoon and will give a formal response by the next meeting. Concerns have been raised in the Southern Courier about truck noise in the general area. JB suggested that though it is not directly a NSW Ports problem, the port has created a honey pot for transport and the consequential noisy bee problem, so NSW Ports has some responsibility. AW replied NSW Ports is happy to engage on the issue but there needs to be acknowledgement of the complex nature of the issue and the various roles that the stakeholder play. They are happy to be party to discussions but there is a limit to what NSW Ports can do. It is a complex issue.	
7.3	- Port Botany Expansion Rail Noise (as per CoA 2.28) AW has nothing further to report other than the proposed modification to the conditions of approval for the PBE project (discussed under item 6.1). There have been no noise complaints or problems related to the rail component. JB suggested once the new high rise residential development adjacent to Banksia Street is completed and more developments are built along the railway line, noise will become more of an issue particularly as rail operations are mandatorily moved to 24/7 level. A collision course of conflict is inevitable. AW said NSW Ports has recently been contacted by a resident about rail noise, however the management of the rail line is with ARTC and there are potential management methods they can use to help address noise. However, increasing residential densities are putting people closer and building controls are more important than ever. DV noted NSW Ports has been flagging these issues regarding urban encroachment and high density residential development with both Botany and Randwick Councils for years. Botany Council's planning policies do include the requirement for consideration of port and airport noise when constructing residential buildings however, this isn't the case in Randwick Council's local government area. We hope there will be more consistent planning controls with the Greater Sydney Commission's involvement otherwise the new population moving into the region will come in without being aware of the operation of the rail line and the port. The port will be here for at least the next 96 years and there will be a tripling of container throughput over the next 30 years.	
10	Safety and Environmental Incidents/Complaints - Port traffic and safety – AW - Biosecurity update – AW - Summary of complaints – AW	
10.1	- Port traffic and safety- WA said there have been no recent safety incidents in the port area. The closest was a truck rollover in Wentworth Avenue a couple of weeks ago. NSW Ports security contractor assists in managing traffic and safety issues in the port area. NSW Ports has upgraded variable message signs in the port to that have the capability to display and record speeds of vehicles. If we identify times where people are consistently exceeding the speed limit. This information can be provided to the police and they will decide when to undertake their own speed monitoring operation to slow traffic in the area. This is a positive approach from NSW Ports. WA also reported the speed camera at the corner of Foreshore and Botany Road is now operating.	
	- Biosecurity update	

	There was nothing to report.	
	- Summary of complaints AW reported that NSW Ports has received no complaints since the last PBCCC meeting. NSW Ports has assisted the EPA to investigate a complaint they received. A resident provided a recording of a noisy incident to the EPA who passed it onto NSW Ports. NSW Ports staff thought the noise sounded like a steam release. AW spoke to Orora who were able to confirm the timing of the complaint matched a pressure relief exercise that has been undertaken. This information was reported back to the EPA and was a good outcome of a collaborative investigation. AW thanked Orora for assisting.	
11	General Business/Next meeting : - Advertisement for new PB CCC members - NSW Ports Staff Update	
	- Advertisement for new PB CCC members AW reported NSW Ports is looking to advertise for more community members for the CCC targeting both a business representative and a community representative. They are currently discussing whether to do it this year or before the first meeting of 2017. If CCC members can suggest potential candidates they should forward details to NSW Ports or the chair and they can advise on timing for applications. The positions will also be advertised in local media. They want to target people who live in the local area and have ties to the community. RR said good networks of communication are also desirable.	
	- NSW Ports Staff Update AW reported this is her last meeting before taking 12 months maternity leave. Trevor Brown will become the primary point of contact for the PB CCC. AW will also email the committee with Trevor's contact details which are: Trevor Brown, Environment Manager 02 4275 0714 Trevor.brown@nswports.com.au On behalf of the committee RR thanked AW for her diligence in the work of the CCC and extended the committees best wishes to her for the future.	
	Next meeting is Tuesday 22 November 2016	
	These minutes have been endorsed by the meeting Chair Signed:  Date: 16/09/16	