

# White Bay Cruise Passenger Terminal

**Modification 6 to MP10\_0069 – Response to Submissions**

**March 2020**

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# 1 Introduction

## 1.1 Background

Major Project Approval MP10\_0069 (Project Approval) was granted by the Minister for Planning on 2 February 2011 for the construction and operation of a Cruise Passenger Terminal within the Glebe Island and White Bay Port Precinct on the Balmain Peninsula.

The Project Approval has had five modifications between September 2011 (MOD 1) and April 2013 (MOD 5). The original Project Approval permitted functions up to 500 patrons at any one time, but also allowed for functions involving more than 500 patrons (up to 2,500), subject to the proponent submitting for the approval of the Director-General, a Major Events Report. The Major Events Report was to address the identification and scope of these functions, the type and number of such functions, traffic and transport impacts and noise impacts. This was all outlined in the original Condition A8, which was deleted as a consequence of MOD 1. The deletion was part of negotiated outcome between the then Sydney Ports Corporation, Leichhardt Council and the Department of Planning and Infrastructure on Project Approval conditions.

On 27 May 2019, the Project Approval under the former Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) transitioned to State Significant Infrastructure (SSI) provisions under Division 5.2 of the EP&A Act by order under Clause 5, Schedule 2 of the *Environmental Planning and Assessment (Savings, Transitional and Other Provisions) Regulation 2017*.

MOD 6 was lodged with the Department of Planning, Industry and Environment (DPIE) on 8 November 2019. The MOD 6 Modification Report was accompanied by a Noise Impact Assessment and an Assessment of Transport, Traffic and Parking Implications. Exhibition of MOD 6 was from 20 November 2019 to 18 December 2019.

## 1.2 Submissions

During exhibition of MOD 6, DPIE received a total of 33 submissions, comprising four submissions from public authorities and 29 public submissions.

## 1.3 Report Purpose

This Response to Submissions Report (RTS) has been prepared to respond to the issues raised in the submissions received from the exhibition as required by the DPIE letter, dated 24 December 2019.

## 2 Response to Submissions

### 2.1 Public Authorities

#### 2.1.1 Environment Protection Authority

##### Issue

Section 5.1 of the NIA outlines the approach used to confirm that the previously derived background noise level of 40 dB(A) at Grafton Street is valid for the additional half hour operating time proposed – i.e. from midnight to 12:30am. The approach presented in section 5.1 consisted of a single half hour measurement taken on 12 September 2017. The NIA notes that the background level of 40 dB(A) was derived from long term background noise monitoring. The applicant should provide additional evidence, including but not necessarily limited to, an examination of long-term background noise monitoring to demonstrate that background noise levels in the area are not expected to reduce over the period midnight to 12:30 am.

##### Response

Long-term noise monitoring data collected by Port Authority has been analysed by Renzo Tonin & Associates. The long-term noise monitoring data captured for a one week period between 14 April 2019 and 21 April 2019 was selected for the following reasons:

- There were no significant vessels in port during this week.
- Visits were only by smaller vessels with minor stays, for example the Harbour Trader, et al, made a few one hour stops at WB4 in the morning for an hour.
- This is a week, where concurrent data was available for both WB4 and WB5 and largely outside of insect noise season.

In accordance with the Industrial Noise Policy (INP) and Noise Policy for Industry (NPfI) extraneous weather was excluded and the Rating Background Level (RBL) was calculated. The RBL was calculated by:

- For each day, selecting the lowest 15 minute noise level measured for the 30 minute period (i.e. the Assessment background level).
- Calculating the median of all of these values (i.e. the RBL).

For the 12:00am to 12:30am period, a RBL noise level of 40 dB(A) was determined from an analysis of the data which is consistent with short-term measurements undertaken by Renzo Tonin on 12 September 2017.

##### Issue

Table 4 in the NIA identifies that operational noise criteria will be slightly exceeded for vehicle movements when assessed at sensitive receivers on Grafton Street. The NIA indicates that:

*“Whilst there is a potential 2 dB(A) exceedance at Grafton Street when vehicle noise in car park is added to vehicle noise on the Port Access Road (James Craig Road), this would typically never occur in practice as the vehicles would not be in both places at the same time”. It is unclear why vehicle movements in the car park and on the Port Access Road would be mutually exclusive? Feasible and reasonable measures to reduce traffic noise impacts need to be further examined.*

##### Response

The car park noise predictions include vehicle movement. The access road noise predictions include vehicle movement. To reach the predicted noise level, maximum carpark movement would have to coincide exactly with maximum access road movement. If this did occur (during the occasional 2,500 patron event), it would more likely occur for a few minutes rather than for the whole half hour period between 12:00 and 12:30am. Furthermore for this to occur the carpark would still need to be full at 12am with no patrons having left early

(prior to 12:00am). The point being made is that the combined noise level of 47dB(A) is an upper maximum and would rarely occur.

Due to the elevated position of the nearest sensitive receivers located to the north, including the 2 storey houses along Grafton Street, physical noise mitigation measures are limited:

- The use of low noise pavement on the carparks and internal access road would provide limited benefit as the vehicles on site will be travelling relatively slowly. Low noise pavement is only effective at reducing noise from the road/tyre interface at speeds greater than 50-60km/hr. Low noise pavement is not effective for car parks.
- Any attenuation loss from barriers located on the southern edge of Grafton Street was found to be minor, particularly at the upper levels of residences along Grafton Street which have a clear line of sight to the carparks. There would also be significant visual impacts with the introduction of barriers in this location.

### **Issue**

*The NIA does not include any assessment of amusement rides and associated external noise sources. An assessment of these sources needs to be included in the NIA.*

### **Response**

There are no changes proposed to the operation of, or in relation to potential, amusement rides in Conditions D7 to D9, therefore no assessment is required.

## **2.1.2 Transport for NSW**

### **Issue**

*Construction and Event Traffic Management*

#### Comment

*It is advised that:*

- *Several infrastructure projects would be carried out in the precinct;*
- *It is essential to ensure construction activity associated with infrastructure projects can be maintained while events are held; and*
- *Consideration should be given to using Robert Street by traffic associated with White Bay Cruise Terminal events and functions.*

#### Recommendation

*Prior to the lodgement of Response to Submissions, the applicant is advised to consult with TfNSW in regards to construction vehicle access associated with infrastructure projects within the vicinity of the site during large events (1,000 to 2,500 persons) to ensure construction activity can be maintained while events are held.*

### **Response**

Port Authority notes the major transport infrastructure projects, both current and future that will, or are planned to be, carried out in the Bays West Precinct (the Precinct) over the coming years. Port Authority will continue to consult with Transport for NSW (TfNSW) in managing the operation of the surrounding road network including the Port Authority owned internal port road at White Bay and Glebe Island which leads to James Craig Road. Fundamentally, this includes trying to ensure that the temporary major transport infrastructure projects do not have an unacceptable impact on existing port traffic and port related operations, including functions and events held at WBCT.

Condition B5 requires that public vehicular access to the site during functions is only via James Craig Road, except for 'low impact' activities identified in the Operational Environmental Management Plan (OEMP), with all servicing of the site and car parking during all function operations undertaken on site. Trucks and delivery vehicles servicing functions (i.e. bump-in and bump-out traffic) and staff associated with functions are

permitted to use the access controlled Robert Street to access the WBCT. No change is being sought to these requirements and arrangements to ensure that traffic continues to be managed effectively in the surrounding road network and to continue to minimise the use of Robert Street by traffic associated with functions and events at WBCT.

## **Issue**

### *Travel Plan*

#### Comment

*A Traffic Management Framework is included in the Modification Report which outlines the matters to be addressed in a Traffic Management Plan to be prepared for functions of different scales. In order to further enhance traffic management resulting from events in the precinct, travel demand measures could also be considered in order to reduce the reliance on private vehicle trips.*

#### Recommendation

*The applicant be conditioned to the following:*

*Prior to the first major function (i.e. more than 500 patrons) post approval, the applicant shall:*

- *Prepare a Travel Plan, in conjunction with relevant stakeholders in the precinct and in consultation with TfNSW, for the proposed development. Matters to be considered in the Travel Plan should:*
  - *Support staff, visitors and any other tenants to prioritise access to the site by public and active transport and minimise the proportion of single-occupant car journeys to the site;*
  - *Include a Travel Access Guide that provides information to staff, visitors and tenants about public and active transport accessibility, as well as relevant information about end of trip facilities and bicycle parking, and access arrangements for freight and servicing, and publish this information in a publicly accessible location;*
  - *Establish mode share targets and outline robust actions to achieve those targets;*
  - *Appoint a Travel Plan Coordinator to oversee the implementation of the Travel Plan;*
  - *Nominate the party/parties responsible for implementing the actions in the Travel Plan and its ongoing monitoring and review, including the delivery of actions and associated mode share targets; and*
  - *Include an annual monitoring, reporting and review process, supported by a Travel Survey to determine if mode share targets and other actions of the Travel Plan are being achieved.*
- *Submit a copy of the final plan to TfNSW for endorsement.*

## **Response**

Port Authority acknowledges the comment made and generally agrees that the Transport Management Plan (TMP) framework provided in the Modification Report (refer Sections 7.2.3 and 7.2.4, and the revised Statement of Commitments provided in Section 8) could be enhanced with travel demand measures. However, there is already an approved Operational Transport, Traffic and Access Management Plan (OTTAMP) (part of the approved OEMP for Functions and Event Operations) and it would be appropriate that the OTTAMP is updated accordingly.

Port Authority therefore proposes that a Travel Plan be prepared prior to the first function with more than 500 patrons at any time, and incorporated into an updated version of the OTTAMP and that the updated OTTAMP be provided to DPIE, as is already committed to in the approved OEMP for Functions and Event Operations. The Travel Plan should consider:

- Support staff and visitors to prioritise access to the site by public and active transport and minimise the proportion of single-occupant car journeys to the site;
- Include a Travel Access Guide that provides information to staff and visitors about public and active transport accessibility, as well as relevant information about end of trip facilities and bicycle parking, and access arrangements for freight and servicing, and publish this information in a publicly accessible location;

- Include an annual monitoring, reporting and review process to determine if mode share targets outlined in event-specific TMPs for functions over 1000 persons with arrival or departure occurring during the weekday afternoon road network peak period are being achieved.

The approved OEMP already nominates roles and responsibilities and these would be updated as required.

The Modification Report already notes that mode share goals or targets are to be included in the event specific TMPs for larger functions (over 1000 persons). Port Authority considers that this is the appropriate place for mode share targets to be outlined and managed. The proposed framework outlined in the Modification Report will be adequate to manage mode share targets, and stipulate mode share targets for events which will have arrival/departure occurring during the weekday afternoon road network peak period, prioritising coach / ferry transport and ensuring private vehicle use is limited by the availability of on-site parking.

As indicated in Section 8 of the Modification Report, Port Authority will for larger events (i.e. between 1,000 to 2,500 persons) and that start or finish at network peak periods, consult with TfNSW with a lead time of no later than 30 days before commencement of the event by providing a copy of the TMP for review and comment. Port Authority considers this more than adequate consultation and does not consider that TfNSW needs to endorse those TMPs.

### 2.1.3 Inner West Council

#### Issue

*When the Cruise Passenger Terminal (CPT) was originally proposed, the nature of its event facility was clearly ancillary to the Terminal; providing a combination of uses which included beginning and end of trip functions for cruises, as well as a small number of unrelated events hosting up to 500 guests. Concern has been expressed that the long-term viability of the existing cruise passenger terminal is largely contingent on the ability of cruise liners to be able to pass under the Sydney Harbour Bridge (also noting the current proposal to establish a new terminal in Botany Bay). In the medium to longer-term; as cruise liners increase in size, the potential exists that the White Bay site will be unable to accommodate the vast majority of cruise liners.*

*Should the proposed modification be approved it is considered that a future modification may see the site transition to a major exhibition and event facility; based on it hosting of 2500 person event. Council considers that the site's use as a major exhibition and event facility is inappropriate and that the current modification may establish precedent for such a use in the future. Currently quieter periods between cruise liner days provide respite for adjacent residents. Any disruption to this respite (eg large events on non-ship days) is considered unacceptable as it has potential to impact on the amenity of nearby residents.*

*The assessment provided, with the current request for modified conditions, does not address any long-term goals for the site and may initiate incremental "creep" leading to a rebalancing of site uses and ultimately replacement of the terminal use with event uses. Further, it is considered premature to progress such a significant intensification of use without reference to an overall master plan for the Bays Precinct.*

*While Council is opposed to the proposed intensification of use, should the project proceed it is essential that all of the following issues be addressed.*

#### Response

Port Authority anticipates that cruise ship use of WBCT will continue to be strong into the future as Sydney Harbour is Australia's top cruise destination for a range of ship sizes, including many that are and will remain capable of passing under the Harbour Bridge. Cruise is the fastest growing tourism sector in Australia with passenger visits to Sydney expected to double by 2040 (compared to 2017-18). The current investigation into a potential third cruise ship terminal in Botany Bay is independent to WBCT.

There will also continue to be opportunities to utilise the WBCT on non-cruise ship days for a variety of suitable functions, whether for public or private purposes. Any potential function use will remain an ancillary

use and will also continue to be naturally constrained due to cruise ship bookings, which are confirmed six months in advance and will continue to have priority over function and event bookings.

It is reaffirmed that Port Authority is not seeking to change the OEMP commitment for the limitation to the total number of 50 functions per year. It is not considered that MOD 6 represents a significant intensification of use. As mentioned in Section 1.1 above, the original Project Approval permitted functions up to 500 patrons at any one time, but also allowed for functions involving more than 500 patrons (up to 2,500), subject to the proponent submitting for the approval of the Director-General, a Major Events Report. The Major Events Report was to address the identification and scope of these functions, the type and number of such functions, traffic and transport impacts and noise impacts. The Modification Report provides all of this information and more.

It is understood that planning for the future of the Bays Precinct would involve DPIE, Inner West Council, Port Authority, other agencies and the community.

## **Issue**

### *Consideration of cumulative impact of proposals*

*The proposed site is immediately adjacent to White Bay and Glebe Island, both of which have significant construction and operational activity, and are being subjected to increasing amounts of construction traffic. Existing and likely future activity in the area relates to concrete batching plant operations, motorway and metro line infrastructure projects. Additionally, the site is in proximity to the WestConnex Rozelle Interchange site, currently under construction.*

*While the area is within the remit of the Cumulative Traffic Working Group (CTWG), Council expresses concern that each application to add (or expand) activity in the area is generally being addressed as an individual component which contributes only small elements to the big picture. This is of particular concern given the proponent's statement that the CTWG's concerns mainly related to the provision of measures to manage traffic for functions starting and finishing during road network peak periods.*

*While Council recognises the importance of peak period road network operations, it also expresses concern regarding the overall intensification of use, operation and construction activity throughout the day, and its likely impacts on access (and amenity) for the local community.*

*Consequently, it is considered essential that a detailed cumulative traffic assessment be carried out including intersection analysis which takes into account;*

- *area-wide cumulative construction traffic during venue reconstruction; and*
- *a second analysis which considers total construction activity around the site during the operation of the venue.*

*Such analysis should particularly consider the possibility of multiple coach arrivals and their impact on the intersections of Robert Street with Mullens Street, and Robert Street with Victoria Road (particularly noting the limited right turn storage capacity at Robert/Mullens and the recent court approval of a Bunnings Outlet at 8a Parsons Street, Rozelle).*

## **Response**

It is acknowledged that there is potential for short term cumulative traffic impacts associated with the transport infrastructure and Port-related projects and operations in the Port precinct and Bays West area. These will require management and coordination between Port Authority, Port tenants and the different entities delivering the projects. As outlined in Section 7.2.4 of the Modification Report, there are already established frameworks in place with key State Government agencies, transport infrastructure projects and Port Authority to ensure coordinated traffic management. TfNSW is also coordinating holistic cumulative traffic modelling that will inform future management processes.

Functions can only occur on non-cruise ship days, and it has been assessed that the proposed increase to permitted function attendance would generate significantly less traffic than a typical cruise ship visit, which is already successfully managed and an established part of the Precinct's traffic.



No change is being sought to the traffic requirements and arrangements under Condition B5 (i.e. public vehicular access including coaches to access WBCT via James Craig Road) to ensure that traffic is managed effectively in the surrounding road network and to continue to minimise the use of Robert Street by traffic associated with functions and events at WBCT.

## Issue

### *Noise Impacts*

*The proposed increase in permissible noise levels (an increase of 5 dBA) in combination with extended operating hours is considered inappropriate given the site's proximity to residential areas (both Balmain and Pyrmont) and potential future residents of the Bays Precinct. Further, it is noted that an increase of 5dBA (as proposed in the modification), is cited in numerous acoustic studies as representing a perceptible increase in noise. Consequently, it is considered inappropriate to increase either the permissible noise level or the hours of operation of the facility.*

*Specific issues relating to noise impacts associated with the proposal are detailed below:*

- A maximum low frequency (dB(C)) noise level has not been detailed. Similar to the 92dB(A) maximum noise limit, it is recommended that the measured dB(C) maximum noise level also be controlled via a noise limiter.*
- It should be required that all windows and doors servicing the terminal building are to remain closed during operation.*
- From 12 midnight to 7am, the operation of the premises must be inaudible at any residential premises as per the Liquor and Gaming NSW noise criteria.*
- Allowing for patrons to exit the premises between 12:00 and 12:30am via buses/chartered coaches is not supported as it would generate vehicular noise and noise from patrons waiting and boarding these vehicles. It is unlikely that this can be achieved without being audible to neighbouring residents. Part 8 of the acoustic report also confirms Council's concerns, concluding that extending the permitted hours of operation for functions "are likely to generate an audible noise to sensitive receivers".*
- A further noise assessment is required to assess the potential noise impacts associated with the operation of the external amusement rides, considering the noise generated by patrons yelling, machinery, independent ride music and announcements from amusement ride staff. This activity should not form part of the approval without this assessment being carried out and considered. The acoustic report (External background noise: Part 7) does not assess noise from amusement rides and the like, it only assess external background noise.*

## Response

Section 7.2 of the Noise Impact Assessment concludes that in relation to external background music: "Noise levels are predicted to comply with the established noise criteria at the identified receivers and are also low enough that the cumulative noise levels from both the internal amplified music and this external background music together is still below the criteria". The established noise criteria referred to here is the operation noise limits - functions in Condition D4.

The Noise Impact Assessment has considered all components of the proposed modification and indicates that the "WBCT can operate functions up to 2500 patrons with the addition or modification of several of the noise mitigation measures nominated in the Noise Management Plan".

In response to the specific issues raised by Council:

- A maximum low frequency (dB(C)) noise level is not proposed and not considered necessary based on the outcomes and recommendations of the MOD 6 Noise Impact Assessment and that raves and high population dance parties are specifically not allowed at WBCT. All event and function application are thoroughly assessed and considered by Port Authority as part of the application process. Port Authority never has, and does not accept applications for raves, high population dance parties and similar events that could have unacceptable impacts on the community. Additional information is available on Port Authority's website:*

<https://www.portauthoritynsw.com.au/venues/>

<https://www.portauthoritynsw.com.au/venues/white-bay-cruise-terminal-wbct/>

- Existing commitment requires that “Doors in all facades of the Arrival Hall, and all doors in the north facade of the Baggage Hall and storage and amenities area will remain closed during amplified music events.” This commitment is currently enforced and will continue to be enforced.
- There are no changes proposed to operation noise limits – functions under Condition D4 for the period between 12:00am and 7:00am.
- The Noise Impact Assessment has considered the impacts of the extended half hour and vehicle noise with additional commitments that would be made to minimise noise impacts and concluded that current patron management measures would be broadly suitable for the proposed extended hours. Furthermore, to further mitigate noise from patrons existing the facility and boarding coaches and/or ferries, loading of coaches and/or ferries at the conclusion of an event shall occur on the south side of the terminal building.
- There are no changes proposed to the operation of amusement rides in Conditions D7 to D9, therefore no assessment is required.

## Issue

### *Transport management plan amendments*

*While the generic event Transport Management Plans (TMPs) provided in the application indicate a desire (on behalf of the proponent) to reduce car and coach dependency, it is considered that they lack sufficient detail to accurately determine their ability to achieve the targeted mode split. It is suggested that the proponent should provide improved active and public transport links to several locations including the future Bays Precinct Metro Station, Rozelle Linear Park and Anzac Bridge/Pyrmont, as well as enforceable, detailed (event size based) TMPs prior to approval.*

*These plans should be agreed to by all stakeholders and operators prior to approval being granted for the modification. As part of the event TMPs, on-site parking for events should only be available via advance purchase as part of event ticketing; Should overflow parking occur in adjacent streets during events, any necessary management measures should be provided at the proponent's expense.*

## Response

As mentioned in the Modification Report, the movement of vehicles associated with a cruise ship berthing at WBCT, being a relatively frequent event with around 100 ships berthing at the facility annually, is significantly greater than that which would occur with increased function attendance. Functions can only occur on non-cruise ship days, and it has been assessed that the proposed increase to permitted function attendance would generate significantly less traffic than a typical cruise ship visit, which is already successfully managed and an established part of the Precinct's traffic.

Section 8 of the Modification Report identifies the additional commitments that are proposed to manage traffic generation and control access to the available on-site car parking. Refer also to the response in Section 2.1.2 above detailing additional commitments in relation to a Travel Plan and updating the approved Operational Transport, Traffic and Access Management Plan (OTTAMP) (part of the approved OEMP for Functions and Event Operations). It is not appropriate that event-specific Transport Management Plans (TMPs) for larger events be prepared and approved prior to Modification 6 being approved. The TMPs need to be specific to each larger function and event to be able to respond to and manage transport aspects particular to that function.

The requirements for the TMPs are outlined in the Modification Report, including the requirement them to be approved by Port Authority, the owner of the internal road network in the Port precinct. In addition, for the TMPs required for larger functions (i.e. between 1,000 to 2,500 persons) that start or finish at network peak periods, Port Authority has committed to consulting with Transport for NSW with a lead time of no later than 30 days before commencement of the function by providing a copy of the TMP for review and comment.

Providing improvements to active and public transport links is not considered warranted or necessary. A separate shared user path to WBCT is already in place linking WBCT to Robert Street, Balmain. In terms of

links to public transport, Section 2.1.2 above details additional commitments in relation to encouraging and providing information about public and active transport to the site.

## Issue

### *Other considerations*

- *Lighting impacts: Intensified use of the site (particularly in relation to increased patronage) is likely to require a change in the lighting state for the site. This, in combination with increased hours of operation, is likely to reduce local amenity for nearby residents (including Balmain and Pyrmont).*
- *Variation to hard stand areas: Any variation to hard stand areas (eg expanded car parking, roadways and set down facilities) should be accompanied by analysis of increased heat island impacts and surface water flow, with appropriate mitigation measures being implemented as part of the project;*
- *Special events: Specific consideration should be given to management of Super Peaks created by days such as New Year's Eve and Australia Day; when the facility could host major events including fireworks viewings and harbour cruises. Other semi-regular activity peaks could also include Sydney's Vivid Festival (with harbour cruises and the possibility of vivid installations in the Bays Precinct and the terminal itself);*
- *Proportion of events greater than 1500 guests: While the proponent states that the likelihood of an event for more than 1,500 guests would be extremely infrequent, it is considered that this may be correct under existing circumstances however as cruise liner sizes continue to increase (and the number of ship docking days at the CPT potentially decreases due to height limitation imposed by the Harbour Bridge) CPT operators may consider increasing the frequency of larger events. The possibility would also be presented (as the number of consecutive docking days reduces) for longer duration events, such as exhibitions, to be held at the CPT. This would, in turn, alter travel behaviour, including bump-in and bump-out activity, duration of stay and reduced respite for nearby residents.*
- *Reduction of notification time for events: There appears no clear justification for the proposal halving of the minimum notification time for events (from 14 to 7 days). This reduction is strongly opposed as it is considered counter to good communication practice;*

## Response

In response to the other considerations raised by Council:

- No changes to the WBCT lighting for internal or external areas are proposed.
- No changes to hard stand areas are proposed.
- Management of any events at WBCT that coincide with other special events in Sydney will be coordinated with the relevant authorities. Regarding Vivid, if it were to one day expand to the Bays Precinct, then development consent would be required for its expanded activities beyond its current approval. If Vivid were to request the use of WBCT in the future, it would need to align with the approved use of WBCT for functions and events.
- Any potential larger events greater than 1,500 patrons will continue to be naturally constrained due to cruise ship bookings, which are confirmed six months in advance. Events of this size typically need to be booked well in advance of six months and bookings of WBCT more than six months in advance cannot be guaranteed, creating a significant risk to major event organisers. Each application received from potential hirers is evaluated on its merits in accordance with Port Authority's requirements.
- The reduction of notification time only applies to functions that are likely to be audible and involve outdoor amusement rides or similar between 6:00pm and 12:00am. The reduced timeframes will better fit with the application process and ensure that the required notifications can be made once the applications are reviewed and approved. It is considered that 7 days' notice would be adequate and would also assist those notified in remembering that an event is scheduled in the near future.

#### 2.1.4 City of Sydney Council

City of Sydney Council advised that it did not wish to comment on the modifications.

## 2.2 Public Submissions

Responses to the issues raised in the public submissions are provided in **Table 1**.

**Table 1 – Responses to public submissions**

Name	Issues Raised	Response
<p><b>Alexa Wyatt</b></p>	<p>I object to this proposal, and insist that a co-ordinated overall strategy for the entire Bay Precinct be formulated before any future such applications be made. Residents nearby deserve peace and quiet without their amenity ruined by excessive noise from White Bay Cruise Terminal (WBCT), in particular the 10 hours of continuous outdoor music proposed. Permanently increasing the number of allowed patrons from 500 to 2,500 is monumentally excessive and will have an enormously detrimental affect on the peace and amenity of local residents. Aside from the noise issues, the proposal will bring exponential amounts of traffic into local streets which already cannot cope with vehicular volumes. As parking places for 8% of guests is proposed, and no adequate public transport in place for such numbers, guests will park in residential streets such as Robert St. This application reneges on an existing agreement about curtailing use of WBCT in 2011.</p> <p>As stated this proposal demonstrates the ad-hoc approach to planning in the Bays Precinct. A co-ordinated strategic plan for the future of this precinct is vital to put people and the environment first - not the cruise ship companies.</p>	<p>DPIE will in due course be planning for the future of the Precinct with input from Council, Port Authority, other Agencies and the community.</p> <p>The Noise Impact Assessment has considered the impacts of the proposed modification with regard to the existing and proposed unchanged noise limit and includes additional commitments that would be made to minimise noise impacts. Port Authority is not seeking to amend the operation noise limits for functions in Condition D4.</p> <p>The most common events will be a conference or product launch type event for 1,000 or less persons where attendance is relatively “controlled” and transport (including coaches and/or ferries) can be arranged and managed by the function organiser as required by the Port Authority through its Venue Hire Contract. The same management arrangements would also be applied to any larger or other public events, which likewise are required to enter into a Venue Hire Contract. Car parking will be limited to the 400 parking spaces available on-site and venue hirers will be advised via the Venue Hire Contract that no parking is permitted by patrons on Robert Street or surrounding streets.</p> <p>This application (MOD 6) seeks to modify Major Project Approval MP10_0069 (Project Approval) as described in the Modification Report, lodged with DPIE on 8 November 2019. Some of the proposed modifications relate to changes to MP10_0069 as a consequence of MOD 1 (September 2011). The Modification Report and this Response to Submissions provide information relevant and required in seeking the changes requested by MOD 6. This is not reneging “on an existing agreement about curtailing use of WBCT in 2011.”</p>

Name	Issues Raised	Response
<b>Bridget Brooklyn</b>	<p>We have suffered enough in this area. Thanks to the M4, just about every tree has been removed to make room for yet more cars on the road. Increasing the allowed capacity of the White Bay Terminal to 2,500 will create excessive amounts of noise. I note that the Port Authority dropped its plan to have increased noise in the holiday period. That would not have bothered me, as noise is expected at this time of year. And although its plans to revisit this sound level is unlikely to affect me personally, it would add further noise pollution to an already noisy city, and those closer would suffer. The idea that music has to be at offensive levels for people to have a good time seems very ingrained.</p> <p>Another thing that won't affect me personally, but will affect the neighbourhood is that this proposal would push more and more cars into local streets. I understand the Port Authority will also only provide parking places for 8% of guests, meaning attendees will be forced to use residential parking on Robert St.</p>	<p>Noise levels for a minor increase in amplified outdoor background music is predicted to comply with the established noise criteria at the identified receivers and are also low enough that the cumulative noise levels from both the internal amplified music and this external background music together is still below the criteria. Port Authority is not seeking to amend the operation noise limits for functions in Condition D4.</p> <p>As mentioned above, venue hirers will be advised via the Venue Hire Contract that no parking is permitted by patrons on Robert Street or surrounding streets. Functions which will involve more than 500 patrons will be required to prepare and submit a Transport Management Plan (TMP). TMPs and commitments made in regards to traffic management were provided in Section 7.2.3 and 8 of the Modification Report.</p>
<b>Craig Bingham</b>	<p>Regarding MOD 6 - Events and Functions: the proposed increase in noise limits by 5 Db, coupled with the half-hour extension in hours to 12.00 and the increased number of patrons may have little effect on residents most of the time, but will increase the chances of intrusive late-night noise affecting the residents closest to the WBCT.</p>	<p>Section 7.2 of the Noise Impact Assessment concludes that in relation to external background music: "Noise levels are predicted to comply with the established noise criteria at the identified receivers and are also low enough that the cumulative noise levels from both the internal amplified music and this external background music together is still below the criteria". The established noise criteria referred to here is the operation noise limits - functions in Condition D4.</p> <p>Port Authority is not seeking to amend the operation noise limits for functions in Condition D4.</p> <p>Any audible noise generated by functions that operate during the evening will be closely controlled by the hirer in accordance with the Project Approval conditions, OEMP and Port Authority Venue Hire Contract.</p>
<b>Fiona Banovic</b>	<p>Patron allocation has not just doubled but increased 5 times. There's no guarantee that patrons will leave the area quietly upon closing, and later hours</p>	<p>Functions will be required to control noise from patrons departing the venue in accordance with Port Authority Venue</p>

Name	Issues Raised	Response
	<p>means even later departure for partygoers. Car parking allocation is insufficient esp. for high profile events where patrons are less likely to use public transport. Respect for local residents has been minimal re ship-shore power 24/7 so rejecting this modification would at least provide some small compensation. Let's consider local residents' quality of life in their OWN HOMES over money making for the Port Authority!</p>	<p>Hire Contract and the additional commitments that are included in Section 8 of the Modification Report.</p> <p>Larger events will require a TMP that has specified mode share goals that must be adhered to noting the limited supply of car parking. TMPs and commitments made in regards to traffic management were provided in Section 7.2.3 and 8 of the Modification Report.</p>
<p><b>Helen Gilbert</b></p>	<p>Inappropriate approval process</p> <p>This high impact facility was approved controversially under Part 3A of the EP&amp;A Act in 2011 and the current conditions (including the limit of 500 visitors to functions) were enforced as a result of hard fought negotiations with the community and local council.</p> <p>How is it appropriate to wait a few short years and try to increase the approved number of visitors to FIVE times the limit originally imposed?</p> <p>The cruise ship facility (which includes the function centre) is not a good neighbor to local residents who constantly complain about the huge impact that cruise ships have on their lives (particularly in terms of air pollution, but also noise impacts). The Port Authority of NSW has consistently ignored our calls for obvious ways to reduce or mitigate such impacts (such as shore to ship power).</p> <p>This facility is not compatible with a medium density residential suburb. We have lived in this area for 35 years next to the working boats (bringing sugar, cars, cargo containers etc) that used to frequent White Bay and we never had any issue or registered any complaint until the foul smelling, polluting, noisy cruise ships started arriving in early 2013.</p>	<p>The original Project Approval permitted functions up to 500 patrons at any one time, but also allowed for functions involving more than 500 patrons (up to 2,500), subject to the proponent submitting for the approval of the Director-General, a Major Events Report. This was all outlined in the original Condition A8, which was deleted as a consequence of MOD 1.</p> <p>The proposed modification has the benefit of evaluating over six years of experience from functions and events operating at WBCT to justify seeking an increase in the capacity.</p> <p>The WBCT project approval transitioned to State significant infrastructure and a modification is being sought in accordance with section 5.25 of the EP&amp;A Act.</p> <p>The proposed modification does not relate to cruise ship operations.</p> <p>Functions and events have been occurring at WBCT, located within a working port area since it opened, generating an extremely small number of community complaints. Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that there is no incompatibility.</p>

Name	Issues Raised	Response
	<p>At the time of the original (questionable) approval of the current cruise ship terminal, the community was told it was a temporary facility while Darling Harbour was being redeveloped. In the years since it has apparently morphed into a permanent facility and the Port Authority continually attempts to 'take more' and give back nothing to the community. Recently it sought to exclude ships berthed there on NYE and Australia Day from hard-fought noise restriction standards.</p>	<p>On 20 December 2009, the Premier announced that the NSW Government had decided to permanently relocate the Darling Harbour No. 8 Cruise Passenger Terminal to WB5, in accordance with the recommendation from the Passenger Cruise Terminal Steering Committee, subject to planning approval being obtained (i.e. Major Project Approval MP10_0069).</p>
	<p>Inappropriate justification of project modification - for a facility located in a residential suburb it is not appropriate to suggest that because the previous facility at Darling Harbour accommodated 3,500 visitors that the White Bay Cruise Ship Terminal (WBCT) should be allowed a similar number (2,500). WBCT is located in a medium density residential suburb - not in Darling Harbour next to the city. The function centre should remain restricted to the original approval conditions as nothing has changed to reduce any impacts the surrounding community suffers since the opening of the facility.</p>	<p>Functions and events have been occurring at WBCT, located within a working port area since it opened, generating an extremely small number of community complaints. Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that larger functions and events can be successfully accommodated and managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p>
	<p>Increased noise and traffic impacts</p> <p>We are tired of the interruption to our lives from this facility and see no justification for further noise intrusion in terms of reduced noise monitoring, extended hours of operation and greatly extended numbers of visitors to the function centre. We note that while visitors are apparently encouraged to 'use public transport' (really? - where is there any public transport near this facility?) and charter buses, this is obviously not assured and massively increased visitor numbers will simply result in a huge increase in traffic onto the peninsula. While 'visitor' cars will apparently be directed to James Craig Drive, we note that staff and worker numbers and truck movements for catering, waste and equipment for such functions will all greatly increase and these are likely to use local Balmain Streets via Roberts Road.</p>	<p>For larger events it will be required that a TMP has specified mode share goals that must be adhered to noting the limited supply of car parking. TMPs and commitments made in regards to traffic management were provided in Section 7.2.3 and 8 of the Modification Report.</p> <p>No change is being sought to trucks and delivery vehicles servicing functions (i.e. bump-in and bump-out traffic) and staff associated with functions being permitted to use the access controlled Robert Street to access the WBCT.</p>
	<p>Lack of proper community consultation</p>	<p>Port Authority's main mechanism of community engagement for all matters relating to Glebe Island and White Bay is the</p>



Name	Issues Raised	Response
	<p>Moreover, once again the lack of proper community engagement in this process has been glaring. While departments like Planning and Roads and Maritime and the local council have apparently been informed, a single mention at a quarterly meeting of the CLG (Community Liaison Group) - which apparently has 5 members from Balmain/Rozelle - is hardly adequate community engagement. Is it left up to one of those local people from the CLG to inform all the affected residents nearby? Once again, I have heard about this very recently only through being on a local email list. Such a major change to the workings of this contentious facility warrants a bit more respect for the affected community and a real attempt to engage with the long-suffering neighbouring residents.</p>	<p>CLG which meets quarterly each year. The CLG provides for Port Authority and its port stakeholders the opportunity to discuss port operations with the community and gather feedback on any initiatives being considered (which has included this modification).</p> <p>Under the terms of reference, community members of the CLG are required to:</p> <ul style="list-style-type: none"> <li>• Regularly attend meetings.</li> <li>• Represent the views of the local community and provide input on local issues.</li> <li>• Communicate and share information with the wider community.</li> </ul> <p>Details of the CLG including its community members is available on the Port Authority website.</p> <p>Port Authority discussed the proposed modification at the 18 June 2019 CLG meeting and an overview document was provided to CLG members together with the draft meeting minutes.</p> <p>One written submission was received from amongst the eleven community members on the CLG. In addition, eleven written public submissions were received following the overview document being shared amongst the broader community by CLG members. Key issues raised by the CLG and by community members were identified and responded to in the Modification Report (refer to Table 4 of Section 3.2).</p>
<p><b>Jannette Gould</b></p>	<p>Cameron's Cove is a natural amphitheatre of which Datchett Street forms a part. We can hear conversations across the water in the park opposite. As a result we enjoy a neighbourhood where residents respect their neighbours' rights to a peaceful home. Noise restrictions have been placed on foreshore activities in recognition of this being a largely residential space.</p>	<p>This is noted.</p>

Name	Issues Raised	Response
	<p>The Cruise Terminal was never built to fit into a residential area and has no obvious noise mitigation strategies built into the design. Sound carries over water and land and to add to the capacity 4 fold will turn a quiet residential area into a party zone that none attending would ever tolerate in their residential area- and this IS adjoining and surrounding a residential area.</p> <p>Not only a 400% increase in numbers, but not enough parking supplied so residents of Robert St have to forego any of their parking to keep guests at the Terminal accommodated! Something else those guests would not tolerate where they live.</p> <p>Extension of the time applied for this abomination will have to be endured until 12.30am shows a complete arrogance to those who will be on the receiving end of this disruption.</p>	<p>The design process for the terminal building was driven by the consideration of function use and amplified music source with the building roof being a multi layered sandwich construction rather than a single skin roof along with inclusion of thick laminated glazing on facades. The consideration of venue use during design also influenced the location of door openings and types of doors that would best contain noise.</p> <p>In terms of impacts, Port Authority is confident that larger functions up to 2,500 patrons on site at any one time can be managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p> <p>The likelihood of a function occurring at WBCT for more than 1,500 persons would be extremely infrequent and any potential traffic movements, even for 2,500 person functions, would be significantly less than that of existing cruise ship visitations.</p> <p>As mentioned above, venue hirers will be advised via the Venue Hire Contract that no parking is permitted by patrons on Robert Street or surrounding streets. Functions which will involve more than 500 patrons will be required to prepare and submit a Transport Management Plan (TMP). TMPs and commitments made in regards to traffic management were provided in Section 7.2.3 and 8 of the Modification Report.</p>
<p><b>Les Johnston</b></p>	<p>Scope of Application</p> <p>The project is for the establishment of an entertainment - function centre to cater for up to 2500 persons at any one time using the existing WB4 and WB5 on shore buildings and car parking areas.</p>	<p>The Project Approval permits the use of WBCT for functions, exhibitions and corporate events, in which the impacts were originally assessed in the Environmental Assessment.</p> <p>The Project Approval contains conditions of consent and noise limits for functions that are separate to conditions relating to cruise ship operations.</p>

Name	Issues Raised	Response
	<p>This project must be assessed entirely separately to that of the existing White Bay Ship Berthing Facilities. The function centre has no relationship to the activity of cruise ship berthing. There are other facilities in the Sydney area which can cater for function centre activities. Some of these are much better located in terms of proximity to residential areas. From information in the application, activities can potentially take place for up to seven days a week from 7am till after midnight. The scale of this application is far greater than that provided by the existing facility.</p>	<p>Functions and events can only occur at WBCT on non-cruise ship days. The current OEMP states that the number of functions are limited to 50 per year. Port Authority is not seeking to change this commitment for the limitation to the total number of functions per year.</p>
	<p>This application must be assessed on the same basis as that for any other function centre. It is essential that this proposal is assessed the same as any other entertainment function centre. There is no valid case to claim that this application, by a NSW Government authority, should be assessed using special dispensation because it is a “Government” activity.</p>	<p>Condition D4 of the Project Approval sets L10 octave band noise limits for functions. This is consistent with noise conditions commonly applied to other venues and function centres. No special dispensation is being sought by Port Authority in relation to more lenient noise limits. Further, DPIE will be assessing the proposed modification in accordance with relevant legislation.</p>
	<p><b>Complaint history</b></p> <p>The documents make the claim that the lack of previous complaints about events held at the site confirms that the neighbouring residents are satisfied with existing site non-cruise ship activities. In speaking with immediate neighbours, it is confirmed that residents do not bother to complain because past experience has shown that Ports NSW has done very little to accommodate its neighbours and has dismissed complaints without meaningful action. Further, cruise ship noise levels (up to 67dB(A) at nearest residences) are much higher than that caused by previous functions.</p>	<p>All complaints received by the Port Authority are investigated and responded to. Port Authority website has been updated at the following link:  <a href="https://www.portauthoritynsw.com.au/community/community-complaints-procedure/">https://www.portauthoritynsw.com.au/community/community-complaints-procedure/</a>.</p> <p>The complaints process in relation to functions at WBCT will continue to include a direct line to the Duty Venue Manager and/or Security. All functions are ‘run by third parties’, regardless of size, unless Port Authority were to put on its own event at the Terminal.</p>
	<p><b>Scope creep</b></p> <p>The original approval was for the site to be used as a “function” centre. The current application appears to have expanded the types of activities to include what appear to be “entertainment” events. For example, the inclusion of “amusement” rides on the site and the proposal to expand the use of amplified music to outside areas and generate higher amplified music levels inside the</p>	<p>The Major Project Approval granted approval for the use of WBCT for functions, exhibitions and corporate events. The scope of the activities is defined in the OEMP and it is not proposed to change the type of functions and events that may be held.</p> <p>Amusement rides were always proposed as a potential activity when the site is used as a function centre. Noise</p>

Name	Issues Raised	Response
	<p>building, suggests that the application could provide for a much wider range of activities than that undertaken in the past.</p>	<p>from amusement rides were included in the original noise assessment and are addressed in the existing conditions. This is not an expansion of activities. It is noted that to date, no events including amusement rides have occurred at WBCT.</p>
	<p>The documents do not clarify whether a single event may take place over several days whether consecutive or not, or whether multiple events may take place on the same day (for example different event in the morning to that in the evening) or whether each day any activity takes place is regarded as an event.</p>	<p>A single event may take place over several days, which may be consecutive.</p>
	<p>Scope creep is also apparent in terms of the number of days of the year when non-cruise activities may take place on the site. This is because the claimed reduction in number of cruise ship visits opens the possibility of 50 functions per year being spread over up to 200 days per year for audible events where each event lasts for four days. Alternatively, with 100 cruise ship visits, there are up to 265 days per year when events may take place.</p>	<p>Cruise ships arrive and depart relatively frequently over the course of each year which would tend to preclude regular multi-day events occurring as functions and events cannot occur on a cruise ship day.</p> <p>Any potential larger events greater than 1,500 patrons will continue to be naturally constrained due to cruise ship bookings, which are confirmed six months in advance. Events of this size typically need to be booked well in advance of six months and bookings of WBCT more than six months in advance cannot be guaranteed, creating a significant risk to major event organisers.</p>
	<p>The proposal seeks up to 30 functions per year with over 1500 patrons at any one time. With functions spread over multiple days, this means the site could have 1499 patrons up to 200 days per year when the audibility criterion applies. It also means over the duration of an event, many more thousands of people could attend over any day as the limit only applies at any one time. This means that there could be many more vehicle movements associated with a particular event over the duration of that event. The assessment of noise provided by the proponent does not include an assessment for this type of event where patrons are coming and going on the day of the event.</p>	<p>The likelihood of an event or function occurring at WBCT for more than 1,500 persons would be extremely infrequent (having regard to the record of events and functions at the former Darling Harbour 8 facility and advice by Port Authority's internal Venue Manager). Any potential traffic movements would be significantly less than that of existing cruise ship visitations. Port Authority is confident that larger functions up to 2,500 patrons on site at any one time can be managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p> <p>Cruise ship numbers at WBCT have fluctuated between just over 120 to just less than 100 per year. Projections going</p>

Name	Issues Raised	Response
	<p>Incomplete or missing information</p> <p>The application contains no details of any compliance reports providing information, such as, noise levels arising from past functions. For example, there is no information on number of vehicles used to convey patrons to and from events and the actual number of patrons, there is no information on noise measurements that were performed to assess whether previous events complied with the background octave band +5dB(A) noise criteria, and there is no information on the procedures that were used to determine whether an event was “audible” or not at any residential premises.</p> <p>The expanded proposal suggests that there will be new noise sources that need to be assessed. For example, refrigeration equipment on vehicles (sound power level 103dB(A) WM Report) and portable generators for food storage, refreshments and the like would be needed on the site for some events in its expanded capacity. These have not been identified nor included in the noise assessment.</p>	<p>forward have the number of cruise calls to WBCT fairly consistent and near 100. With this many cruise calls, some of which being overnight calls, the possibility of regular multi-day events is quite limited.</p> <p>Condition D13 requires the Port Authority to prepare at the end of each quarter a Compliance Summary Report that are submitted to DPIE, which provides a summary of:</p> <p><i>(a) each function held and the number of patrons permitted in each hall;</i></p> <p><i>(b) any event compliance issues for that quarter, particularly in relation to:</i></p> <p><i>i) noise impacts and monitoring results, including complaints received; and</i></p> <p><i>ii) traffic impacts.</i></p> <p>The types of functions is not being changed, thus noise sources from existing functions and events have been previously assessed.</p>
	<p>The “Audibility” criterion</p> <p>The “audibility” criterion used by Ports NSW is that audible events will only take place up to four times per week. This criterion to classify whether a function has occurred is too vague. For example, if a single event takes place over five days, must the event be inaudible just for one of the five days? The documents contain no details of any previous compliance reports which have assessed whether an event passed or failed the audibility criterion and whether that assessment included noise from motor vehicles transporting patrons and equipment to and from the site.</p>	<p>Condition D6 is clear that it is 4 days/week, not 4 functions per week. Therefore, it is not relevant if it is 1 function for 4 days or 4 separate functions.</p> <p>There is no ‘audibility’ criterion. It has always been a judgement call but it would have to be inaudible on each day. In practice, there have been very few, if any, ‘audible’ functions that have gone past the current time restrictions and if there have been, it would have been very obvious that they would be audible.</p> <p>Patron noise and vehicle noise is addressed in the Noise Impact Assessment through modelling and prediction but not real time testing.</p>

Name	Issues Raised	Response
	<p>Wilkinson Murray (WM) Cruise Ship Noise Assessment 2010</p> <p>The WM report provides evidence of noise propagation loss that is useful to assess some of the missing information from the current application. The WM report proposed a sound power level<sup>1</sup> noise limit of 92dB(A) for stationary mechanical plant. This limit suggests that noise levels associated with the expanded proposal must at least meet this limit.</p> <p>The WM report is also referred to because the on-site vehicle noise was assessed against the inflated noise limit which the report claimed was derived from the NSW Industrial Noise Policy (INP). I have discredited this methodology previously. The important distinction is that the assessment of noise from functions falls under a different assessment methodology to that of cruise ships and must satisfy the background octave band +5dB(A) criterion.</p>	<p>The reference to the stationary mechanical plant sound power level limit of 92 dB(A) within the WM report is not directly applicable to this modification. The exact location of the mechanical plant that the WM report refers to is not clear and any inferred noise propagation loss is difficult to quantify. This limit cannot be directly applied to sources such as amusement rides or external speakers that are restricted to an area on the southern side of the terminal building where acoustic shielding is provided by the building.</p> <p>Vehicle noise is not required to satisfy the octave band criterion as vehicle noise has a very different character to amplified music noise. The noise criteria that has been applied for vehicle noise is consistent with the previous noise assessment, the Project Approval conditions and with accepted acoustic practice.</p>
	<p>Amusement rides</p> <p>The role of amusement rides in a Function Centre is unclear. The increase in patrons may provide an expanded role for amusement rides. Whether “amusement rides” falls within that permitted as a “Function Centre” relative to an “Entertainment Centre” has not been explored. The proponent has not provided any information on the noise levels generated by “amusement rides” and whether the conduct of such rides satisfies the current background octave band +5dB(A) noise limit. My concern is that amusement rides falls within the definition of entertainment and is not permitted under the statutory provisions. The concession of up to five such events per year appears questionable.</p>	<p>There are no changes proposed to the operation of amusement rides in Conditions D7 to D9, therefore no assessment is required.</p>
	<p>Motor vehicle noise assessment</p> <p>Motor vehicle noise on WB4 and 5 arising from an event must be assessed as part of the application as the roadway is a private road. The current application contains no details of noise modelling results for drive past noise, vehicle ignition starts, door shutting and patron noise on the site. It is incumbent on the proponent to provide such information. Motor vehicle noise must be assessed for the expanded capacity and expected actual motor vehicle movement data</p>	<p>Vehicle noise has been assessed based on the vehicle movement data provided in the Assessment of Transport, Traffic and Parking Implications.</p> <p>The complaints history is provided for reference as an indicator of how well the terminal has been managed to date for functions and events.</p>

Name	Issues Raised	Response
	<p>provided. The claim that there were no complaints in the past does not justify that the expanded function usage will also be satisfactory.</p>	
	<p>The proponent has proposed to use a previously used unspecified criteria to assess on-site traffic noise. This is not acceptable. The proponent needs to specify what criteria it is using and make an assessment against that criteria.</p> <p>Private road vehicle noise must be assessed using the criteria relevant to the principal activity not using the public road traffic noise assessment procedure. On this basis, the proponent should have included an estimate of motor vehicle pass-by noise using a traffic noise model such as CoRTN. For example, a vehicle/hour count of 300, distance 50m and height elevation 6m, gives an estimate L10 of 56.2dB(A). The nearest residences to the on-site roads are in Stephen Street, Waite Street and off Buchanan Street and well under 50 metres from the roadway. Given a background noise level of 40dB(A) as specified by Renzo Tonin, motor vehicle pass-by noise is in breach of the allowable noise limit. The private road on the site passes very close to multiple residences in these streets. The proponent could have offered to relocate vehicle movements on the site to be at much greater distances to reduce noise levels. This option was not considered.</p>	<p>It is agreed that private road vehicle noise should be assessed as "site" noise not "public road" noise which is a different criteria. This assessment has been conducted in the Noise Impact Assessment. Port Authority's noise consultant, Renzo Tonin &amp; Associates, disagree that CoRTN is an appropriate noise model to use as CoRTN algorithms are more suited for free flowing traffic situations on higher speed public roads. Low speed on-site traffic is better assessed using source data related to low speed access road/car park activity, which is what has been utilised in the Noise Impact Assessment.</p> <p>Port Authority is not considering to relocate the approved internal port road network. Additionally, this is a working port and the location of the road takes into consideration the requirement for adequate space for port operations to occur.</p>
	<p>The original documentation in 2010 claimed that 200 parking spaces would be needed for 500 persons. The assessment allowed for 400 vehicles per hour for 500 patrons. This expanded application is for 2500 patrons at any one time yet it is assuming the same number of motor vehicle events as for just 500 patrons. This inconsistency with the original application is unacceptable. Where is the new vehicle parking area for the additional 2000 persons? To suggest that 2000 extra persons can be accommodated at one time without demanding additional car parking is not credible. No details are provided of where parking will be located for up to 2000 additional people? What realistic measures will be used to ensure that all these additional people will come and depart by bus or ferry? Noise levels from buses are much greater than that from cars.</p>	<p>The Noise Impact Assessment assumes that there are a maximum of 400 parking spaces and that they would all be used during a 2,500 patron event. The assertion that there has been inconsistent scaling of vehicles compared to patrons is incorrect.</p> <p>Section 8 of the Modification Report identifies the additional commitments that are proposed to manage traffic generation and control access to the available on-site car parking. Port Authority will not approve applications from potential hirers if they cannot demonstrate that any traffic and noise impacts can be adequately managed.</p>
	<p>The proposal seeks to use a "traffic management plan" (TMP) to reduce motor vehicle and patron noise. The TMP by itself will not reduce noise unless its content has specific measures that will deliver realistic noise reduction. Those</p>	<p>The Noise Impact Assessments shows general compliance for vehicle noise, therefore mitigation measures for traffic are not a focus of the assessment.</p>

Name	Issues Raised	Response
	<p>specific measures must be nominated and evaluated for their effectiveness as part of this application not left to consider what might work in the future. Evidence from the White Bay Cruise Ship facility has demonstrated that noise reduction plans have not delivered noise reduction as claimed. The proponent has not provided any information on the noise levels that will be achieved by applying the TMP. There are no practical means for reducing much of the motor vehicle noise sources such as those nominated below. The only effective means is to eliminate motor vehicles from the site entirely or to have enclosed parking and access roadways.</p>	<p>Section 8 of the Modification Report provides additional commitments in relation to the management of patron noise under the Noise and Vibration section.</p>
	<p>The proponent has not detailed the assumptions it has used for motor vehicle noise nor how motor vehicle noise will be limited to the background plus 5dB(A) octave band noise limit condition at residences. The proponent has offered to provide staff to monitor vehicle movements. This control measure will not reduce vehicle start noise and provide very little noise reduction from vehicle movements. More effective noise control measures were not considered.</p>	<p>Section 6.2 of the Noise Impact Assessment outlines the vehicle noise criteria adopted. As discussed, above octave band criteria is not appropriate for vehicle noise.</p> <p>Section 8 of the Modification Report provides additional commitments in relation to the management of patron noise under the Noise and Vibration section including through the use of additional staff in the car park areas for larger functions to supervise patrons vacating the building / site to ensure noise and disturbance is minimised.</p>
	<p>I have obtained estimates sound power levels of various motor vehicle associated activities in car parks. These are:</p> <ul style="list-style-type: none"> <li>• Door slam – Sound Power Level (PWL) 102dB(A)</li> <li>• Ignition start – PWL 101dB(A)</li> <li>• Vehicle pass-by – PWL 97dB(A)</li> </ul>	<p>Noise from vehicle door slams, engine starts and pass-by movements have all been included in the traffic noise predictions based on data from Renzo Tonin &amp; Associates library files and past projects.</p>
	<p>I have taken noise measurements of motor vehicles on the site on cruise ship days at one of the nearest residences. These measured noise levels exceeded the 40dB(A) +5dB(A) condition. When all the components of motor vehicle noise are included, the proximity of the nearest residences means the expanded facility will not satisfy the existing noise limit.</p>	<p>Details of measurement location, measurement procedure, duration, instrumentation used, noise descriptor and measured noise levels would need to be provided if further response is to be made to this comment.</p>
	<p>Amplified Indoor Music Noise</p>	<p>The design process for the terminal building included the consideration of amplified music. In fact, the proposed function use and amplified music source drove the design of</p>



Name	Issues Raised	Response
	<p>The assessment provided by the proponent of its intention to increase the volume and location of amplified music is unacceptable because it will breach the existing noise limit. The existing building was not designed to contain amplified music as it is of light weight construction. To contain bass amplification, the building needs to be constructed of much heavier materials typically concrete block or masonry. My experience has confirmed that this lightweight construction with residences nearby will not comply with the 40dB(A) noise limit in lower octave bands.</p>	<p>the building roof to be a multi layered sandwich construction rather than a single skin roof, and thick laminated glazing on facades. The consideration of venue use during design also influenced the location of door openings and types of doors that would best contain noise. Refer to past design reports that discusses the terminal design.</p> <p>The noise impact assessment determined, by noise testing, the maximum music noise levels permitted inside the Terminal such that the (external) noise limits specified in the Project Approval are met. The noise impact assessment also assessed a minor proposed increase to amplified outdoor background music at the southern side of the terminal building and confirmed that it would comply with the existing noise criteria assuming certain measures are implemented. Port Authority has committed to all these measures.</p>
	<p>In the past, I have performed many acoustic tests of buildings where live and disco music was performed. I used a special purpose amplifier with equal octave weighted pink noise to determine noise leakage pathways and achieved sound reduction. The test described by the proponent is inadequate. At 32Hz (approx. low B pitch), A weighting is approximately -40dB whereas at 64Hz, A weighting is -26dB. The 92dB(A) sound pressure level has a 32Hz sound pressure of 132dB and 64Hz of 118dB. The lightweight structure of the building does not contain these frequencies and the residents will be exposed to noise levels that exceed the octave band +5dB(A) criterion especially in these two octave bands. In my experience, the conclusion of “reasonable limitation of bass levels” is impractical and mistaken in the claim that the building envelope will contain 92dB(A) internal noise levels for amplified music.</p>	<p>This analysis assumes that all of the 92dB(A) music sound pressure level would be contained at the 31.5Hz or 63Hz frequency bands which is incorrect. The Noise Impact Assessment presents results of noise measurements conducted on site specifically related to music being played within the terminal building. There is no reason to speculate on music noise when real test data has been presented in the Noise Impact Assessment.</p>
	<p>The proposal to increase the internal sound pressure noise level to 92dB(A) also questions the claim that the facility is for a “function” centre. At 92dB(A), one to one speech communication is very challenging as the music is predominant and would appear to be “entertainment.” At 92dB(A), some patrons may expect to</p>	<p>In terms of noise assessment, the label of "function" or "entertainment" is irrelevant. The issue is what type of activity is occurring and does that activity comply with the noise criteria relevant to that activity.</p>

Name	Issues Raised	Response
	<p>incur some hearing loss and this noise level is also an exceedance of the occupational health standards.</p> <p>Operators of live entertainment and disco venues typically find difficulties in reducing sound pressure levels and keeping them under 92dB(A). While sound level switches can be used, patron satisfaction is compromised and means of avoiding the sound level switch are sought after. The practical response is to design the venue appropriately so that noise levels of 100-105+dB(A) are contained particularly in the lower octave bands.</p>	<p>Port Authority has committed to measures to limit the sound pressure level inside the building to 92 dB(A). Additionally, Port Authority is not seeking to amend the operation noise limits for functions in Condition D4.</p> <p>Port Authority has already stated that it specifically does not permit raves and high population dance parties to occur at WBCT. Refer to Section 2.1.3 above and the 'response' to the noise impacts 'issue'.</p>
	<p><b>Amplified Outdoor Music Noise</b></p> <p>The proposal to increase the outdoor noise levels and permit “background” music being played was not adequately assessed. Noise level measurements were not made at the nearest residences. The two speakers would have a PWL of 106dB(A). This sound power level exceeds that specified in the WM Report for stationary equipment at the cruise ship facility. Sound propagation from speakers has a directivity component. No assessment of sound pressure levels and directivity against octave band background noise levels was provided.</p> <p>The justification for the “background” music was to provide “atmosphere.” Residents can be expected to be more annoyed by “background” music because of its inherent tonal and impulsive characteristics. These characteristics under the INP cause this type of sound to have additional weighting. The proponent has not satisfactorily justified its claim for higher noise levels for outdoor music and provided noise measurement results which justify that the higher noise level will satisfy the existing background octave band +5dB(A) noise limit.</p>	<p>As discussed above, the WM report limit for stationary equipment may not have included losses for shielding from the terminal building. This 106dBA sound power level is permissible based on a speaker location south of the terminal building with significant shielding.</p> <p>The background music has been assessed to the octave band criteria. Refer Section 7.2 of the Noise Impact Assessment.</p> <p>Noise levels were predicted to comply if the assumptions/recommendations within Section 7.1 and Figure 3 of the Noise Impact Assessment are implemented.</p>
	<p><b>Patron Noise</b></p> <p>The proponent has not identified and assessed patron noise arising from the expanded facility. External patron noise and internal patron noise needs to be assessed. 2500 patrons in an external (or internal) area engaging in conversation can be expected to generate a PWL of approximately 108dB(A).</p>	<p>Patron noise is addressed in Section 5 of the Noise Impact Assessment and is primarily based on applying management measures with the aim of continuing to achieve no to very few complaints.</p>

Name	Issues Raised	Response
	<p>This noise level exceeds the 92dB(A) PWL specified for mechanical equipment in the Wilkinson Murray Report for the cruise ship facility. Patron noise in vehicle parking areas also needs to be assessed. In particular, the proposal to extend hours to 12:30am will deliver an even greater level of impact on residents. At this time of day, the noise criterion is background octave band + 0dB(A). This criterion will not be met by 2500 patrons external to buildings.</p>	
	<p><b>Public Accountability and Access to Information</b></p> <p>The existing Ports operations for events has shown that information about events is not made available to the public. Event compliance reports are not provided on the Ports web site. It is requested that noise monitoring be required for each event and all monitoring reports be placed on the Ports web site within 2 weeks of any event taking place. The proposal to not require future noise compliance monitoring reports is rejected. The proponent should be required to establish at least three noise monitoring sites along its residential boundary and provide real time noise level data to the public. A monthly analysis of the noise monitoring results including dates, times, duration of events, number of patrons and vehicle parking data would assist residents to gain assurance that the venue is being operated and effectively monitored. The current situation where event data is not provided is not acceptable.</p> <p>The proponent is seeking to reduce time periods for notification of future events. This is not supported as it limits the opportunity for residents to make alternative arrangements to lessen the impact of noise pollution on their rights to enjoyment of their residential space.</p>	<p>Quarterly Compliance Summary Reports (Condition D13) are provided to DPIE as required.</p> <p>Functions and events have been occurring at WBCT since it opened, generating an extremely small number of community complaints. Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that there is no requirement for each event to be monitored and reported unless specifically required under Condition D12, as proposed to be modified.</p>
	<p><b>Compliance and Condition Enforceability</b></p> <p>Conditions that are placed on this proposal, should it be approved, must be enforceable and relate directly to its environmental impact. My reading of the existing and proposed “conditions” is that they are of very limited enforceability. For example: “Noisy activities can be located strategically to minimise impacts.” This condition is not able to be quantified and assessed for compliance.</p> <p>The noise limit condition of background octave band + 5dB(A) L10 (and +0dB(A) at later times is very difficult to enforce given the background noise from traffic</p>	<p>“Noisy activities can be located strategically to minimise impacts” is an existing commitment which has been previously incorporated into the OEMP.</p> <p>There are no changes proposed to operation noise limits – functions under Condition D4.</p> <p>Functions and events have been occurring at WBCT since it opened in accordance with an OEMP. The proposed modification addresses the intent of the requirements of the original Condition A8.</p>

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	<p>on the Anzac Bridge and associated roadways. To be enforceable, this limit must be replaced by a limit much closer to the source.</p> <p>Consent conditions, such as, developing a TMP or referring compliance to conditions that might be included in the Operational Environmental Management Plan should be avoided as these do not specify a direct environmental protection outcome. Such conditions simply specify an activity which may or may not deliver environment protection sufficient to protect the amenity of the public.</p> <p>The proponent is seeking to remove conditions requiring it to monitor events for compliance. This is not acceptable when the predictions are that this proposal will not satisfy the existing noise limits for such events.</p> <p>Conclusion</p> <p>The application for up to 2500 patrons at any one time must be refused on the basis that the noise levels it will generate will grossly impact the amenity of nearby residents. The proposal to extend the permitted hours of operation beyond midnight, permit external amplified music and at higher noise levels and to increase the internal amplified music levels must be rejected. Motor vehicle and external patron noise levels from up to 2500 patrons at any one time, will cause a very large increase in noise levels at residences due to the number of motor vehicles, nature and character of such noise. The proponent has not demonstrated how the expanded facility will realistically comply with the existing reasonable noise limits in a densely populated residential area. The proponent has not provided a comprehensive assessment of the cumulative impact of noise emissions from the expanded function/entertainment facility.</p>	<p>Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that larger functions and events can be successfully accommodated and managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p> <p>As demonstrated in Appendix A of the Modification Report, of those 70+ functions, many occurred, at least partially, outdoors, including after 6:00pm. As previously noted, over six years of functions at WBCT have only generated an extremely small number of community complaints. Attended noise monitoring of all functions incorporating outside activities from 6:00pm up to 12:30am, as is currently required, is considered unreasonable and unnecessary.</p> <p>Refer responses above for this submission on the points made in the conclusion.</p> <p>Section 7 of the Noise Impact Assessment concludes that “Noise levels are predicted to comply with the established noise criteria at the identified receivers and are also low enough that the cumulative noise levels from both the internal amplified music and this external background music together is still below the criteria.”</p>
<b>Marianne De Souza</b>	<p>I object to the proposal totally. It is a huge infringement on the amenity of local residents. The fivefold increase in Patrons is incompatible with the area ...parking will be unavailable and a nightmare for locals &amp; patrons. I also</p>	<p>Car parking will be limited to the 400 parking spaces available on-site and venue hirers will be advised via the</p>

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	<p>object to the increase in noise by 5dB — almost doubling the accepted and agreed limits, which will echo out across quiet residential streets above the cruise ship terminal. That you did not specify the volume of this increase — instead phrasing it as "only" 5dB — reflects this disingenuity. Especially given already damaging noise levels:</p> <p><a href="https://www.smh.com.au/national/nsw/excessive-noise-council-urges-more-noise-controlfor-white-bay-cruise-terminal-20161222-gtgkbt.html">https://www.smh.com.au/national/nsw/excessive-noise-council-urges-more-noise-controlfor-white-bay-cruise-terminal-20161222-gtgkbt.html</a></p>	<p>Venue Hire Contract that no parking is permitted by patrons on Robert Street or surrounding streets.</p> <p>In practice Port Authority has never been made aware of function / event patrons or cruise passengers parking on nearby residential streets. The closest street parking to WBCT is approximately 900m from the terminal on Robert Street, with residential streets of Balmain and Rozelle being further away still.</p> <p>Noise levels for a minor increase in amplified outdoor background music is predicted to comply with the established noise criteria at the identified receivers and are also low enough that the cumulative noise levels from both the internal amplified music and this external background music together is still below the criteria.</p> <p>Port Authority is not seeking to amend the operation noise limits for functions in Condition D4.</p>
<p><b>Martin McAvenna</b></p>	<p>I have learned that the PA seeks to modify White Bay Cruise Terminal to permanently increase the number of allowed patrons from 500 to 2,500! This will mean:</p> <ol style="list-style-type: none"> <li>1. Much greater noise as the music and drunk noises is amplified across the water.</li> <li>2. Only a 5 db increase in sound levels. Surely you can do better than that - you know very well the db scale is logarithmic</li> <li>3. A multiplier of 5 on the headcount</li> <li>4. Time limit extended to 12.30 a.m.</li> <li>5. Parking mayhem</li> </ol> <p>Despite the premier's proclamation that Pyrmont is "Open for business", more importantly Pyrmont, Balmain etc are supposed to remain open for residents.</p> <p>Mixing party boats &amp; 2,500 people in "celebration" mode with the concrete batching and bulk goods terminal - what a ludicrous idea.</p> <p>A coherent planning exercise is long overdue for White Bay/Pyrmont.</p>	<ol style="list-style-type: none"> <li>1. Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that larger functions and events can be successfully accommodated and managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013. There are no changes proposed to operation noise limits – functions under Condition D4.</li> <li>2. Noise levels for a minor increase in amplified outdoor background music (5db) is predicted to comply with the established noise criteria at the identified receivers and are also low enough that the cumulative noise levels</li> </ol>

Name	Issues Raised	Response
		<p>from both the internal amplified music and this external background music together is still below the criteria.</p> <ol style="list-style-type: none"> <li>3. Noted</li> <li>4. Noted</li> <li>5. Venue hirers will be advised via the Venue Hire Contract that no parking is permitted by patrons on Robert Street or surrounding streets.</li> </ol> <p>In practice Port Authority has never been made aware of function / event patrons or cruise passengers parking on nearby residential streets. The closest street parking to WBCT is approximately 900m from the terminal on Robert Street, with residential streets of Balmain and Rozelle being further away still.</p> <p>It is noted that there have been no reports of alcohol issues in 6 years of functions at WBCT and Port Authority fully expects this to continue given the types of functions and events that are accepted and the continued active management of functions and events. Party boats that operate on Sydney Harbour are not related to any functions or events at WBCT.</p> <p>It is understood that planning for the future of the Bays Precinct would involve DPIE, Inner West Council, Port Authority, other agencies and the community.</p>
<p><b>Michael Davis</b></p>	<p>First, WBCT has a history of non-compliance and of disregard for true community engagement. Given that WBCT has been unresponsive and unfair in its engagement with the Balmain community they are undeserving of modifications to the rules they committed to when they agreed to a maximum of 500 patrons.</p>	<p>A CLG meeting on 18 June 2019 included the proposed modification as an agenda item. An overview document was provided for review and comment by CLG members along with the draft meeting minutes. One written submission was received from a CLG community member. Written submissions that were also received by the local community prior to lodgement were considered in the Modification Report. The proposed modification will be assessed by DPIE on a planning merits basis having regard to issues raised in submissions.</p>

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	<p>WBCT claim something called a "mode share goal" of transportation for their functions of: 37% for cars, 50% for coaches, taxis 10% &amp; walking 3%. They wish to increase their patronage up to 2,500 and 37% of that figure would be 925 people. Yet they say they have parking for just 200 cars. If we calculate realistically two (2) people per car that means that 400 people will find parking while some 535 people in private cars (perhaps another 300 cars) will be looking for parking on the Balmain Peninsula. We already have major traffic and parking issues in Balmain, meaning that their increase in patronage will have a major negative impact on local community lives.</p>	<p>On the basis of up to only 400 parking spaces being available and the average occupancy being 2.8 persons, then for a function expected to be attended by 2,500 persons, the total maximum persons travelling by car would be 1,120 and then charter coach and/or ferry travel will need to be provided for 1,130 persons with 250 persons travelling by taxi etc. The traffic generation for a single cruise ship visitation indicates that the peaks of concurrent ingress/egress vehicle movements is some 400-500 vehicles per hour. It is therefore considered that the proposed limit of 400 parking spaces would generate ingress and egress movements which are significantly less than the level experienced with cruise ship visits with a typical generation of some 2,400 vehicles trips per day.</p> <p>As stated previously, venue hirers will be informed via the Venue Hire Contract that no parking will be permitted by WBCT patrons on Robert Street or surrounding streets. In practice Port Authority has never been made aware of function / event patrons or cruise passengers parking on nearby residential streets. The closest street parking to WBCT is approximately 900m from the terminal on Robert Street, with residential streets of Balmain and Rozelle being further away still.</p>
	<p>The excess cars (perhaps as much as 300) will be seeking parking along Roberts, Donnelly, Grafton and other Balmain Streets. All WBCT transport should be accommodated on-site. It is demonstrably unfair for the terminal to be competing with vital community parking in Balmain's already crowded streets. Remember that Balmain is a 19th century community, created long before the advent of the automobile.</p> <p>The Water Police are currently demanding that 27 public parking places be turned over to them alone in contradiction of their original 2002 agreement. Our local community is under siege from NSW government entities that make</p>	<p>Refer to the comment directly above.</p> <p>Port Authority is not entering into any agreements that requires public parking spaces and the comment in relation to the Water Police is not relevant to this proposal.</p>

Name	Issues Raised	Response
	<p>agreements (both WBCT &amp; the Water Police) and then years later demand more sacrifice from the local community.</p>	
	<p>The application by WBCT notes that the increase in events is, "likely to generate audible noise", yet they are currently exempt from any noise monitoring. We will suffer greater noise and yet they are not required to monitor it. The noise from WBCT has been evident in our community for far too long already and now WBCT wants to increase the dBA's and the volume of people by moving from just 500 patrons to 2,500.</p>	<p>The extracted phrase "likely to generate an audible noise" is referred to in existing conditions and not in relation to any results or discussion contained in the Noise Impact Assessment. Condition D12 is proposed to be modified with regard to amusement rides or similar activities.</p>
	<p>Roberts Street in particular is already fully parked practically 24/7. Many trailers, boats, trucks, etc. are permanently parked along Roberts Street.</p>	<p>Venue hirers will be advised via the Venue Hire Contract that no parking is permitted by patrons on Robert Street or surrounding streets.</p> <p>In practice Port Authority has never been made aware of function / event patrons or cruise passengers parking on nearby residential streets. The closest street parking to WBCT is approximately 900m from the terminal on Robert Street, with residential streets of Balmain and Rozelle being further away still.</p>
	<p>I'd note that WBCT already has the "Beatrice Bush Floating Pontoon", which could be used to move patrons on the Glebe "Trial" Ferry service that has been put into place. People could park elsewhere than the Balmain Peninsula and catch the Glebe Ferry to the Beatrice Bush Floating Pontoon. Other temporary ferry services could be used.</p>	<p>The mobile ferry pontoon facility (the "Beatrice Bush") can accommodate private vessels carrying up to 200 persons each trip. This pontoon has been used by private charter ferries many times for cruise passengers and has also been used to transport function patrons to / from WBCT. This facility, or a similar pontoon facility, will continue to be used to facilitate private charter vessels as a mode of transport.</p>
	<p>I object to the request to increase the outdoor music up to 72 dBA, an increase of 5 dBA, especially since "no noise monitoring is required where activities do not include amusement rides".</p>	<p>Noise levels for a minor increase in amplified outdoor background music is predicted to comply with the established noise criteria at the identified receivers.</p>
	<p>Section 7.2.4 on Cumulative Impacts notes that the Cumulative Traffic Working Groups has NO residential group or other residential representation. Why is there no residential representation? It would seem that once again the public is treated with disdainful contempt. Surely community representation is justified.</p>	<p>Cumulative Traffic Working Group was established by NSW Government as an internal group to consider and advise on the cumulative traffic implications and measures to ameliorate them in the Precinct.</p>



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	<p>Currently the WBCT is allowed to have both fireworks and amusement rides (5 per annum). Both of these should be removed. Sydney needs no more fireworks; we have enough fire and smoke already choking our city. In addition, Sydney already has more than enough fireworks at Darling Harbour on a nearly nightly basis.</p>	<p>Port Authority is not seeking to change the commitment for the limitation on number of functions with amusement rides. It is noted that no functions have operated amusement rides to date. As noted in the Modification Report, fireworks only occurred in relation to one function in 2013 and Port Authority was not made aware that this would occur and did not provide its approval.</p>
	<p>Finally, for the two-year period April 2017 to April 2019 there were 240 berthing of a single cruise ship and another 34 berthing of two cruise ships simultaneously. WBCT has forecast a further rise of 137 berthing per year. These intrusions into a residential community are already excessive without the addition of larger functions on "non-cruise days for up to 2,500 people."</p>	<p>Functions and events can only occur at WBCT on non-cruise ship days. The current OEMP states that the number of functions are limited to 50 per year. Port Authority is not seeking to change this commitment for the limitation to the total number of functions per year.</p>
<p><b>Name Withheld #1</b></p>	<p>It is already difficult to access in and out of Balmain. The road that goes directly from the cruise terminal to the M4 should be open to all vehicles coming and going from Balmain and not exclusive for their use as there are not many roads that we can use as residents living in in the area. I have noticed in the last six months that the traffic congestion has worsened significantly in and out of Balmain (Mullens St and Darling St), partly as more apartment blocks have come into use and thus contributed to the traffic congestion.</p> <p>Also the noise exemption that is being sought for functions at white bay is very concerning. The terminal sits right next to a residential area (in fact one of the oldest residential areas in Sydney!) within a heritage conservation area and thus highly impacts the surrounding amenity in terms of noise, traffic and other uses (eg parks). Please do not allow functions of 2500 (or even 500 should not have been allowed!) as the area is on a peninsula and cannot deal with more people or traffic.</p>	<p>Condition B5 requires that public vehicular access to the site during functions is only via James Craig Road, except for 'low impact' activities identified in the OEMP.</p> <p>Port Authority is confident that larger functions up to 2,500 patrons on site at any one time can be managed efficiently and effectively with minimal traffic and noise impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p>
<p><b>Name Withheld #2</b></p>	<p>I strongly object to this submission. This is a residential area and the numbers projected does not sustain a residential area without causing major detrimental effects on our residential area that being major noise damage and disregard for the locals.</p>	<p>Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that larger functions and events can be successfully accommodated and managed efficiently and effectively with</p>

Name	Issues Raised	Response
<p><b>Name Withheld #3</b></p>	<p>I object to this proposal in line with the views expressed by Jamie Parker &amp; by my local Councillor John Stamolis.</p> <p>I'm concerned that:</p> <ul style="list-style-type: none"> <li>• Increasing the allowed capacity to 2,500 will create excessive amounts of noise that will unfairly impact the peace and amenity of local residents (including myself)</li> <li>• Operating hours will be extended by half an hour to 12:30am;</li> <li>• The permitted sound level will be increased to allow for louder music; and</li> <li>• This proposal will push more and more cars into local streets that are already at capacity.</li> </ul> <p>The Port Authority will also only provide a parking places for 8% of guests, meaning attendees will be forced to use residential parking on Robert St.</p>	<p>minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p> <p>Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that larger functions and events can be successfully accommodated and managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p> <p>There are no changes proposed to operation noise limits – functions under Condition D4.</p> <p>Noise levels for a minor increase in amplified outdoor background music (5db) is predicted to comply with the established noise criteria at the identified receivers and are also low enough that the cumulative noise levels from both the internal amplified music and this external background music together is still below the criteria.</p> <p>Venue hirers will be advised via the Venue Hire Contract that no parking is permitted by patrons on Robert Street or surrounding streets.</p> <p>In practice Port Authority has never been made aware of function / event patrons or cruise passengers parking on nearby residential streets. The closest street parking to WBCT is approximately 900m from the terminal on Robert Street, with residential streets of Balmain and Rozelle being further away still.</p>
<p><b>Name Withheld #4</b></p>	<p>I object to the proposal to increase the patrons and exempt noise for New Years Day and Australia Day</p> <p>The current limit of 500 patrons must not be increased.</p> <p>The hours of operation must not be increased.</p>	<p>It is noted that any amendments to the Noise Restriction Policy is separate to this Modification (reference to New Years Day and Australia Day).</p>

Name	Issues Raised	Response
	<p>The level of music must not be increased.</p> <p>The allocated parking is not adequate.</p> <p>This area is for the benefit of residents and controlled Cruise Ship use. The local residents and businesses must be considered a priority. The village of Balmain must be preserved for its uniqueness and not given up for entertainment for a few people for outside companies to make money.</p>	<p>The proposed modification does not intend to change the character of Balmain. The mix of events and functions at WBCT includes public events, such as Sydney Bus Museum's Annual Open Day, which are open for the community to attend, for example:  <a href="https://www.portauthoritynsw.com.au/news-and-publications/2019-news/vintage-buses-conquer-white-bay-cruise-terminal/">https://www.portauthoritynsw.com.au/news-and-publications/2019-news/vintage-buses-conquer-white-bay-cruise-terminal/</a>.</p>
<p><b>Name Withheld #5</b></p>	<p>This development will have too many negative impacts on the surrounding residents. There is already enough trauma and congestion being inflicted on the area by major developments like WestConnex. Too much noise, not enough parking, not enough preservation of natural surroundings, not enough effective public transport. The government, even when working with private delivery partners, is also unable to deliver major projects within budget, or anywhere close to the originally promised timeframe. One only needs to look at the light rail project.</p>	<p>Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that larger functions and events can be successfully accommodated and managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p> <p>Port Authority notes the major transport infrastructure projects, both current and future that will be carried out in the Precinct over the coming years and will continue to work with Transport for NSW in managing the operation of the surrounding road network. Larger events will require a TMP that has specified mode share goals that must be adhered to noting the limited supply of car parking.</p>
<p><b>Name Withheld #6</b></p>	<p>This proposed development is a wind-back of conditions agreed when the Port Authority first applied to hold functions at the site (2011). As a local resident, the disruption to our community, by functions that currently are held, already is significant. Our home overlooks the White Bay Cruise Terminal. Noise from functions at the terminal does impact the sleep of my kids. More significant are the impacts of traffic: The volume of traffic, and the loudness at night of people coming and leaving the terminal is significant. Ridiculous driving, and the numbers of cars passing by late into the night means we cannot leave open our windows or doors. Multiplying those impacts by a factor of five, and for longer</p>	<p>The original Project Approval permitted functions up to 500 patrons at any one time, but also allowed for functions involving more than 500 patrons (up to 2,500), subject to the proponent submitting for the approval of the Director-General, a Major Events Report. This was all outlined in the original Condition A8, which was deleted as a consequence of MOD 1.</p>

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	<p>hours, will be cause for us to have to move from an area we love, and around which our kids have built their community. The idea that the Port Authority will provide parking for only 8% of all possible guests is ridiculous: Our streets already are filled with people coming to the Terminal, and we deal with drunken people coming to and leaving events walking past our windows too regularly. What next? In their original proposal, the Port Authority wanted to include an amusement park on the site: This is a community, with lovely, successful schools, parks, and an environment where kids can play in safety. These changes will push life on the Balmain peninsula back to times when it was a harder, less family-oriented place to live. I urge the Government to reject the application, and in doing so signal to our community the value of the effort we've put in to build somewhere people are proud to live, and where kids feel and are safe.</p>	<p>The proposed modification has the benefit of evaluating over six years of experience from functions and events operating at WBCT to justify seeking an increase in the capacity.</p> <p>The WBCT project approval transitioned to State significant infrastructure and a modification is being sought in accordance with section 5.25 of the EP&amp;A Act.</p> <p>All preliminarily approved function and event applications are required to execute a Port Authority Venue Hire Agreement to ensure functions continue to be well managed without any public safety issues (including risks associated with excessive alcohol consumption).</p> <p>As identified in Section 2.1 of the Modification Report, 51% of events to June 2019 have been either filming or photoshoots with comparatively much smaller percentage of events being for dinner/cocktail parties and private events.</p> <p>There are no proposals to install an on-site amusement park.</p> <p>As previously noted, function and event patron traffic will continue to access WBCT via James Craig Road, with no use of, or impact to, the local roads of Balmain.</p> <p>As stated previously, venue hirers will be informed via the Venue Hire Contract that no parking will be permitted by WBCT patrons on Robert Street or surrounding streets. In practice Port Authority has never been made aware of function / event patrons or cruise passengers parking on nearby residential streets. The closest street parking to WBCT is approximately 900m from the terminal on Robert Street, with residential streets of Balmain and Rozelle being further away still.</p>
<p><b>Name Withheld #7</b></p>	<p>The WBCPT might have been constructed with the ability to accommodate events and functions for up to 2,500 persons, however it was for good reasons not used in this capacity in the past. The traffic situation is not better today, but</p>	<p>The WBCT is a large building that is currently underutilised especially for functions in the range between 500 and 1,500 persons, which are regularly turned away due to the current</p>

Name	Issues Raised	Response
	<p>rather worse through 'road works', in connections with the new tunnel. (The closure and removal of the GIIF has not brought any visible effect.) If the impact is from a certain point of view "lower", the overall picture does not allow even a "lower" increase which it is. How the situation will be after the opening of the tunnel (and the underground distributor) should be the decisive argumentation which cannot be figured out beforehand.</p> <p>The surrounding is still that of urban living area for families which would not appreciate operations until midnight. There is enough pressure on the community. At least I would suggest to wait with these changes until all the other changes/trouble from the tunnel (underground distributor) has come to an end and the effects of this change are visible.</p>	<p>restriction. This statement is backed by the two submissions from operators in support of the proposed modification.</p> <p>In terms of potential traffic demand, the likelihood of an event or function occurring at WBCT for more than 1,500 persons would be extremely infrequent (having regard to the record of events and functions at the former Darling Harbour 8 facility and advice by Port Authority's internal Venue Manager) and any potential traffic movements would be significantly less than that of existing cruise ship visitations.</p>
<p><b>Name Withheld #8</b></p>	<p>I'm writing in support of the application to increase the capacity of the venue for events. I work for Red Jelly and we've run several events for corporate clients at the White Bay Cruise Terminal. It's an amazing space and one that could be utilised much more if the venue could allow larger numbers.</p> <p>We work on corporate events, trade shows, conferences, dinners and charity fundraisers. White Bay Ferry Terminal would be perfect for many of them. But most of our events range in size from 1,000 to 1,500 people and as such White Bay misses out on them. They have the space, facilities and onsite car parking - making it ideal for larger events.</p>	<p>Support noted.</p> <p>Port Authority confirms that it routinely has had to turn away upwards of 20 requests for functions every year because of the 500 patron limit, particularly for functions up to 1,000 patrons.</p>
<p><b>Name Withheld #9</b></p>	<p>My objections are :</p> <ul style="list-style-type: none"> <li>• Unacceptable increase in noise. There is already enough noise pollution around white bay and the harbour in general with cruise boats and party boats.</li> <li>• Inappropriate increase in number of people. What extra safety precautions and facilities will be provided. Who will pay for this, not the tax payer I hope</li> <li>• Increases traffic into already congested narrow streets. This will be even worse with the Bunnings development on the access corner.</li> <li>• Parking, already at a premium. Where will the other 92% of people find a park when locals continue to have difficulties.</li> <li>• Public transport does not go to the facility.</li> </ul>	<p>Noise levels for a minor increase in amplified outdoor background music (5db) is predicted to comply with the established noise criteria at the identified receivers and are also low enough that the cumulative noise levels from both the internal amplified music and this external background music together is still below the criteria.</p> <p>There are no changes proposed to operation noise limits – functions under Condition D4.</p> <p>For functions having 1500 patrons or more and finishing after 10:00pm, Port Authority has committed to requiring a minimum of six function staff be located in the carpark to</p>

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	<ul style="list-style-type: none"> <li>Impact on local needs to be prioritised</li> </ul>	<p>supervise patrons vacating the site to ensure noise and disturbance is minimised.</p> <p>All preliminarily approved function and event applications are required to execute a Port Authority Venue Hire Agreement to ensure functions continue to be well managed without any public safety issues (including risks associated with excessive alcohol consumption).</p> <p>As previously noted, function and event patron traffic will continue to access WBCT via James Craig Road, with no use of, or impact to, the local roads of Balmain.</p> <p>The requirement for Transport Management Plans and discussion related to mode share for larger functions is discussed in section 2.1.2 above and in section 7.2 of the Modification Report.</p> <p>Venue hirers will be advised via the Venue Hire Contract that no parking is permitted by patrons on Robert Street or surrounding streets.</p> <p>In practice Port Authority has never been made aware of function / event patrons or cruise passengers parking on nearby residential streets. The closest street parking to WBCT is approximately 900m from the terminal on Robert Street, with residential streets of Balmain and Rozelle being further away still.</p>
<p><b>Name Withheld #10</b></p>	<p>I am opposed to the extension of the number of patrons to attend functions at White Bay Cruise Terminal from 500 to 2500.</p> <p>The reasons for my opposition is that I consider the request to be completely at odds with the strategy for White Bay to be a working port rather than an entertainment district. There is also insufficient parking capacity to deal with the significant increase in capacity and will result in considerably greater amount of parking in local residential areas which are already at limited capacity.</p>	<p>White Bay will continue to be a working port with functions only occurring on non-cruise ship days and subject to approval of the Port Authority. Functions and events are an approved use at WBCT.</p> <p>There are no changes proposed to operation noise limits – functions under Condition D4. Patron noise is addressed in Section 5 of the Noise Impact Assessment and is primarily</p>

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	<p>The increased capacity is also likely to increase the noise levels to local residents with the extension of operating hours with the increased capacity especially when departing the venue.</p> <p>Please note that the Port Authority have failed to provide notification of events to local residents at current capacity levels which is in breach of my understanding of requirements and if they are unable to or unwilling to meet existing requirements why should they be rewarded by being given extended capacity, operating hours and noise levels.</p>	<p>based on applying management measures with the aim of continuing to achieve no to very few complaints.</p> <p>For functions having 1500 patrons or more and finishing after 10:00pm, Port Authority has committed to requiring a minimum of six function staff be located in the carpark to supervise patrons vacating the site to ensure noise and disturbance is minimised.</p> <p>Notification provisions are set out in the current Condition D14, which have been complied with, when applicable.</p>
<p><b>Name Withheld #11</b></p>	<p>The White Bay Cruise Terminal has a long history of noise complaints, non - compliance and no enforcement of legislative noise condition requirements.</p> <p>Page 8 of the Approval's OEMP states the following objectives:</p> <p>Identify all appropriate environmental safeguards &amp; demonstrate how they will be implemented on site.</p> <p>Manage site activities effectively</p> <p>Enable adverse impacts on the environment to be minimised</p> <p>Meet all requirements of relevant legislation &amp; assist with ensuring compliance of the Project Approval</p> <p>Monitor &amp; manage environmental &amp; social impacts</p> <p>None of the above objectives have been fulfilled or carried out to date. Nearly 7 years later since the Terminal opened.</p> <p>Reference is made to pages 15 /16 of the Approval's OEMP re Noise Monitoring for Functions.</p> <p>Community Information</p> <p>D14. The Proponent shall notify surrounding residents, Council &amp; the Police 14 days prior to functions that are likely to be audible &amp; will involve outdoor activities between 6pm &amp; 11.30pm. The notice shall include the following:</p>	<p>It is considered that the first point is in relation to cruise operations at WBCT which is not relevant to MOD 6.</p> <p>In response to the comment on the OEMP, Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that larger functions and events can be successfully accommodated and managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p> <p>All complaints received by the Port Authority are investigated and responded to. Port Authority website has been updated at the following link:  <a href="https://www.portauthoritynsw.com.au/community/community-complaints-procedure/">https://www.portauthoritynsw.com.au/community/community-complaints-procedure/</a>.</p> <p>The complaints process in relation to functions at WBCT will continue to include a direct line to the Duty Venue Manager and/or Security. All functions are 'run by third parties',</p>

Name	Issues Raised	Response
	<p>(a) Date &amp; nature of the event</p> <p>(b) The hours of operation for the event &amp; expected numbers</p> <p>(c) Proposed out door activities</p> <p>(d) The name &amp; contact number for an appropriate venue representative. The representative must be on site for the entire event.</p> <p>Residents have received no notification re any type of events since Brendon Elliott (Community Engagement Manager) left Ports in 2015.</p> <p>In a letter addressed to residents dated 19/12/14 residents were advised by the Community Engagement Manager "not to raise concerns by phone after hours as they cannot be addressed immediately". Four years later and complaints still can't be addressed after hours.</p> <p>Nothing in this regard has changed for the past almost 7 years. The music can't be stopped or turned off, the PA announcements can't be stopped or made internally and the ship's engine noise can't be turned down or off. Consequently there is no compliance or enforcement. Ever.</p> <p>On NYE 2018 cruise ships berthed at WBCT did play loud music. Residents rang to complain. There was no one at Ports to take complaints. According to the phone message residents received when they attempted to complain "Ports staff were on leave from 25/12/18 to 7/1/19".</p>	<p>regardless of size, unless Port Authority were to put on its own event at the Terminal.</p> <p>Comments in relation to cruise ships are not relevant to this modification application.</p>
	<p>Lack of Notification.</p> <p>There was little to no notification in regard to Ports previous request for feedback for exemptions to the NMS for NYE &amp; Australia Day 2019. To the best of my knowledge 3 residents received emails. Ports received over 50 objections to this proposal. There would have been a lot more objections with proper notification.</p> <p>The Public Exhibition for this latest amendment to the Approval was published in the IWC on 20/11/19. It was on the 2nd last page of the publication. You would really have to know what you were looking for in order to locate this Public Exhibition Notice.</p>	<p>Port Authority discussed the proposed modification at the 18 June 2019 CLG meeting and an overview document was provided to CLG members together with the draft meeting minutes.</p> <p>One written submission was received from amongst the eleven community members on the CLG. In addition, eleven written public submissions were received following the overview document being shared amongst the broader community by CLG members. Key issues raised by the CLG and by community members were identified and responded to in the Modification Report (refer to Table 4 of Section 3.2).</p>



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	<p>Residents haven't received an IWC for nearly 6 months now so most of them wouldn't have seen the Public Exhibition for increased patronage etc. In fact most residents know nothing about the proposed amendments unless they are on Jamie Parkers email list.</p> <p>When Ports held their public consultation meetings at Clontarf Cottage re the NMS there was no mention of the Approval's existing noise conditions being changed let alone raised by 14dB.</p> <p>In fact residents categorically told Ports that mitigating cruise ship noise was Carnival &amp; Ports problem/responsibility and ships should be mitigated at source. Residents also stated they" did not want to be sealed in their homes and wanted to be able to open doors &amp; windows &amp; not be sealed in" as proposed by the Attenuation Program. So much for community consultation and Ports Logo of "Working with Communities".</p> <p>It is no coincidence that the latest amendments to the Approval &amp; NMS come after some residents have had their properties attenuated. The majority of properties that have been attenuated have never made a noise complaint to Ports for various reasons. Most not wanting to go to the trouble of making a complaint and not having it resolved or just not wanting to deal with Ports. Residents know there is never any resolution to noise complaints and they will just be fobbed off.</p>	<p>Apart from the online copies of the modification, in accordance with DPIE's policies, newspaper advertisements were placed by DPIE in the Sydney Morning Herald, the Daily Telegraph and Inner West Courier. Further, hard copies of the Modification Report were available at DPIE's office, Balmain Library and Inner West Council Leichardt Service Centre.</p> <p>Comments in relation to cruise ships and the Noise Mitigation Strategy (NMS) are not relevant to this modification application.</p>
	<p>I object strongly to this application. It is bad enough trying to sleep with the noise from 2 huge cruise ships berthed 100 metres from my front door for 3 days &amp; 2 nights. Residents are already suffering sleep deprivation from cruise ship noise. Increasing noise levels &amp; patronage at the Terminal will result in further noise &amp; deterioration to our environment.</p> <p>The Terminal has always been non - compliant (that's why the noise levels were raised). And the site has never been managed in accordance with the Approval conditions since it opened in April 2013.</p> <p>There should be no need for increased patronage &amp; raised noise levels at the Terminal. All noise from the Terminal travels around the entire bay and impacts</p>	<p>Cruise ship operations (including cruise ship noise) are not the subject of this proposed modification. Any functions and events are held on non-cruise ship days.</p> <p>Port Authority is not seeking to amend the operation noise limits for functions in Condition D4.</p> <p>The Noise Impact Assessment has considered the impacts of the extended half hour and vehicle noise with additional commitments that would be made to minimise any noise impacts.</p> <p>Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment</p>

Name	Issues Raised	Response
	<p>houses in Grafton St, Wallace, Donnelly, Jane, Fawcett, Vincent &amp; Ewenton Streets and beyond.</p> <p>The average noise level for this area without a cruise ship or function is approximately 40 - 42dB.</p> <p>The noise level of the local area has now been approved &amp; raised 20 - 30dB by Ports &amp; Planning. Again without notification to residents.</p> <p>Do you think that is in line with the Approval's OEMP objectives. I don't.</p>	<p>undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that larger functions and events can be successfully accommodated and managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p>
	<p>Why was there no notification to residents regarding raising the noise levels by way of the NMS from 56dB to 70dB. Every cruise ship that berths at WBCT prior to 7am is in breach of the NMS requirement of 55dB.</p> <p>The Approval's noise levels were never enforced neither are the NMS noise breaches. Yet cruise ships continue to berth at WB non-compliant before 7am and after 10pm.</p> <p>Residents remain constantly under siege from cruise ships and Ports. Constant noise and constant torment with amendment after amendment. It appears to residents that Ports are allowed to do whatever they want to appease Carnival. Residents can see on a daily basis that cruise ships have all the privileges &amp; residents none.</p> <p>It should be noted that many residents lived here long before the cruise ships came. People chose to live here then because it was quiet.</p> <p>This is not an entertainment precinct nor a tourist destination. If Ports want to have functions and loud music from cruise ships they should do it at the OPT not 100 metres from family homes.</p> <p>I note there are no cruise ships booked at the OPT for NYE &amp; Australia Day.</p>	<p>Cruise ship operations are not the subject of this proposed modification. Any functions and events are held on non-cruise ship days.</p>
	<p>If there is no notification re venues (and no notification on Ports website) how can residents complain when there are no contact details.</p> <p>About a month ago a venue took place at the Terminal. With all my windows &amp; doors closed in the house you could still hear the thump, thump of the bass coming from the Terminal. Patrons were still on site at 12.40am and later.</p>	<p>Port Authority's community complaints procedure is clearly provided on its website, including how to lodge a complaint and how the complaints process works.  <a href="https://www.portauthoritynsw.com.au/community/community-complaints-procedure/">https://www.portauthoritynsw.com.au/community/community-complaints-procedure/</a>.</p>

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	<p>Not compliant now nor will it be if the amendments are approved. Ports reiterated to Residents Agency Group as well as in their initial applications that they were not going to change the noise levels. And they obviously intend to judging by the application they have now made.</p> <p>I strongly oppose this application with all of its amendments. Again it will never be complied with or monitored.</p> <p>These amendments will create excessive amounts of noise that will unfairly impact the peace &amp; amenity of local residents.</p> <p>And once again Ports require submissions a week before Xmas. Also not a coincidence.</p>	<p>Port Authority investigated our records in relation to comment about music and patron noise around mid-November (a month prior to the submission date). There was a corporate event at WBCT on 21 November 2019 from 6:30pm – 10:30pm with bump-out occurring straight afterwards. No complaints were received and it has been confirmed that the corporate event definitely finished at 10:30pm. The only other event for all of November was a small filming event on 27 November that finished at 12:00pm.</p> <p>Based on this it's not clear what this comment might have been in relation to.</p> <p>There are no changes proposed to operation noise limits – functions under Condition D4.</p> <p>Exhibition of MOD 6 was arranged by DPIE for a 28 day period from 20 November 2019 to 18 December 2019.</p>
<p><b>Name Withheld #12</b></p>	<p>I strongly Object &amp; Oppose this latest proposal from PANSW.</p> <p>1.2 Purpose of Modification is to allow Functions involving 2,500 patrons at any one time to be held at WBCT on non cruise ship days.</p> <p>This means our Community will have further reduced amenity; with no reprieve from our already highly disruptive and impactful environment in relation to our exposure to noise and pollution in close proximity.</p> <p>2. Existing Function Activities. I refer to the comment about police not being called out. That is not accurate. I personally have called the Police on numerous occasions in relation to noise, in desperation. The Police will not attend the site. They do not regard the Port as their responsibility. Police have attended a vessel in White Bay as a young woman fell from a boat and as I recall, was found dead.</p>	<p>Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that larger functions and events can be successfully accommodated and managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p> <p>Port Authority cannot comment on the statements in relation to the Police.</p> <p>The measures in the OEMP have been and will continue to be implemented for functions and events at WBCT with additional commitments provided in relation to minimising any noise and traffic impacts.</p>

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	<p>The OEMP &amp; OENP established to protect our Environment and Community have never been implemented. It appears Port's employees have not even read the document. Ports Authority's rhetoric rarely aligns with the realities of what actually occurs in White Bay.</p> <p>Ports generates misinformation/ propaganda routinely. The various sections of the proposed Modifications information confirm this misinformation. The details outlined by Ports are not accurate. I consider it mostly a myth, fictional.</p> <p>No we do not need the additional noise of uncontrolled screaming on amusement rides. We have endured those events previously. Or more pollution from increased traffic. Increased cars and buses parking and leaving in the early hours of the morning disrupting our sleep; causing sleep deprivation. Regardless of the statements Ports provide the mitigation processes do not actually occur.</p>	<p>It is noted that no functions have operated amusement rides to date.</p>
	<p>2.2 I refer to this section Hours of Operation.</p> <p>"Current Hours".</p> <p>It is not accurate. It's a good example of the information shared by Ports being misleading. This section is inadequate and doesn't take into account that a population lives on the other side of the White Bay perimeter fence.</p> <p>We constantly have issues with operations at the White Bay Cruise Ship Terminal which are not managed &amp; our complaints are not addressed, rather neglected by Ports Authority.</p> <p>The site is an unmonitored, cruise ship terminal (and not an amusement park). There is no surveillance of the site. Anything goes in White Bay. We know, as we have observed and lived with the disruptive activities, excessive noise in breach &amp; have been disturbed routinely with every cruise ship arrival since 15 April, 2013, i.e., almost 7 years now with no satisfactory outcomes achieved.</p> <p>The cruise ships are still in breach of noise limits with every arrival before 7 am. Mostly arriving before 6.30 am and sometimes earlier. Increasing noise limits when noise has been a critical issue since operations commenced is</p>	<p>Cruise ship operations are not the subject of this proposed modification.</p>

Name	Issues Raised	Response
	<p>unreasonable and thoughtless. The cruise ships often depart late which is never captured on Ports website.</p> <p>3. Consultation with Balmain Residents has not occurred. The elected representatives on CLG do not share information with Residents. The CLG was re-established to bypass, neglect and dismiss Balmain residents voice. PANSW actively disengaged with Balmain Residents at the end of 2015. Contacting &amp; Communications with Ports is very difficult. Particularly, after hours or during the holidays periods when problems occur at White Bay. No one is available to effect change.</p> <p>Note how the Contact number in the Modifications_6 document are not completed. Notification to Residents have not occurred since Dec. 2015.</p> <p>This section "noise impacts, traffic transport, larger functions, cumulative impacts, raising noise levels" completely under estimates the realities. The Community is already experiencing difficulty in making noise complaints. There is a concern this will become a far greater problem with large functions run by third parties.</p> <p>4. 1.2 No PEACE for Residents.</p>	<p>Port Authority's main mechanism of community engagement for all matters relating to Glebe Island and White Bay is the CLG which meets quarterly each year. The CLG provides for Port Authority and its port stakeholders the opportunity to discuss port operations with the community and gather feedback on any initiatives being considered (which has included this modification).</p> <p>Under the terms of reference, community members of the CLG are required to:</p> <ul style="list-style-type: none"> <li>• Regularly attend meetings.</li> <li>• Represent the views of the local community and provide input on local issues.</li> <li>• Communicate and share information with the wider community.</li> </ul> <p>Details of the CLG including its community members is available on the Port Authority website.</p> <p>Port Authority discussed the proposed modification at the 18 June 2019 CLG meeting and an overview document was provided to CLG members together with the draft meeting minutes.</p> <p>One written submission was received from amongst the eleven community members on the CLG. In addition, eleven written public submissions were received following the overview document being shared amongst the broader community by CLG members. Key issues raised by the CLG and by community members were identified and responded to in the Modification Report (refer to Table 4 of Section 3.2).</p> <p>Port Authority's community complaints procedure is clearly provided on its website, including how to lodge a complaint</p>

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	<p>5. Conditions of Approval</p> <p>Misleading. Controls not adhered to. Inaccurate. Site not managed. Outdoor activities after 12.40 am! And no doubt beyond...</p> <p>Notifications do not occur now. Page 11 Complaints response procedure is a Myth. The Blue &amp; White document has never been implemented adequately.</p> <p>I refer to the missing digits in Contact Numbers. A good example of Ports aiming to avoid Complaints. The Process has failed. Any Community Complaints are denied and/ or dismissed. Ports aim is avoid complaints. Staff unavailable after hours, when significant issues arise.</p> <p>2.5 Glebe Island example of no issues is inaccurate, misleading. There were issues &amp; Complaints about Glebe Island Temporary Convention Centre. It had no power supply for a very long time. There was a significant noise issue for a very long time. Repetitive, which continued throughout the night. I understand it was a generator or some kind of equipment to provide power. Eventually, an announcement was made that a power cable would be finally provided and the intrusive, irritating noise eventually ended.</p> <p>I have further notes. However, have run out of time. Ports do not assist or communicate with our Community to resolve the issues at White Bay. Port's commentary is just that, limited, inaccurate and does not invite confidence or reassure me that the Modifications-6 Proposals will be beneficial for our Community.</p> <p>PANSW words, process charts and proposals do not match their actions or the outcomes sought by Resident, unfortunately. The realities that occur are significantly different to what Port's Authority actually communicate. Residents' needs and amenity are irrelevant to them. Port's appear to have deliberately distanced themselves from our Community, a long time ago (Dec. 2015)</p> <p>The impacts and affects on our population of the Modifications_6 Proposal will be substantial. I had no confidence in the evaluations of how the proposed</p>	<p>and how the complaints process works.  <a href="https://www.portauthoritynsw.com.au/community/community-complaints-procedure/">https://www.portauthoritynsw.com.au/community/community-complaints-procedure/</a>.</p> <p>Port Authority considers that the history of functions and events at WBCT, the outcomes of the assessment undertaken as part of the Modification Report and the commitments made to further minimise impacts demonstrate that larger functions and events can be successfully accommodated and managed efficiently and effectively with minimal impacts, as has been the case for the 70+ functions that have occurred at the facility since April 2013.</p> <p>Notification provisions are set out in the current Condition D14, which have been complied with, when applicable.</p> <p>Port Authority's community complaints procedure is clearly provided on its website, including how to lodge a complaint and how the complaints process works.  <a href="https://www.portauthoritynsw.com.au/community/community-complaints-procedure/">https://www.portauthoritynsw.com.au/community/community-complaints-procedure/</a>.</p> <p>The Glebe Island Temporary Convention Centre which was historically located on Glebe Island is not relevant to this modification application.</p>

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	<p>Modifications outlined will be implemented or managed. Ports are unresponsive to our concerns and issues in White Bay. Increasing noise limits is ridiculous when that has been the critical issue for far too long.</p>	
<p><b>Patrick Li</b></p>	<p>The White Bay Cruise Terminal is now under way of severe noise restrictions from December. I would kindly ask you to drop your plans to create a party spot and a theme park with noisy rides along with party hours extending to 12:30 am. The people of White Bay deserve peace and quiet at night as it is extremely important for their sleep routines. A better alternative is to allow smaller parties e.g. a music festival only about 400 square metres in area to restrict noise from loudspeakers. And anywhere beyond 100 metres should there be peace and quiet for residents.</p>	<p>Port Authority specifically does not allow raves and high population dance parties to occur at WBCT.</p> <p>All event and function application are thoroughly assessed and considered by Port Authority as part of the application process. Port Authority never has, and does not accept applications for raves, high population dance parties and similar events that could have unacceptable impacts on the community.</p> <p>Additional information is available on Port Authority's website:  <a href="https://www.portauthoritynsw.com.au/venues/">https://www.portauthoritynsw.com.au/venues/</a>  <a href="https://www.portauthoritynsw.com.au/venues/white-bay-cruise-terminal-wbct/">https://www.portauthoritynsw.com.au/venues/white-bay-cruise-terminal-wbct/</a></p> <p>No functions have operated amusement rides to date.</p>
<p><b>Richard Gould</b></p>	<p>This Cruise Ship Terminal was supposed to be a temporary, but by using wedges politics, which is well practiced here in NSW, we are now stuck with it and we are now being told you're considering an addition burden of noise from a source that cannot manage its current noise issues.</p> <p>We already suffer from failure to facilitate Ship to shore power. Consequently the gift of regular poisoning by fumes and generator noise emanating from the ships funnels comes with every ship that docks.</p> <p><i>This community thanks you for your historical and ongoing support of its residents, Ooops... sorry, just woke up!!!.</i></p> <p>So you ask for our input - Here 's mine - Your department, has for years, delivered a thin smear of politeness while it plays 'hide the coconut' with its current operational management of White Bay.</p>	<p>Cruise ship operations including any ship to shore power proposals is not the subject of this modification.</p> <p>'Party boats', fireworks on and around Sydney Harbour and 'Pyrmont events' are not under the control of Port Authority and are not relevant to this modification application.</p>

Name	Issues Raised	Response
	<p>Your proposed additional noise from 'WBCT entertainment' would be shoved into the few remaining gaps of quiet respite from these ships.</p> <p><i>Hell, why not... Gee thanks!!! Just adds to the 'repeated Duff' noise of Party boats (hang on aren't there laws about Party boats noise ... yes - and nobody acts to control it), more fireworks and growing Pymont events.</i></p> <p>Your proposed changes will be at great personal costs of this community.</p> <p>I ask you do not change the current limits of use but also ask to fulfil the obligation of installing ship to shore power.</p>	
<p><b>Richard Stanford</b></p>	<p>This is a multi-use area, catering for many different groups doing many different things. Having the area taken over by one business, in order to proliferate in numbers and noise, to the detriment of all others is not acceptable. The already agreed numbers and sound level should be adhered to without change, for the benefit of all.</p>	<p>WBCT is hired by a range of organisations that are required to apply to Port Authority.</p> <p>There are no changes proposed to operation noise limits – functions under Condition D4.</p>
<p><b>Sophia Kevans</b></p>	<p>In regards to the Port Authority's proposal to permanently increase the capacity of the White Bay Cruise Terminal from 500 to 2,500, I'm concerned that:</p> <ol style="list-style-type: none"> <li>1. Increasing the allowed capacity to 2,500 will create excessive amounts of noise that will unfairly impact the peace and amenity of local residents;</li> <li>2. Operating hours will be extended to 12:30am;</li> <li>3. The permitted sound level will be increased to allow for louder music; and</li> <li>4. This proposal will push more and more cars into local streets that are already at capacity. The Port Authority will also only provide parking places for 8% of guests, meaning attendees will be forced to use residential parking on Robert St.</li> </ol>	<p>The Noise Impact Assessment of the Modification Report considered all components of the proposed modification and indicates that the “WBCT can operate functions up to 2500 patrons with the addition or modification of several of the noise mitigation measures nominated in the Noise Management Plan”.</p> <p>There are no changes proposed to operation noise limits – functions under Condition D4.</p> <p>Venue hirers will be advised via the Venue Hire Contract that no parking is permitted by patrons on Robert Street or surrounding streets.</p> <p>In practice Port Authority has never been made aware of function / event patrons or cruise passengers parking on nearby residential streets. The closest street parking to WBCT is approximately 900m from the terminal on Robert Street, with residential streets of Balmain and Rozelle being further away still.</p>



Name	Issues Raised	Response
<p><b>Sunil Badami</b></p>	<p>I strenuously object to this proposal, on the grounds that the proposed increases are egregiously over the previously advertised conditions in the EIS and after community consultations.</p> <p>I object to the increase in noise by 5dB — almost doubling the accepted and agreed limits, which will echo out across quiet residential streets above the cruise ship terminal. That you did not specify the volume of this increase — instead phrasing it as "only" 5dB — reflects this disingenuity. Especially given already damaging noise levels:  <a href="https://www.smh.com.au/national/nsw/excessive-noise-council-urges-more-noise-control-for-white-bay-cruise-terminal-20161222-gtgkbt.html">https://www.smh.com.au/national/nsw/excessive-noise-council-urges-more-noise-control-for-white-bay-cruise-terminal-20161222-gtgkbt.html</a></p>	<p>Section 7.2 of the Noise Impact Assessment concludes that in relation to the proposed increase of 5dB for external background music: "Noise levels are predicted to comply with the established noise criteria at the identified receivers and are also low enough that the cumulative noise levels from both the internal amplified music and this external background music together is still below the criteria". The established noise criteria referred to here is the operation noise limits - functions in Condition D4.</p> <p>There are no changes proposed to operation noise limits – functions under Condition D4.</p>
	<p>I object to the proposed five fold increase in patrons from 500 to 2500 for more than 30 events a year — even if such events are only held once a week, over six months' of disruption and increased traffic in an already busy and overwhelmed vicinity.</p> <p>I object to you only offering 8% patron vehicle parking — meaning that additional cars will then take precious resident spaces in Robert Street and other surrounding streets, already compromised by WestConnex and other construction vehicle traffic, is appalling. If you cannot offer sufficient facilities for this steep increase in patrons then you should not increase this number until you have allowed for minimal disruption to residents and their families' amenity.</p> <p>You have not allowed or discussed how you will be getting patrons in and out of the venue, during cruise ship embarkations or departures, further increasing traffic in Robert St. Nor have you disclosed how you will manage public and pedestrian traffic at a time when WestConnex increases truck movements AND work commences on the Rozelle Metro/Light Rail Line AND the Glebe Island concrete batching plant AND the Fish Market refurbishment AND the Bunnings being built on Robert St happening all at once in the busiest traffic intersection in Australia.</p> <p>While concentrating such development — as well as the Government's proposed Bays Precinct residential and commercial developments — in such a small and busy area was already unfeasible, adding to this immense pressure is</p>	<p>Refer to responses made in response to TfNSW and Council submissions in Sections 2.1.2 and 2.1.3 in relation to in traffic management and Transport Management Plans.</p> <p>Venue hirers will be advised via the Venue Hire Contract that no parking is permitted by patrons on Robert Street or surrounding streets.</p> <p>In practice Port Authority has never been made aware of function / event patrons or cruise passengers parking on nearby residential streets. The closest street parking to WBCT is approximately 900m from the terminal on Robert Street, with residential streets of Balmain and Rozelle being further away still.</p> <p>Condition B5 requires that public vehicular access to the site during functions is only via James Craig Road, except for 'low impact' activities identified in the Operational Environmental Management Plan (OEMP), with all servicing of the site and car parking during all function operations undertaken on site. Trucks and delivery vehicles servicing functions (i.e. bump-in and bump-out traffic) and staff associated with functions are permitted to use the access controlled Robert Street to access the WBCT. No change is</p>

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	<p>unviable, unjustified and irresponsible. It is especially troubling that despite allowances made by the community to permit limited numbers during this intensely busy period of construction, you should attempt to push even further than previously and publicly advertised during consultation and approval periods.</p> <p>However, after long experience of "community consultations" in which any concerns are patronisingly and blithely dismissed by the Government, its agencies and contractors, I know any objection is futile. You will do what is best for investors, contractors, the Government's political donors and fellow travellers, no matter the cost to us, our homes, our and our children's health, and our community's amenity. You will bulldoze our concerns and damage our health and happiness with relish, and punish us for standing up for our homes and community. I imagine you will be laughing as you read this now, just as we have been regularly ridiculed, dismissed, condescended to and ignored in community meetings and "consultations".</p> <p>That you should have called for submissions a week before Christmas, at the same time as submissions for the proposed modifications to the Rozelle Interchange, reflects that contempt for our community, hoping no doubt to "put the rubbish out" without anyone noticing.</p> <p>I hope you sleep much easier than we or our children do now, or as it appears you will not permit us to when you double the noise limits and quintuple the traffic and patronage late into the night — all while spewing toxic maritime diesel over us, our children and our community. <a href="https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/air/whitebaycruiseterminalcommunityimpacts.pdf?la=en&amp;hash=C86F5035230D721537FD4B63A4815BCE850C24C1">https://www.epa.nsw.gov.au/-/media/epa/corporate-site/resources/air/whitebaycruiseterminalcommunityimpacts.pdf?la=en&amp;hash=C86F5035230D721537FD4B63A4815BCE850C24C1</a></p>	<p>being sought to these requirements and arrangements to ensure that traffic continues to be managed effectively in the surrounding road network and to continue to minimise the use of Robert Street by traffic associated with functions and events at WBCT.</p> <p>Functions and events can only occur on non-cruise ship days at WBCT.</p> <p>MOD 6 was lodged with DPIE on 8 November 2019. DPIE placed MOD 6 on exhibition for four weeks from 20 November 2019 to 18 December 2019.</p> <p>The proposed modification will be assessed by DPIE on a planning merits basis having regard to issues raised in submissions.</p>
<p><b>Suzanne Dwyer</b></p>	<p>There is currently an unacceptable level of noise from the Cruise ships and I strongly object to any modifications to increase the number of patrons at the White Bay Cruise Ship Terminal as it will only compound this issue.</p>	<p>Cruise ship noise and cruise ship operations are not relevant to this modification application.</p> <p>The Noise Impact Assessment of the Modification Report considered all components of the proposed modification and</p>

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		<p>indicates that the “WBCT can operate functions up to 2500 patrons with the addition or modification of several of the noise mitigation measures nominated in the Noise Management Plan”.</p> <p>There are no changes proposed to operation noise limits – functions under Condition D4.</p>
<p><b>The Department P/L Nick Bonich</b></p>	<p>I am writing to voice my support for the proposed modifications at White Bay Cruise Terminal - principally the increase of the maximum event capacity (to 2500 at any one time) as well as changes to noise restrictions at the site.</p> <p>This venue is perfect for small to medium events and is criminally under-utilised as such. The current restrictions on capacity and noise on NON-CRUISE ship days is also hypocritical – as cruise ships often see thousands of people embark and disembark, with significant (and noticeable) noise and activity.</p> <p>There are so few venues in the inner city that are as flexible, functional and well-located as White Bay - meaning events that would otherwise be impossible (either due to logistics, location or cost) are feasible once again within the city. One such example is a cycling race we've held twice at White Bay (most recently here: <a href="https://thespokespeople.com/events/criterium-whitebay-2018/">https://thespokespeople.com/events/criterium-whitebay-2018/</a>). However, due to having hit the current capacity window (as well as struggling with the noise restrictions) we have had to stop running the event.</p> <p>Criterium White Bay is (or was) the only event of its type in Sydney - run within the city, and in a location that suited both participants and spectators (with a strong community and sustainable focus). It was low noise/impact, run professionally, and attracted riders and spectators from all around Australia (and Asia Pacific). It had also begun to grow into a multi-sport festival – with running and family events included - plus the support of major sporting bodies around the country (who are crying out for events like this in Sydney). However, due to the low capacity, sponsors have progressively dropped off to the point the event has become unsustainable. With hundreds of participants, a 500 cap allowed only a small spectator crowd - and a queue at the gate of people who could not get in to enjoy the event. Sponsors got a very low ROI for their spend - but</p>	<p>Support noted.</p> <p>Port Authority routinely has had to turn away upwards of 20 requests for functions every year because of the 500 patron limit, particularly for functions up to 1,000 patrons.</p>

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	<p>would almost certainly re-engage if the cap was lifted (in fact, almost all have verbally indicated as much).</p> <p>If we could have 2500 capacity at a time, it would open the door for spectators, sponsors, and more participants from around the world to enjoy a unique and exciting event (as well as media - with interest for live-streaming and TV to a global audience). All of a sudden our little event at White Bay would become one of the premier cycling events in the world (for the location, excitement and unique style of event). All with very low noise and impact (with a cheering crowd the only noise to be managed).</p> <p>Of the 2x events we ran - the only complaint lodged was about noise, which ended up being from a party boat on the harbour. These party boats make significantly more noise than we ever would - and run everyday. We use a distributed sound system (buffeted by the venue) and constant level measuring to make sure there is no discernible disruption to residents. Similarly, all our spectators and participants either arrive by bike or use James Craig Rd to access the carpark/venue - to minimise local traffic disruption.</p> <p>This covers just our event - however, there would be 100s of different (and amazing) events that could responsibly use that space - that cannot currently due to draconian caps on capacity and noise. Family events, community events, corporate events, launches, sports, and more. Diverse and interesting uses of this amazing space - rather than it being empty so much of the time (when there are no ships). We were even approached 2 years ago by the Invictus Games to try and help them activate the space - only to look elsewhere once they learned of the unreasonably low max capacity limit.</p> <p>I feel compelled to mention again that this is a working port, with loud ships and dock activity on most days of the year. Thousands of people embarking/disembarking, forklifts, ship horns, etc. Surely, utilising a great space like this responsibly for considered local events cannot be as loud or disruptive as a working port!</p> <p>Small to medium events are dying in Sydney - due to soft sponsorship/revenue opportunities, insurance rate hikes, overbearing compliance/bureaucracy, and lack of affordable venue spaces. For Sydney to maintain its reputation as a</p>	

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	<p>cosmopolitan and liveable city - it needs small to medium events to draw tourists, generate revenue and provide the lifestyle Sydneysiders so value. This requires affordable, accessible, world-class venues for these events - and White Bay is absolutely perfect for this. I do not believe there is a significant risk of noise or disruption to locals with the proposed modifications - so long as the events run are done so responsibly and professionally (as all events should be). In fact, it may well improve the liveability of the area with fun and engaging activities/opportunities at residents' doorsteps.</p> <p>I look forward to our company, and many others, running successful events at White Bay in the future - and welcoming people from all over Sydney (and around the country - including local residents) into this amazing space for a memorable event experience.</p>	

### 3 Conclusion

Port Authority has prepared responses to the issues raised in the submissions received from the exhibition of the proposed modification to MP10\_0069.

The conclusions of the assessment in the Modification Report remain valid, in that:

- The WBCT can accommodate functions up to 2,500 patrons in compliance with existing noise criteria in conjunction with the implementation of additional noise mitigation measures to minimise impacts to sensitive receivers.
- The proposed modification will not result in adverse transport, traffic or parking implications provided that TMPs are prepared and implemented for functions over 500 persons. It is proposed that larger functions (1,000 to 2,500 persons) will require a significant mode share of travel to be arranged by charter coach, and/or ferry (not private vehicles), especially where peak arrivals or departures occur during the weekday morning and afternoon peak travel periods.
- No adverse cumulative impacts are expected.

No additional changes are proposed to the revised Project Approval conditions and modified and new Statement of Commitments in Section 5 and 8 of the Modification Report, respectively.

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