



Our ref: DOC18/472401-03

Ms Heather Nelson
Senior Planner, Infrastructure Assessments
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Dear Ms Nelson

RE: Eden Breakwater Extension Modification Request (SSI 7734 MOD1)

I refer to the Department of Planning and Environment invitation to the Environment Protection Authority (EPA) to provide comments on the NSW Department of Industry request to modify conditions of the approval for the Eden Breakwater Extension project which is located at Eden in the Bega Valley Local Government Area. I also refer to the Modification Request supporting information which includes an impact assessment relating to air quality and noise amenity, proposed monitoring and additional mitigation measures.

The Modification Request relates to Operating Conditions concerning air quality (sulphur content in fuels, cruise ship equipment maintenance and complaint handling) as well as noise amenity (noise from cruise ships whilst in the Port of Eden and complaint handling).

The Commonwealth Government is responsible for regulating fuel used by ships in all Australian Ports (including NSW). Commonwealth amendments to Protection of the Sea (Prevention of Pollution from Ships) Act 1983, effective January 2016 made state Government powers to regulate low sulfur requirements for shipping inoperative. The Commonwealth introduced requirements for cruise ships to use 0.1 per cent or less sulfur fuel at berth in Sydney Harbour (mirroring previous NSW at berth requirements).

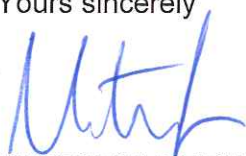
The main air pollutant from ships is fine particles (PM 2.5). Low sulfur marine fuel is the most common measure used overseas to reduce particle emissions from ships.

In relation to broader shipping requirements, the International Convention for the Prevention of Pollution from Ships (MARPOL) is the principal convention covering prevention of pollution of the marine environment. The Australian Maritime Safety Authority (AMSA) implements the MARPOL limits on sulfur in fuel. The EPA notes that from January 2020 the International Maritime Organization reduces the global sulfur cap from 3.5% to 0.5% for fuel oil used by ships. This will be the minimum requirement for all ships.

The EPA supports the broad application of the global cap and considers that it will deliver good air quality outcomes for local communities from January 2020.

If you have any further queries in relation to this matter, please contact me on 62297002 or via Email at queanbeyan@epa.nsw.gov.au.

Yours sincerely



21-8-2018

MATTHEW RIZZUTO

Unit Head - South East Region

NSW ENVIRONMENT PROTECTION AUTHORITY