

MEETING	Community Consultative Committee (CCC) - Eden Breakwater Wharf Extension Project		
MEETING NO.	35	DATE	Wednesday, 21 November 2018
LOCATION	The Captain's Table – Eden Fishermen's Club	TIME	5.30pm TOR training 6pm CCC meeting
ATTENDEES	Natalie Godward, Jenny Robb, Richard Lamacraft, Paul Webster, Gail Ward, Rob Bain, Anna Butler, Simon Wakefield, Glenn Vardy, Mike Crandell, Rob Davis, Coral Reynolds		
APOLOGIES	Dr Denis Lawrence, Leanne Scott, Robin Arthur, Megan Cleary, John Aveyard, Debbie Meers, Graham Stubbs, Andrew Dooley, Isaac Smith, Tony Matthews, Tomas Rooney, Greg Thomson		
PREPARED BY	Coral Reynolds		

Training session – Revised CCC Terms of Reference (5:30pm)

Simon welcomed CCC members and advised training would comprise a review of the updates to the CCC Terms of Reference (TOR) and the breach of the CCC TOR and CCC Guidelines for State Significant Projects (the CCC Guidelines).

A summary of the updates to the CCC Terms of Reference including the following:

- New Section - Purpose of the TOR
 - The CCC Guidelines, Code of Conduct and TOR together support the management and outline the requirements of the CCC members
- New Section - Pecuniary and Other Interests
 - Outlines conflict of interest protocols
 - It is noted that a Declaration needs to be drafted and signed
- Updated Section - Code of Conduct
 - Includes breach notification protocols
- Alternate representatives
 - Outlines alternative representative protocols set for members and chairperson.

Coral was asked to reissue the TOR to the CCC members at the training.

Gail asked for an example of what might be a conflict of interest. Simon said for example if a member had a significant investment in a marina and because of the project the member would greatly benefit financially i.e. a business that directly benefits. Jenny asked if CCC members had to advise the CCC every time there was a potential conflict over a new action and was advised this would be the case.

Simon noted that Coral and Simon would be updating the Conflict of Interest Declaration and these would be sent to the CCC. It was noted that the advertisement for new members would be placed in the Eden Magnet on 22 November 2018, it is expected the Declaration would be prepared in time for the new members to sign.

Simon advised that breaches to the CCC TOR and CCC Guidelines took place on 16 July 2018 when an email with an attachment was sent to the wider-Eden community relating to the Modification Request to Operating Conditions. The email was in breach in the following areas:

- The email stated it was from the CCC:
 - Under the Responsibility of Members section of the TOR it is written that “No individual member will make a public statement claiming to represent the CCC or other members of the CCC.”
 - Under Section 6 of the State Significant Guidelines it is written that “With the agreement of the whole committee, the committee may agree to release

statements or other information to the media or to adopt other approaches to public dissemination of information. However, only the independent chairperson may speak publicly on behalf of the committee” AND “Individual committee members may make comments to the media or in public forums on behalf of themselves or their stakeholder groups, but not on behalf of the committee”.

- In the Code of Conduct Agreement – Members that has been signed by members of the CCC it is stated that members of the CCC are “not to speak publicly on behalf of the committee” AND “not misrepresent the views of other members of the committee outside meetings”.
- In the email it was stated that the CCC is currently seeking an amendment to the Operating Conditions - this is incorrect as it is the Department of Industry that is seeking the modification request.
- In the email it was stated that the CCC has decided to go ahead with seeking formal approval for these amendments - this is incorrect as it is the Department of Industry that is seeking formal approval for the modification request.
- This was also a Conflict of Interest due to Jenny being President of the Eden Chamber of Commerce and owing a small business that may be perceived to ultimately benefit from the project once completed.

Natalie noted that she perceived the last dot point, conflict of interest, may not be correct. Jenny noted that it could be perceived to be a conflict of interest.

Simon advised the CCC that moving forward:

- In order to ensure any breaches do not occur again please do not make any comments to the media or in public forums on behalf of the CCC.
- If in doubt, please send any intended written communications to either the Independent Chairperson or Project Communication Advisor firstly who will be able to advise if there are likely to be any breaches.
- We have amended the Terms of Reference to ensure these issues are adequately covered within the scope of the Terms of Reference.

Eden Breakwater Wharf Extension Project Community Consultative Committee (6:00pm)

1. Acknowledgement to Country, welcome and apologies

Simon thanked attendees for coming to the meeting, acknowledged the traditional custodians and peoples of the Country, both land and sea, and paid his respects to Elders past and present.

Simon advised that there were a few apologies and they would be documented in these minutes. Simon introduced Anna Butler from Cardno and advised that she would be providing an update of the Operational Environmental Management Plan (OEMP) and OEMP Sub-plans to the CCC in the meeting.

2. Actions from previous meeting

Simon advised there were no actions from the previous meeting minutes.

3. Post approval update

Simon provided a post approval update as follows:

- The monthly Environmental Representative Report continues to be submitted to the Department of Planning and Environment (DP&E):
 - ER Report was submitted on 7 November 2018.
 - The next ER Report is due 7 December 2018.
- No amendments or updates to the CEMP or CEMP Sub-plans have occurred in this reporting period.
- The CCC Annual Report will be available on the project website once publishing approval has been received.

Mike asked if Simon received any feedback from DP&E regarding his monthly reports. Simon noted that he received minimal feedback and believed this was because there were no issues with the project.

4. Modification request update

Simon discussed the following with attendees:

- The modification was approved 7 November 2018.
- The Modification Instrument has been received and will be available for review on the project website.
- Operational conditions have been incorporated into the Operational Environmental Management Plan (OEMP) and OEMP Sub-plans.

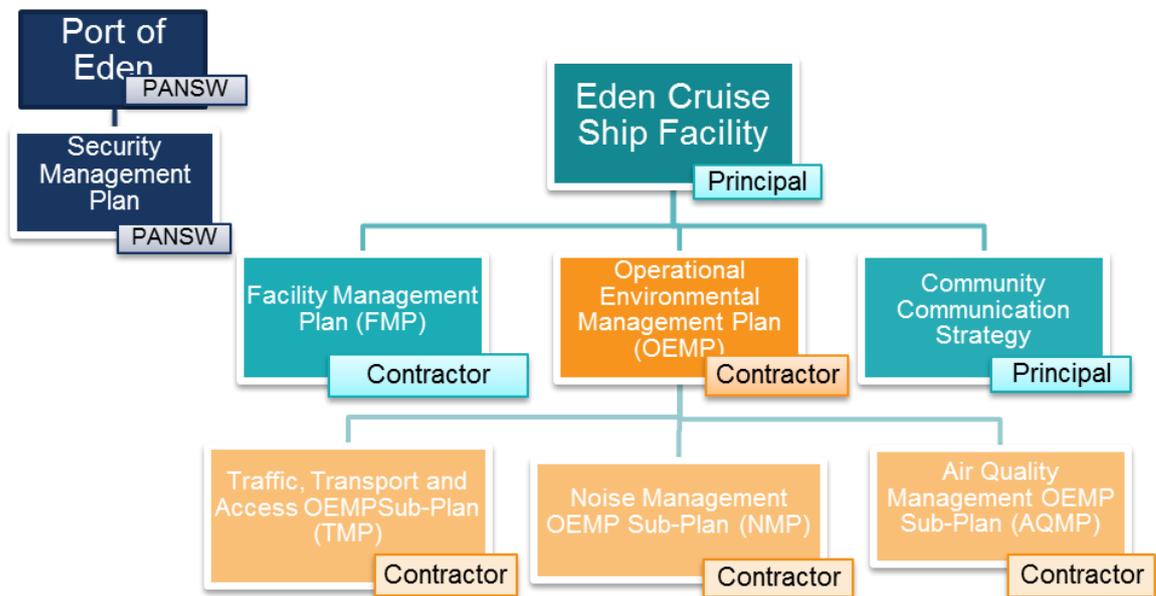
Simon discussed the CCC functioning for five years during operations; however, the frequency of meetings may be reduced from monthly to bi-monthly or quarterly depending on the activity of the Facility.

5. OEMP, OEMP sub-plans and associated monitoring programs

Anna provided an update of OEMP and noted this has different requirements to the Construction Environmental Management Plan (CEMP) with different activities being undertaken during operations compared to construction.

Anna advised that for the operations the project is called the Eden Cruise Ship Facility and the OEMP is pertaining to cruise ship activities and does not include other activities at the port.

Anna reviewed the document hierarchy within the broader suite of Port management documents as shown in the figure below.



It was noted that the Principal may change from the Department of Industry.

Anna noted that Cardno will be the Contractor from the start of operations for a period of 12 months. Cardno is also preparing the Facility Management Plan (FMP) that explains how everything is managed for the operational phase.

Anna noted that the existing Community Communication Strategy will be utilised. Coral noted that this will need to be updated to reflect operation not construction activities.

The Traffic, Transport and Access sub-plan (TMP) will discuss cruise ship buses and taxis and there will be some crossover with Port operations. The Noise Management sub-plan (NMP) will discuss the management of noise from cruise ships arriving and passengers' embarkation and disembarkation. The Air Quality Management Plan sub-plan (AQMP) will discuss the management of air quality when cruise ships are in Port.

Rob B asked if the Project Control Group who are managing the Eden Masterplan will be involved. Anna noted the OEMP and OEMP Sub-plans are not completely separate but will be including what is known and that Cardno are aware there may potentially be new buildings. Mike noted the OEMP would be updated accordingly if new facilities are developed. Anna stated that the OEMP will be reviewed annually and formally submitted to DP&E if there are significant changes such as a new welcome facility or other buildings. Rob B asked if the old Mobil site will be included. Anna advised that this wouldn't be.

Glenn noted that the OEMP and OEMP Sub-plans describe the responsibilities of both PANSW and the Department of Industry as operators but do not include other Snug Cove infrastructure.

Anna reviewed the following:

- The legislative and statutory framework that applies to the operation of the Facility, the approvals required and relevant authority responsible for specific legislation.
- OEMP consultation undertaken and objectives.
- Requirements Matrix for the State Significant Infrastructure Approval.

It was noted that the Appendices contains all the Approvals including the Modification.

Anna reviewed the description of the facility and location, the services at the Port which are carried out by PANSW and not covered in the OEMP, and the facility assets requiring management. Paul asked how Cardno as Facility Managers will manage non-cruise ship days. Anna advised that the owner of the facility will be responsible for this.

Rob B asked what will happen if there is an incident during the Sydney to Hobart yacht race. Glenn advised there is legislation in force (*State Emergency and Rescue Management Act 1989*) which is implemented and noted this was enacted during the 1998 yacht race.

Anna discussed the role of AQIS and Borderforce and that she believed there were no international cruise ships that come in to Port. The CCC advised Anna that two international cruise ships have visited Eden Port. Anna noted that she will amend the OEMP accordingly to reflect this.

Natalie asked about the traffic, transport, and access assets, specifically the shared bus and taxi zone description and stated that some of this was incorrect. Glenn noted that the project has to be compliant with the Infrastructure Approval. Anna noted the TMP has further detail regarding the traffic, transport and access assets.

Natalie asked when PANSW will be provided with the OEMP and OEMP Sub-plans. Simon advised that the OEMP and OEMP Subplans were currently under internal review and once the plans had been updated they would be provided to PANSW and this would take place potentially next week. Natalie advised that PANSW can assist Cardno in drafting these plans.

Rob B noted that before cruise ships started to visit Snug Cove it was the most visited facility in the Shire and that the businesses at the wharf need to be protected making sure parking was still available and that this was being considered in the development of the OEMP and OEMP Sub-plans. Anna noted that parking for these businesses is not part of the OEMP and OEMP Sub-plans as they relate to parking for cruise ship activity. Glenn noted that there is a FMP that will be developed for the Eden Cruise Ship Facility. Rob reiterated that the main objective is for businesses to not be negatively impacted.

Anna noted the risk assessment process undertaken using the risk assessment matrix AS4360: 2009 Risk Management and the environmental issues covered in the OEMP; activity, impact,

residual risk rating and relevant action plan. Anna noted that there may be activities that are unforeseen.

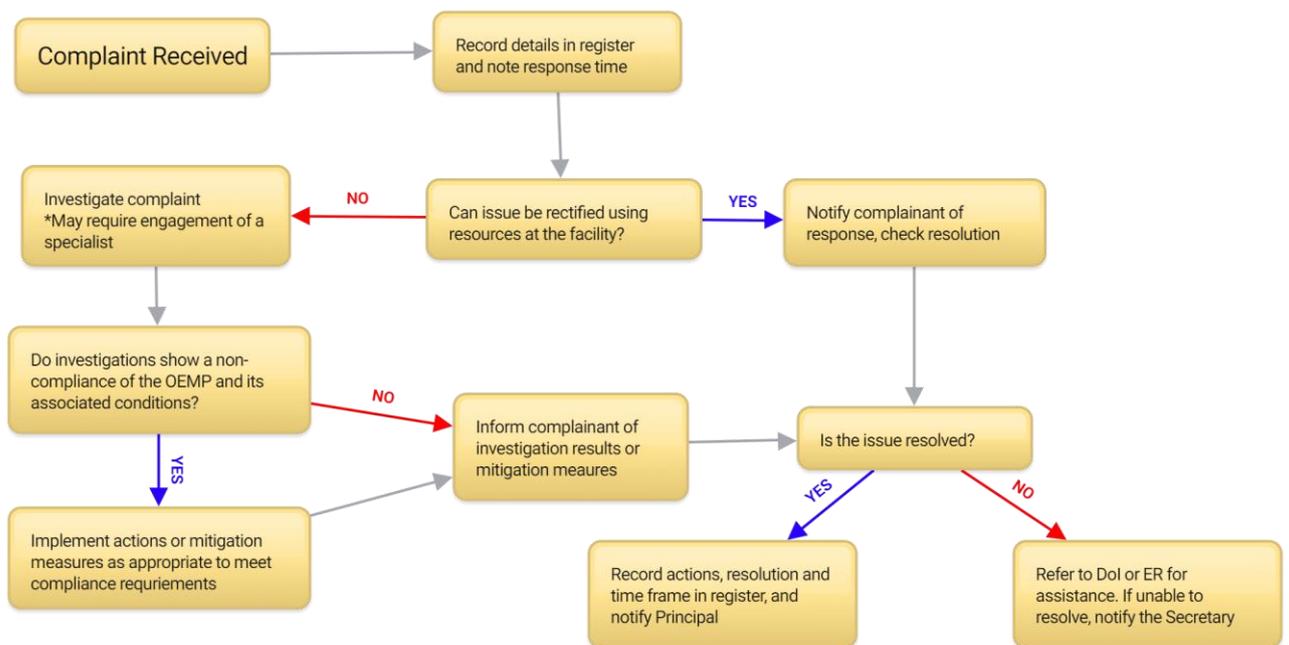
Richard noted that sediments will be stirred up from tug activity. Anna advised that if it is a quickly settling sediment this will not impact flora and fauna. Richard noted there is a mussel farm that may be impacted. Mike noted the dynamics of Twofold Bay can be complex and there will be movement of sediment; however, water quality monitoring undertaken during the dredging of the project indicated that there were no impacts due to suspended sediment.

Mike asked what the process will be from this stage. Simon advised the next steps include:

- PANSW to review the OEMP and provide comment
- The OEMP Sub-Plans to be updated and provided to PANSW for review and comment
- Cardno to update the OEMP and OEMP Sub-plans where required
- The OEMP and OEMP Sub-plans to be provide to the DP&E for approval and the CCC for review.

Anna reviewed the roles and responsibilities and advised this will need to be confirmed with the Department of Industry and PANSW.

Anna advised that complaints and enquires will be managed as per the flowchart below.



created with www.bubbl.us

Glenn asked how complaints and issues will be managed on a day to day basis. Anna advised this will be managed by the owner of the Facility (Department of Industry).

Coral asked what the timeframes for response will be. Anna advised these are as per the following table.

Category	Acknowledgement	Priority Issue Response Timeframe	Other Issue Response Timeframe	Resolution
Complaints during business hours – 1800 community line	1 hour	High priority issues (within two hours), medium priority issues (within 8 hours), other	Same day if possible, if not up to 48 hours.	All issues should be responded to and acknowledged

Category	Acknowledgement	Priority Issue Response Timeframe	Other Issue Response Timeframe	Resolution
		issues (as per response timeframe indicated).		within the timeframes detailed in the adjoining column. The resolution and closure of the issue will be dependent on the complexity of the issue. The Principal is committed to closing and resolving issues as quickly as possible
Complaints outside of business hours, when works are occurring – 1800 community line, face to face or SMS	2 hours	High priority issues (within two hours), medium priority issues (within 8 hours), other issues (as per response timeframe indicated).	Same day if possible, if not up to 48 hours.	
Complaints – office phone, face to face or SMS	2 hours	High priority issues (within two hours), medium priority issues (within 8 hours), other issues (as per response timeframe indicated).	Same day if possible, if not up to 48 hours.	
Complaints – email and written	24 hours	High priority issues (within two hours), medium priority issues (within 8 hours), other issues (as per response timeframe indicated).	Same day if possible, if not up to 48 hours.	
Complaints – social media and web	24 hour	High priority issues (within two hours), medium priority issues (within 8 hours), other issues (as per response timeframe indicated).	Same day if possible, if not up to 48 hours.	
General enquiries – 1800 community line, office phone, face to face, SMS	2 hours		Same day where possible, if not up to 24 hours	
General enquiries – email and written	24 hours		Within 24 hours where possible, if not up to five working days	
General enquiries – social media and web	24 hours		Within 24 hours where possible, if not up to five working days	
Privacy complaints and enquiries	7 days	High priority issues (within two hours), medium priority issues (within 8 hours), other issues (as per response timeframe indicated).	30 days	

Anna advised that community member's personal information will be collected and handled in accordance with NSW *Privacy and Personal Information Protection Act 1998*, *Privacy and Personal Information Protection Regulation 2014* and the Department's Privacy Policy.

Anna discussed inspections and reporting; that this will be undertaken by the representative of the Operator and reporting will be annually.

Anna reviewed the incident management and investigation procedure as outlined in the figure below.



Anna reviewed compliance reporting as follows:

- A Pre-operational Compliance Report will be prepared 1 month prior to Facility Operations, detailing compliance with relevant conditions of approval for the OEMP, actions in the event of non-compliance with conditions of approval, and the commencement date for operations.
- An Operation Compliance Tracking Program (OCTP) has been prepared to monitor compliance of the Facility with the terms of the SSI Approval. The OCTP will be implemented for the duration of operation of the Facility.
- An Operation Compliance Report will be prepared and submitted to the Secretary for information after the first calendar year of operation, the end of the 2019/2020 cruise season and following that, after the end of each cruise season, or within another timeframe agreed with the Secretary.

It was noted that a Facility Induction will be developed for all cruise ship operators, subcontractors and staff associated with the Facility.

Anna advised that any revisions of the OEMP, OEMP Sub-plans from the findings of the Annual Compliance Reports, or Five Yearly Compliance Summary Report will be submitted to the Secretary for approval one month following submission of the Five Yearly Compliance Summary Report. Approved revisions will be distributed to all authorised Facility personnel via Aconex and that copies of the approved OEMP and sub-plans will be placed on the Project’s website.

Anna discussed the relevant government agencies and emergency services that are to be contacted in the case of emergencies.

Anna reviewed the environmental impacts and control measures described in the Environmental Action Plans as per the table below.

Environmental Action Plans	Residual Risk Rating
4.1--Water and Sediment Quality	M
4.2--Ecology	M
4.3--Traffic, Transport and Access	H
4.4--Noise and Visual Amenity	M
4.5--Air Quality	M
4.6--Health, Safety and Socioeconomic	L
4.7--Waste Management	L
4.8--Greenhouse Gas and Energy	L
4.9--Hazards and Risks	M

Anna noted that some environmental elements have been combined i.e. water and sediment quality and noise and visual amenity, and reviewed the content of each action plan.

Jenny asked if there would be a presentation that could be provided to the CCC that covered the content of the OEMP, OEMP Sub-plans. Anna advised that some of OEMP Sub-plans were not drafted by herself and that she needed to review the content of some of these plans prior to being provided to the CCC.

Rob B asked if people with disabilities have been considered. Anna advised that all projects are Disability Discrimination Act (DDA) compliant. Richard asked if this covered the whole area. Anna stated this is just for the facility and doesn't cover the whole port but will be complementary with the whole area.

Richard noted there are only one or two taxis in Eden.

Gail noted there is a similar facility manager at White Bay. Anna noted that where there are similarities to White Bay and that Cardno has utilised these.

Anna stated that for noise management modelling has been done on sensitive receivers. For air quality they have modelled the impact on 20 ships visiting to up to January 2020 and 60 ships annually after 2020.

Anna advised that locations for air quality monitoring are currently being determined and noted the requirements for placement at residents' properties i.e. no wood fired heaters and having private poles. The meeting discussed a monitor being placed on the PANSW building or on existing poles at the Port.

Anna advised the CCC that if they had any comments that they were to pass these on to Coral who will forward these to Cardno.

It was noted that the timeframe for submission to the DP&E for approval will be extended past the end of November 2018.

6. Marine structures update

Rob D provided an update of stage two marine structures as follows:

- Piling:
 - Installation is continuing with 72 wharf piles completed
 - 6 partial wharf piles remaining
 - 9 of 18 onshore bollards completed
 - 17 dolphin piles installed
 - The navigation aid piling is to be undertaken on 3 and 4 December.
 - Trimming piles is ongoing.
- The first dolphin jacket is currently scheduled to be installed at the end of November.
- 16 headstock troughs have been installed.
- 156 of 240 deck planks have been Installed.
- Currently installing anodes and pile jackets.

Rob D advised the next large concrete pour will be at the end of the month.

Paul asked how the dolphins will be attached to the piles and was advised that the dolphins will be grouted to the piles as well as attached with clamps.

Gail asked about the tape being applied to the pile jackets and was advised that the protective tape (Denso Shield) is wrapped around the pile for anti-corrosion treatment. Mike noted this is well advanced.

7. Environmental Monitoring update

Rob D provided an update as follows:

- Water quality:
 - No complaints were received regarding water quality in Snug Cove.

- Marine mammals:
 - No incidents with marine mammals occurred in November. However, there has been delays due to whales coming into the piling zone.
- Noise monitoring:
 - Monitoring has been ongoing throughout the month of November.
 - No issues were recorded with noise levels.

8. Community complaints

Attendees were advised that no community complaints were received or raised in November 2018.

9. Other agenda items

Coral advised that:

- Project presentations were given to the South East Historical Society and the 27th Coastal Conference.
- The information booth at the Eden Whale Festival was busy with many local residents and visitors interested in both projects.
- The advertisement for new CCC members is being placed in the Eden Magnet on 22 November 2018.

10. Community feedback

Simon asked the CCC if they had any feedback to provide the project team of which there was none.

The meeting closed at 7.29pm.