

MEETING	Community Consultative Committee (CCC) - Eden Breakwater Wharf Extension Project		
MEETING NO.	28	DATE	Wednesday, 2 May 2018
LOCATION	The Auditorium – Eden Fishermen’s Club	TIME	6.00pm
ATTENDEES	Gail Ward, Graham Stubbs, Megan Cleary, Jenny Robb, Debbie Meers, Leanne Scott, Rob Bain, Richard Lamacraft, Robin Arthur, Chantel Steele, Greg Thomson Isaac Smith, Glenn Vardy, Mike Crandell, Simon Wakefield, Rob Davis, Tony Matthews, Tomas Rooney, Tony Knight, Pat McCallum, Coral Reynolds		
APOLOGIES	Kell Dillon, Dr Denis Lawrence, Paul Webster, Nat Godward, John Aveyard		
PREPARED BY	Coral Reynolds		

1. Acknowledgement to Country, welcome and apologies

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

Simon introduced Tony Knight, the new HSE Advisor for Waterway Constructions, and Pat McCallum, Project Director for Advisian.

2. Actions from previous meeting

There were nil actions.

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).
- The next ER report is due on 7 May 2018.
- The biannual Construction Compliance Report was submitted to DP&E on 6 March 2018. The report details the projects compliance against the SSI conditions of approval.
- No non-conformances have been reported.

Both the ER and Construction Compliance Reports are available on the project website (<https://www.industry.nsw.gov.au/lands/major-projects/infrastructure/eden/approvals-and-documents>).

4. Operational conditions review

Greg discussed the following with attendees:

- The Infrastructure Approval contains conditions relating to the operation of cruise ships in the Port of Eden and initial consultation has commenced with DP&E to modify some conditions.
- The CCC has been requested by DP&E to review these conditions and provide comment or any suggested changes. CCC comments are required to be submitted before the next CCC meeting. Comments will then be considered for any modification application to DP&E for their consideration around June 2018.
- Monitoring will be recommended for the early stages of operation to validate the modelling undertaken.

- An Operational Environmental Management Plan will be developed for the operational phase of the project that will detail the operational requirements including complaint management and non-conformance management. When the Plan is required, the CCC will be consulted in the development of the Plan.
- If it is considered that any conditions need to be amended a modification application will be submitted to DP&E in accordance with the recommendation of the air and noise assessments and consultation. The modification application will be placed on public exhibition and comments will be received and responded to.
- Noise conditions:
 - E17(a) No deck announcements and music from open decks while berthed at the SSI in the Port of Eden or transit, with the exception of safety announcement
 - (b) Ship generators/engines/exhausts must be maintained, upgraded and operated efficiently to reduce noise emissions while in the Port of Eden.

Potential modification includes removal of “or transit” from E17(a) and “upgraded” from E17(b).

The CCC discussed the practice of having music playing on deck on cruise ships whilst berthed at the new wharf extensions. Gail asked what happens in other ports. Greg advised each port may be different. Debbie queried why music and deck announcements aren't time prescribed. Greg noted that some of these conditions are from White Bay, Sydney, and may be difficult to be implemented in Eden. Leanne noted that the wider community will be impacted including the businesses down at the Wharf. Jenny asked if decibel levels can be prescribed. Greg noted that this may be difficult to enforce. Leanne noted that on other ships they adhere to each individual port's rules. Richard advised “upgraded” from E17(b) should be removed.

- Complaint handling (noise):
 - E18 In the event of complaints from Sensitive Receivers in relation to a specific cruise ship, the source of the offensive noise must be identified and action taken to reduce noise levels with details submitted to the Secretary. The ship must not be permitted to berth at the SSI in the future, unless it can be demonstrated that measures have been taken to reduce noise levels.

Potential modification includes removal of “The ship must not be permitted to berth at the SSI in the future” and revised wording would be provided about the investigation of incidents. Greg discussed having a complaint process that is workable and proactive versus banning cruise ships from coming into port if they are not compliant. Greg noted that if there are complaints and issues they will need to be addressed and can't be ignored.

Leanne asked how this would be managed and what the process would be. Greg stated this is likely to be managed by the operator. Greg noted that there will be reporting undertaken during this phase as per the Infrastructure Approval conditions.

- Air quality conditions:
 - E20 (a) Use of low sulphur fuels at berth. Sulphur content is not to exceed 0.1% m/m (mass/mass) unless alternative methods to meet sulphur emission restrictions are utilised such as exhaust gas cleaning systems or scrubbers which act to remove the SOX directly from the ship exhaust The use of an alternative method needs to be at least as effective, in terms of emission reduction, as the fuel oil requirements outlined above. Where low sulphur fuel is the proposed mitigation measure, ship fuel bunker notes must be provided and included in the Operation Compliance Reports.
 - E20 (b) Use of low sulphur fuels for the duration of transit. Sulphur content is not to exceed 0.1% m/m (mass/mass) unless alternative methods to meet sulphur emission restrictions are utilised such as exhaust gas cleaning systems or scrubbers which act to remove the SOX directly from the ship exhaust The use of an alternative method needs to be at least as effective, in terms of emission reduction, as the fuel oil requirements outlined above. Where low sulphur fuel is the proposed mitigation measure, ship fuel bunker notes must be provided and included in the Operation Compliance Reports.

E20 (c) Ship generators/engines/exhaust must be maintained, upgraded and operated efficiently to reduce air emissions while in the Port of Eden.

Greg noted that this condition has arisen from White Bay, Sydney. In 2015 the NSW EPA introduced limits of sulphur content in fuels of cruise ships which was then ruled inoperative by the Commonwealth Government. Greg discussed the MARPOL limit of 0.5% sulphur content which is to be introduced after 1 January 2020. At the moment the current sulphur content limit is 3.5%. Jenny asked what the conditions were at Newcastle as a comparable port. (Note Greg has checked with the Port Authority of NSW and there are currently no limits in Newcastle Port. However the limit will be 0.5% when the global limit is introduced on 1 January 2020). Greg noted the importance of balancing residents, community, key stakeholder and the operators requirements. Leanne stated she thought the sulphur content level 0.5% was previously agreed by the group at the December 2015 CCC Meeting.

Richard asked if anyone understood the implication of having a high sulphur level fuel ie the smell and health implications. Richard asked if it was possible to make the requirements more stringent over time. Simon noted that the EIS modelling looked at three types of fuels (2.7%, 0.5% and 0.1%) and at 2.7% smell and particulate matter is noticeable. Richard asked what percentage is currently used by cruise ships. Simon advised it is 2.7% sulphur content in fuel.

Leanne discussed a presentation made by an EPA representative in December 2015. It was noted that Greg will follow up the EPA and provide the presentation and relevant information to the CCC.

Robin believed this is a complicated issue and might not be fully understood in just one CCC meeting and wanted time to digest this information. Greg noted the CCC has two weeks to provide back comments and that there will also be exhibition and comment time periods in place for public feedback. Mike noted that if responses were due by 16 May 2018 there may not be enough time to respond and may require a summary narrative. **It was decided that Greg and Simon are to provide a memo/summary narrative for the CCC by 16 May 2018 which will include relevant EPA information and other literature to help the CCC make an informed decision. Gail asked if comparisons to other ports can be included. This information can then be reviewed at the next CCC meeting on 30 May.** Graham Stubbs stated that he previously worked with an environmental manager within Council and may be able to provide information to the CCC at the next meeting.

- Complaint handling (air quality)
 - E22: In the event of dark smoke emissions, offensive odours and/complaints from residential receivers in relation to a specific cruise ship, additional details are to be provided to the relevant Maritime Authority on the ship's exhaust management. Upon the return of the vessel, monitoring as per Condition 7 and testing of ship stack emissions and fuel used in transit and berth must be undertaken by a suitably qualified specialist with results submitted to the Secretary. Should further community complaints be received, and monitoring indicates emissions levels in excess of that typically recorded for other cruise ships as part of the Operation Monitoring Program required under Condition D7, in the future the ship must not be permitted to berth at the SSI, unless it can be demonstrated that measures have been taken to reduce (air) emission levels.

Greg noted this section will be reworded, to include the investigation of incidents. Robin noted the difficulty in having experts come to Eden and what will happen if complaints arise. Greg discussed having a complaint process that is workable and proactive versus banning cruise ships from coming into port if they are not compliant. Greg noted that if there are complaints and issues they will need to be addressed and can't be ignored.

5. Marine structures update

Greg provided an update of Stage 2 marine structures as follows:

- Offsite works related to the procurement and fabrication of the dolphin topside is ongoing.
- Shipment of piles arrived in Eden and have been stored in the log yard at the Navy Wharf.
- Fabrication of dolphins commencing 7 May and installation is currently scheduled to be undertaken from mid to late September.
- Divers have been cutting out sections of the scour protection at the identified pile locations to allow the piles to penetrate into the seabed.
- Pile installation commenced on the 28 April with three piles installed to date.
- The Bhagwan Challenge is due on site on 7 May which is another barge similar to the Casilis.
- Forecast contract completion date remains as February 2019.

6. Building condition surveys

Greg advised the meeting that the building condition surveys had been completed and reports provided to property owners and lease holders.

7. Environmental monitoring update – April 2018

Greg provided an update of environmental monitoring as follows:

- Water quality:
 - No complaints or adverse water quality observations were received regarding water quality levels in Snug Cove.
- Noise levels:
 - No noise complaints were received.
 - Issue raised on 19 April 2018 about use of tonal reversing alarm (beeper) on plant on site. The plant was then converted to broadband reversing alarm (quacker).
 - Unattended noise monitoring is being undertaken at By Street and Victoria Terrace.
 - Attended noise monitoring is being undertaken for a 2 week period.
- Marine mammals:
 - There have been no incidents involving marine mammals however some marine mammals have been observed outside the stop work zone.
 - The marine mammal observation has commenced.

Leanne thanked the team for the quick resolution of the tonal reversing alarm issue.

Simon noted that vibration monitoring is also being undertaken and will monitor vibration impacts for a two week period during piling.

8. Community complaints - April 2018

Attendees were advised that no community complaints have been received during the month. The noise issue previously mentioned has been entered into the Project Issues Register.

9. Community feedback

Greg asked the CCC if they had any feedback to provide the project team. Jenny noted that Eden Gas and Gear and other businesses are pleased with the patronage from the project.

Megan asked if there were any accommodation issues. Rob advised Waterways had been looking for furnished accommodation and it was becoming slightly more difficult.

Leanne queried the intermittent nature of the piling undertaken on 30 April. Rob advised that there had been marine mammals observed near the work zone and they were following the stop work requirements as part of the EPBC referral. Leanne also noted that she had met the marine

mammal observers at By Street. Glenn noted that there had been conjecture regarding the marker buoys and that these were pertaining to the marine mammal observation zones.

10. Other agenda items

These were discussed in the CLG meeting.

The meeting closed at 6.53pm.