



Environmental Representative Monthly Report 4: December 2017

Eden Breakwater Wharf Extension

8 January 2018

Level 17, 141 Walker St
North Sydney NSW 2060
Australia

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Synopsis

The Environmental Representative Report has been prepared to provide details of the actions and decisions on matters for which the Environmental Representative was responsible under the terms of the State Significant Infrastructure (SSI) Approval granted under the *Environmental Planning & Assessment Act 1979* for the Eden Breakwater Wharf Extension (the Project).

Specifically, this Report has been prepared to address the requirements in Conditions A16(l) of the Infrastructure Approval (SSI 7734).

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Project No: 301311-13734-EN-REP-0023 – Environmental Representative Monthly Report 4: December 2017: Eden Breakwater Wharf Extension




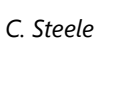

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Acronyms and Terms

Acronym/Term	Definition
BVSC	Bega Valley Shire Council
CEMP	Construction Environmental Management Plan
Consistency assessment	An assessment of whether a proposed activity for the purpose of the SSI is consistent with the terms of approval
Construction	<p>Includes all physical work required to construct the SSI, other than the following low impact work:</p> <ol style="list-style-type: none"> a. Survey works including carrying out general alignment survey, installing survey controls (including installation of global positioning system (GPS)), installing repeater stations, carrying out survey of existing and future utilities and building and road dilapidation surveys, and hydrographic survey; b. Background and/or baseline monitoring works; c. Investigations including investigative drilling and excavation; d. Establishment of ancillary facilities in approved locations or in locations meeting the criteria identified in Conditions A9 and Condition A11 of the approval including constructing ancillary facility access roads and providing utilities to the facility; e. Operation of ancillary facilities if the ER has determined the operational activities will have minimal impact on the environment and community; f. Minor clearing and relocation of native vegetation, as identified in the EIS/Submissions Report; g. Installation of mitigation measures including erosion and sediment controls, temporary exclusion fencing for sensitive areas and acoustic treatments; h. Relocation and connection of utilities where the relocation or connection does not present a significant risk to the environment as determined by the ER; i. Archaeological testing under the <i>Code of practice for archaeological investigation of Aboriginal objects in NSW</i> (DECCW 2010) or archaeological monitoring undertaken in association with [a]-[i] above to ensure that there is no impact on heritage items; j. Other activities determined by the ER to have minimal environmental impact which may include construction of minor access roads, temporary relocation of pedestrian and cycle paths and the provision of property access; and



Acronym/Term	Definition
	<p>k. Maintenance of existing buildings and structures required to facilitate the carrying out of the SSI. However, where heritage items, or threatened species, populations or ecological communities (within the meaning of the EP&A Act) are affected or potentially affected by any low impact work, that work is construction, unless otherwise determined by the Secretary in consultation with OEH or DPI Fisheries (in the case of impact upon fish, aquatic invertebrates or marine vegetation). The low impact work described in this definition becomes construction with the approval of a Construction Environmental Management Plan.</p>
Department	NSW Department of Planning and Environment
DPI – Fisheries	Department of Primary Industries – Fisheries
Dumping Activities	<p>Defined in the Sea Dumping Permit Variation as: <i>means all activities associated with the dumping permitted under this permit, including:</i></p> <ul style="list-style-type: none"> (i) <i>the loading for the purpose of dumping of dredged material;</i> (ii) <i>the dumping of the material at the prescribed disposal site</i>
ER	The Environmental Representative for the SSI
Incident	<p>An occurrence or set of circumstances that:</p> <ul style="list-style-type: none"> • Causes, or threatens to cause, material harm to the environment, community or any member of the community, being actual or potential harm to the health or safety of human beings or to threatened species, endangered ecological communities or ecosystems that is not trivial; or • Results in non-compliance with the approval. <p><i>Note: this meaning of “material harm” applies for the purpose of the approval only</i></p>
Marine Species	Means all whales, dolphins and marine turtles listed under the <i>Environment Protection and Biodiversity Conservation Act 1999</i>
Monitoring zone	The area within a 300 metre radius of the (dredging disposal) vessel
Observation Zone	<p>The Observation Zone is defined as:</p> <ul style="list-style-type: none"> • A horizontal radius as determined from the piling equipment of 2.2 kilometres during September, October and November, and



Acronym/Term	Definition
	<ul style="list-style-type: none"> A horizontal radius determined from the piling equipment of 1.5 kilometres during January, February, March, April, May, June, July, August and December.
Proponent	The person identified as such in Schedule 1 of the SSI approval and any other person carrying out any part of the SSI from time to time
Sea Dumping Permit Variation	Sea Dumping Permit (SD2015/3102) Variation issued by DoEE under the Environment Protection (Sea Dumping) Act 1981, dated 27 April 2017
Secretary	Secretary of the NSW Department of Planning and Environment (or nominee, whether nominated before or after the date in which the SSI approval was granted)
Sensitive receivers	Includes residences, educational institutions (including preschools, schools, universities, TAFE colleges), health care facilities (including nursing homes, hospitals), religious facilities (including churches), child care centres, passive recreation areas (including outdoor grounds used for teaching), active recreation areas (including parks and sports grounds), commercial premises (including film and television studios, research facilities ,entertainment spaces, temporary accommodation such as caravan parks and camping grounds, restaurants, office premises, retail spaces and industrial premises), and others as identified by the Secretary
SSI	The State Significant Infrastructure, as generally described in Schedule 1 (SSE 7734), the carrying out of which is approved under the terms of the approval
Whales	Species listed under the <i>Environment Protection Biodiversity Conservation Act 1999</i> (EPBC Act)



1 Introduction

The Eden Breakwater Wharf Extension Project (the Project) includes the extension of the existing Eden Breakwater Wharf and associated dredging.

The Infrastructure Approval (SSI Approval No. 7734) was granted for the Project by the Executive Director, Priority Projects Assessment (as delegate of the Minister for Planning) on 5 July 2017.

The Construction Environmental Management Plan (CEMP) and CEMP Sub-plans have been prepared, approved by the Secretary of the Department of Planning and Environment (DP&E) on the 22 August 2017, and implemented.

This Environmental Representative (ER) Report (Report) addresses Condition A16(l) of the Infrastructure Approval. This Report provides an updated on the environmental and social performance of the Project's construction.

1.1 Purpose and Content of this Report

Condition A16(l) of the Infrastructure Approval requires an ER Report to be prepared and submitted to the Secretary for information each month. This will be submitted within seven days following the end of each month for the duration of Construction of the Project or as otherwise negotiated with the Secretary. The Report details the actions and decisions on matters for which the ER was responsible in the preceding month.

Further, Condition C16 requires the results of the Construction Monitoring Programs be submitted to the Secretary and relevant regulatory agencies, for information at the frequency identified in the relevant Construction Monitoring Program. Given the high frequency in which these reports have been prepared (weekly), a summary of the Construction Monitoring Results are contained in this Report.

Construction commenced on 4 September 2017, as marked by the arrival of the tugs, split-hopper barges and the dredge. This report covers the third month of construction from 1 November 2017 to 30 November 2017.

1.2 Project Description

The Project comprises the extension of the existing Eden Breakwater Wharf and dredging of the approach channel and berth pocket with offshore disposal, to accommodate the berthing of cruise ships of up to 325m in length.

Key features of the Project include:

- Extension of the existing wharf by approximately 95m.
- Installation of three mooring dolphins and two berthing dolphins.
- Installation of new landside bollards to restrain the ship's bow.



- Dredging of up to 231,500m³ of in-situ material (including over-dredging allowance).
- Transport and placement of the dredge material at an offshore disposal site.
- Installation of minor services (lighting, power, potable water and emergency water).
- Installation of navigational aids.

The Eden Breakwater Wharf is located in Snug Cove, Eden, New South Wales and the proposed offshore disposal site is approximately six nautical miles offshore from Twofold Bay.

1.3 Project Status

During the period covered by this report (1 December 2017 to 31 December 2017), the following key activities were undertaken and milestones achieved relating to Stage 1¹:

- Scour protection mattress fabrication was approximately 85% complete.
- 85 mattresses have been placed, which equates to approximately 50% of the area to be protected.
- Waterway Constructions was awarded the Stage 2 marine structures contract on 27 October 2017, with site works expected to commence Quarter 1 2018.
- Site shutdown 22 December for the Christmas/New Year period (with recommencement of activities 9 January 2018).

¹ Stage 1 is outlined in the Project Staging Report (Advisian 2017, as submitted to the Secretary 24 July 2017 in accordance with Condition A37 of the Infrastructure Approval)

2 Review and Amendments to the CEMP

The CEMP and CEMP Sub-plans were formally approved by the Secretary on 22 August 2017. Since then, the project team has reviewed and made minor amendments to the CEMP and CEMP sub-plans, in accordance with Condition A16(j).

The Community Communication Strategy was also revised to Revision 3 (dated 24/11/17) in preparation for Stage 2 works commencing early 2019. This was submitted to DP&E on 7 December 2017 and awaiting approval.

The CEMP and CEMP Sub-plans for Stage 2 of the Project are currently being prepared and will be submitted as soon as completed to the DP&E for approval. An Environmental Risk Assessment with the Contractor has been undertaken to inform the development of the plans.

Consultation has been undertaken with a range of stakeholder regarding the Stage 2 CEMP Sub-plans (in accordance with Condition C3 of the Infrastructure Approval). To date, the following stakeholders have provided comments:

- Bega Valley Shire Council (BVSC) has provided comment on the Noise and Vibration CEMP Sub-plan incorporating Night Dredging Protocol and Noise Monitoring Construction Monitoring Program, Water Quality CEMP Sub-plan and Traffic, Access and Transport CEMP Sub-plan incorporating Traffic and Pedestrian Access Plan.
- Department of Primary Industries – Fisheries (DPI-Fisheries) has provided comment on the Water Quality CEMP Sub-plan.

In addition, an Extraordinary General Meeting was held on 13 December 2017 with the Community Consultative Committee (CCC) to provide a Project update and also to consult with the committee with regard to the following Stage 2 CEMP Sub-plans (in accordance with Condition C3 of the Infrastructure Approval):

- Noise and Vibration CEMP Sub-plan incorporating Night Dredging Protocol and Noise Monitoring Construction Monitoring Program.
- Traffic, Access and Transport CEMP Sub-plan incorporating Traffic and Pedestrian Access Plan.



3 Environmental Audits

No ER audit was completed in December 2017 due to the shut-down of construction activities for the Christmas Period.



4 Summary of Environmental Monitoring

Due to this phase of the Project minimal monitoring has been required. The following should be noted for this reporting period:

- No noise monitoring was undertaken.
- No cetacean sightings were recorded in the vicinity of the Project.
- No adverse water quality observations were reported.



5 Environmental Incidents

Zero environmental incidents have occurred on the Project.