



# **Environmental Representative Monthly Report 13 - September 2018**

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Australia

301311-13734-EN-REP-0038

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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(I)** of the Infrastructure Approval (SSI 7734).

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## **Project No: 301311-13734-EN-REP-0038 – Environmental Representative Monthly Report 13 - September 2018: Eden Breakwater Wharf Extension**

<b>Rev</b>	<b>Description</b>	<b>Author</b>	<b>Review</b>	<b>Advisian Approval</b>	<b>Date</b>
Rev 0	Issued for use	 S Mason-Jones	 G Thomson	 S Wakefield	6 Oct 18



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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> <ul style="list-style-type: none"> <li>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;</li> <li>b. Background and/or baseline monitoring works;</li> <li>c. Investigations including investigative drilling and excavation;</li> <li>d. Establishment of ancillary facilities in approved locations or in locations meeting the criteria identified in <b>Conditions A9</b> and <b>Condition A11</b> of the approval including constructing ancillary facility access roads and providing utilities to the facility;</li> <li>e. Operation of ancillary facilities if the ER has determined the operational activities will have minimal impact on the environment and community;</li> <li>f. Minor clearing and relocation of native vegetation, as identified in the EIS/Submissions Report;</li> <li>g. Installation of mitigation measures including erosion and sediment controls, temporary exclusion fencing for sensitive areas and acoustic treatments;</li> <li>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;</li> <li>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;</li> <li>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</li> </ul>



Acronym/Term	Definition
	<p>k. Maintenance of existing buildings and structures required to facilitate the carrying out of the SSI.</p> <p>However, where heritage items, or threatened species, populations or ecological communities (within the meaning of the EP&amp;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).</p> <p>The low impact work described in this definition becomes construction with the approval of a Construction Environmental Management Plan.</p>
DoEE	Commonwealth Department of the Environment and Energy
DP&E	NSW Department of Planning and Environment
DPI – Fisheries	NSW 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"> <li>(i) <i>the loading for the purpose of dumping of dredged material;</i></li> <li>(ii) <i>the dumping of the material at the prescribed disposal site</i></li> </ul>
EPA	Environmental Protection Agency
EPL	Environmental Protection Licence No 20942
ER	The Environmental Representative for the SSI
IMC	Intermediate Bulk Container
Incident	<p>An occurrence or set of circumstances that:</p> <ul style="list-style-type: none"> <li>▪ 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</li> <li>▪ Results in non-compliance with the approval.</li> </ul> <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>
MMO	Marine Mammal Observer
Monitoring zone	The area within a 300-metre radius of the (dredging disposal) vessel



Acronym/Term	Definition
Observation zone	<ul style="list-style-type: none"> <li>▪ During September, October and November a horizontal radius determined from the piling equipment of 2.2 kilometres</li> <li>▪ During January, February, March, April, May, June, July August and December a horizontal radius determined from the piling equipment of 1.5 kilometres</li> </ul>
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 <i>Environment Protection (Sea Dumping) Act 1981</i> , 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
Shut-down zone	<ul style="list-style-type: none"> <li>▪ During September, October and November a horizontal radius determined from the piling equipment of 1.3 kilometres</li> <li>▪ During January, February, March, April, May, June, July August and December a horizontal radius determined from the piling equipment of 1 kilometre</li> </ul>
SO <sub>2</sub>	Sulphur dioxide
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

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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 (the DP&E) on the 22 August 2017, and implemented. Revised CEMP and CEMP Sub-plans relevant to Stage 2<sup>1</sup> of the Project were prepared and subsequently approved by DP&E on 28 February 2018.

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

## 1.1 Purpose and Content of this Report

**Condition A16(I)** 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. As these reports will be monthly, relevant information will be contained and submitted along with this report.

Construction of Stage 1 commenced on 4 September 2017, as marked by the arrival of the tugs, split-hopper barges and the dredge. Construction of Stage 2 commenced on 13 April 2018, as marked by the commencement of survey for scour protection removal in anticipation of pile installation. This report covers construction activities from 1 September 2018 to 30 September 2018.

## 1.2 Project Description

The Project is located in Snug Cove, Eden, New South Wales and 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.

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<sup>1</sup> Stage 2 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)



Key features of the Project include:

- Extension of the existing wharf by approximately 95m, including 78 piles to support the extension
- Installation of three mooring dolphins and two berthing dolphins, including 30 piles
- Installation of new landside bollards to restrain the ship's bow, including 18 piles
- Dredging of 210,148m<sup>3</sup> 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.

### 1.3 Project Status

During the period covered by this report (1 September 2018 to 30 September 2018), the following key activities were undertaken and milestones achieved relating to the Project:

- On-site noise monitoring is ongoing
- Piling works are ongoing, of the 78 wharf piles 56 are complete and 22 are partially complete requiring these piles to be drilled and driven or rock socketed
- Nine onshore bollard piles have been completed
- Nine dolphin piles have been completed
- Dolphin topside fabrication is nearing completion (off-site fabrication)
- Precast concrete deck plank fabrication is complete and Silane treatment is ongoing
- Precast concrete headstock troughs fabrication is complete with all 21 troughs being poured, silane treatment is ongoing
- Seven headstock installed on the wharf
- Two planks installed on the wharf
- Temporary works for transition wharf are ongoing
- Trimming piles is ongoing
- Navigation Tower installation is ongoing
- Environmental Protection Licence No 20942 (EPL) surrendered
- Construction Compliance Report #2 submitted to DP&E
- Annual Independent audit commenced in accordance with **Condition A24** of the Infrastructure Approval.



## **2 Review and Amendments to the CEMP or Approvals**

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### **2.1 CEMP amendments**

The CEMP and CEMP Sub-plans for Stage 1 of the Project were formally approved by the Secretary on 22 August 2017.

The CEMP and CEMP Sub-plans for Stage 2 of the Project were prepared and submitted to DP&E for approval. The CEMP and CEMP Sub-plans were approved by the Secretary on 28 February 2018.

During the period covered by this report, there were no reviews or minor amendments made to the CEMP and/or CEMP Sub-plans.

### **2.2 Infrastructure Approval Amendments**

Consultation is ongoing with DP&E and the Community Consultation Committee (CCC) regarding a potential modification to operational conditions concerning the environmental management of noise amenity and air quality (E17, E18, E20, and E22).

A Modification Request was formally submitted to DP&E on the 04 July 2018. The DP&E placed the modification request on public exhibition from 13 July to Friday 27 July 2018.

On the 03 August 2018, the DP&E provided a letter requesting a response to the issues raised in submissions and requested additional information to support the proposed modifications.

A Response to Submissions Report was submitted to DP&E on the 03 September 2018 for assessment and a decision.

On the 18 September 2018, a further request for information was made by the DP&E relating to the maximum sulphur dioxide (SO<sub>2</sub>) concentration for residual oil under typical conditions. In particular, the date, meteorological conditions and the kW 'hoteling' demand for the vessel assumed to be at berth on this date on.

A response was submitted to DP&E on the 21 September 2018 for assessment and a decision.

### **2.3 Infrastructure Approval**

The Eden Breakwater Wharf Extension Construction Compliance Report #2 was submitted to the DP&E on the 27 September 2019 in accordance with Conditions A21 and A23 of the Infrastructure Approval. The report covered the six-month reporting period from March 2018 to August 2018.



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In addition, the Annual Independent audit commenced for the Project. The Audit has been undertaken and reporting is currently being undertaken. The Audit has been prepared in accordance with **Condition A24** of the Infrastructure Approval.

## **2.4 Environmental Protection Authority**

The Department submitted an application to the Environmental Protection Authority (EPA) for the surrender of the EPL for the Project. Subsequently, on the 27 September 2018, an approval from the EPA was received for the surrender of the EPL.



## 3 Environmental Performance

Environmental performance was measured through observation of construction activities and identification of continual improvement opportunities.

### 3.1 Environmental Issues

For this reporting period, one environmental performance issue occurred on-site.

#### 3.1.1 Minor Hydraulic Oil Leak

On 24 September 2018, whilst driving piles with the Juntan 16S hammer, one of the inline couplers on the hydraulic hose came loose leaking approximately 5 litres of oil onto the deck. Upon hearing a hissing sound and noticing the leak, the operator determined the source of the leak, shut off the valves, contained the spill with pads and notified the HSE Advisor and Project Manager. The coupling was inspected by the Project Manager and it was determined that the event occurred due to the rotation of the hose line and a failed O-ring. It was subsequently repaired and returned to service. An incident report was prepared. It was noted that there were three inline couplers in use due to the height of the pile. The couplers had been checked but due to the rotation of the line, one had come loose. No impact to the environment was found and the report was closed out.

### 3.2 Weekly Observations

Table 3-1 provides a list of actions and close out from the weekly observations inspections and daily site visits.

**Table 3-1: Weekly Environmental Observations**

Date raised	Action identified	Action undertaken	Date closed
6-Sep-18	Skip bin for kibble washout to be placed in a bund before the next pile plug pour	Inspected before next concrete pour	13-Sep-18
20-Sep-18	Install enviro socks around grated drain at the rear of Gotcha Bait	Sighted during daily inspection	21-Sep-18
20-Sep-18	AED - Defibrillator to have batteries checked/replaced		
27-Sep-18	Remove waste oil drums from site and reduce stock stored on bunds		
27-Sep-18	Rubbish and obstructions at the end of the wharf to be cleared to improve access and egress		



## 4 Environmental Monitoring Summary

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Monitoring for Stage 2 activities included observations on aquatic ecology, water quality and air quality, and site-based monitoring for noise amenity and vibration. No observations have identified any adverse environmental impacts due to the Project.

Marine Mammal Observer (MMO) trained personnel were onsite conducting observations during piling works in line with the requirements of the EPBC Act Referral Decision Notice conditions. The following was noted during this reporting period:

- No incidents involving marine mammals have occurred
- Whales have been sighted within Twofold Bay. None were observed in the Observation Zone during the reporting period. To date there have been no sightings of whales within the shut-down zone (refer to Appendix A for the Whale Register).

### 4.1 Noise and Vibration Monitoring

Noise and vibration monitoring equipment was installed on the 27 April 2018 prior to the commencement of piling on the 28 April 2018. The vibration monitoring equipment was in place for two weeks and has now been removed, and noise monitoring equipment will remain in place for during of piling to monitor any adverse impacts. No noise or vibrations incidents or non-conformances have been raised during this reporting period.

A Piling Construction Noise Monitoring report for this reporting period is currently being finalised and was not available for inclusion in this ER Report. This Piling Construction Noise Monitoring report will be prepared in accordance with the Noise and Vibration CEMP Sub-plan and will outline the results for the continuous monitoring period from 01 September 2018 to 30 September 2018. It will be provided to DP&E as soon as it is received by the Project Team. Preliminary discussion relating to the monitoring data indicate that there have been no noise-related issues for this reporting period.



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## **5 Environmental Incidents / Complaints**

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Zero environmental incidents occurred on the Project.

Zero community complaints have been received regarding the Project.



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## Appendix A: Whale Register

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### WHALE REGISTER

Date	Time	Location	Action undertaken	Species	Number	Comments
1/05/2018	16:16	Observation zone	Nil - continued piling as softstart already underway and mammal did not enter shutdown zone	Whale	1	
25/05/2018	8:55	Outside Observation Zone	Piling delayed for >1.5hrs	Whale	2	Whale in observation zone between 8:55 and 9:25. Piling commenced at 11:07.
15/06/2018	12:00	Outside Observation Zone	Nil	Whale	3	
9/07/2018	12:05	Observation zone	Nil	Whale	1	Whale in observation zone between 12:05 and 12:15 - during barge relocation and pile setup. Pre piling observations were undertaken from 13:15 to 13:45. Piling commenced at 13:45.
24/07/2018	-	Outside Observation Zone	Nil	Whale	1	
26/07/2018	8:10	Outside Observation Zone	Nil	Whale	2	Located 300m - 400m from yellow buoys
2/08/2018	8:15	Outside Observation Zone	Nil	Whale	1	Inbetween Nth and Sth Head approx. 2-3kms off obser. Zone
2/08/2018	9:12	Outside Observation Zone	Nil	Whale	4	1km south of Nth Head
2/08/2018	10:50	Outside Observation Zone	Nil	Whale	6 or 7	Travelling from Nth Head to Sth Head
8/08/2018	9:43	Observation zone	Nil - no piling being undertaken	Whale	1	Sighted at location 2 heading south - last sighted at 9:47
24/08/2018	-	Outside Observation Zone	Nil - no piling being undertaken	Whale	1	Sighted near Navy Wharf
10/09/2018	-	Outside Observation Zone	Nil	Whale	3	Blowing out back between North & South Head going south
10/09/2018	10:10	Outside Observation Zone	Nil	Whale	1	Middle of North and South Head, breaching near Catbaloo
19/09/2018	-	Outside Observation Zone	Nil	Whale	2	Way out near South Head
22/09/2018	-	Outside Observation Zone	Nil	Whale	1	South Head
22/09/2018	-	Outside Observation Zone	Nil	Whale	2	20m off observation zone
22/09/2018	-	Outside Observation Zone	Nil	Whale	1	North Head
26/09/2018	-	Outside Observation Zone	Nil	Whale	4	North Head
26/09/2018	-	Outside Observation Zone	Nil	Whale	2	South Head