

## **Minutes of Meeting with Balmain Residents about Cruise Ships at White Bay**

**Date:** 20 February, 2015 - 11.30 am

**Location:** Public Health Unit, Camperdown

### **Present:**

Balmain resident representatives:

Lisa Marie Murphy, Maree Thomas, Kate Horrobin, Kerin Cox

NSW Environment Protection Authority (EPA):

Mike Sharpin, Sarah Deards, Frank Garofalow, Anthony Savage

NSW Department of Planning and Environment (DP&E)

Karen Harragon, Ingrid Ilias

Sydney Ports Corporation (SPC):

Brad Milner, Christa Sams, Brendan Elliott

Leichhardt Council:

Ryan Cole

SLHD Public Health Unit (PHU).

Leena Gupta, Graham Burgess, Richard Broome, Karen Gover

**These minutes are a summary record of what was stated at the meeting as they relate to actions, and do not necessarily reflect the views of all attendees.**

### **1. Welcome**

Leena Gupta opened the meeting at 11.30, welcomed everyone and all introduced themselves. Leena advised that Richard now works in the PHU in a new Unit called the Public Health Observatory.

### **2. Apologies**

Professor Alan Rosen.

NSW Ministry of Health Head Office will not attend in future PHU will copy Ministry in on final minutes. Richard is still involved with the air study and would provide an update to the meeting.

### **3. Draft minutes of previous meeting 5 December. 2015**

Ingrid Ilias from Planning and Environment tabled additional information to be incorporated in the minutes. No further changes were requested and there was agreement that the minutes were an acceptable record subject to the changes. Minutes will be circulated when the changes made. Leena thanked Ports for preparing minutes.

**Outcome:** Minutes adopted as a true and accurate record: subject to the minor changes.

### **4. Discussion from Minutes**

4.1 Leena advised the meeting that there had been a request from residents to adjust the discussion format so there was more time for their questions. Leena advised the residents that the Agencies had considered this request and had agreed that it might be better for the

residents to speak first. Matters that Agencies would speak to would most likely be covered, in resident's questions. Items from previous minutes would probably be discussed in answers to resident's questions or the Agency updates. Leena advised we had allowed extra time.

**Action:** Meeting agreed to change the discussion format and extend the time allowed for discussion.

## **5. Items for discussion from residents**

5.1 On behalf of the residents Katrina Horrobin tabled a set of written questions. These are appended as Appendix1 with consent of the community.

5.2 There was then general discussion regarding the questions.

**Action:** Agencies to draft responses to the questions. These were forwarded and are included in Agency responses below.

## **6. Update from agencies**

### **6.1 EPA (Frank Garofalow)**

#### **6.1.1 Diesel and Marine Emissions Management Strategy**

EPA published its "Diesel and Marine Emissions Management Strategy" on 13 February. An email was sent to representatives of the White Bay residents to advise them. The Strategy is also available on the EPA website.

#### Goals of the Strategy are to:

- Improve the evidence base on shipping emissions and management options for NSW
- Identify feasible and timely emission reduction options
- Reduce shipping emission impacts on urban areas close to ports in NSW
- Update the regulatory framework to support managing shipping emissions in NSW

#### Milestones

- Complete feasibility of emissions reduction from shipping research project and hold public seminar: 2nd quarter 2015
- Finalise timetable for identified actions, including any changes required to the regulatory framework: 3rd quarter 2015
- Completion of research project into health impacts of different sources, types and levels of particle pollution and public seminar: 2nd quarter 2015
- Update of GMR Air Emissions Inventory with 2013 emissions data: 2016

#### **6.1.2 Other updates**

- DNV study is continuing. The EPA is intending to hold a public seminar to discuss the outcomes of current work in the second quarter – most likely May/June.
- The Upper House Inquiry into the Performance of the EPA has issued its final report. The NSW government has 6 months to respond to the recommendations. The EPA will be contributing to the Government response.
- EPA is working on developing a web page on White Bay so residents can receive regular updates on EPA actions
- Engagement with Leichhardt Council continues – the EPA and Council engage monthly via teleconference

- EPA is arranging a meeting with Leichhardt Council elected representatives the last week of Feb
- EPA has received some complaints about ships at the Overseas Passenger Terminal, particularly to do with air emissions
- EPA has again contacted the Navy for information on shore power at Garden Island. No response has been received as yet.
- EPA has met with PANSW to provide advice on location and parameters for PANSW new air quality monitoring station.
- Due to noise issues often being attributed to AMSA drills EPA spoke with AMSA who confirmed that a drill did occur on Sunday 15/2/15 at approximately 9:30am as reported to EPA by the PANSW

### 6.1.3 Answers to specific questions posed by residents not already answered above:

*(b) What is the practical effect of the proposed amendment to the Act to require an Environmental Protection Licence for cruise terminals?*

Licensing is one possible way to regulate cruise shipping. The actions currently being undertaken to address shipping emissions would likely be the same if the activity was required to be licensed. A licence is required to be substantially consistent with the planning approval for any cruise terminal until the first licence review period is complete (5 years after the licence is issued). It is not clear how this would apply if a requirement to licence cruise shipping is introduced after a particular facility is already operational.

*(c) What is your approach to the recommendation that “the NSW Environment Protection Authority immediately approach the National Environment Protection Council to request a review of the air pollution limits set under the National Environment Protection Measures”.*

Work is currently underway to review the NEPM. A review of particle standards has progressed significantly. More information can be found here:  
<http://www.scew.gov.au/nepms/ambient-air-quality>

*(e) The Emissions Management Strategy released last Friday states that a timetable for action will not be released until Q3 2015 – still another six months away. What steps are you taking before then to deliver interim solutions to alleviate the community’s exposure to the emissions? Do you intend to have consulted with and gained agreement from the cruise ship operators before you release the plan?*

The EPA is continuing to look for short term solutions however no feasible solutions have been identified as yet. The EPA is engaging with the shipping industry in relation to proposals for the way forward in relation to regulation of shipping.

*(g) Given that the inquiry found that the “the significant health effects of higher sulphur fuel, and the resulting health burden on the community outweighs the economic considerations of a single industry, especially when mutually beneficial solutions have been found in other countries, such as the United States of America and Canada”, what steps are you taking to quickly mandate the use of 0.1% low sulphur fuel in Sydney Harbour?*

The use of low sulphur fuels is currently being considered by the EPA through broad investigations of solutions to air quality issues associated with shipping in NSW. As mentioned above, the Diesel and Marine Emissions Management Strategy sets a timeframe for finalising a timetable for identified actions, including any changes required to the regulatory framework by the 3<sup>rd</sup> quarter 2015.

*(h) The Parliamentary Inquiry committee recommended that the White Bay Terminal be retrofitted with shore to ship power. What steps are you taking to implement this? How quickly can Ausgrid implement shore power once given the green light?*

The EPA is considering shore to ship power as a possible option for reducing air quality impacts from shipping. Timeframes for this are outlined above. The EPA continues to encourage the Port Authority of NSW to investigate and determine technical requirements, costs and timelines associated with installation of shore to ship power.

*(i) At the October meeting, you reported that you were looking at opportunities to relocate the “worst offending ships” – which ships have been moved and when? What is the progress on using Garden Island shore power as an interim measure?*

As noted above, the EPA is still awaiting a response from the Navy regarding shore power capabilities at Garden Island.

The EPA has written to the Port Authority of NSW regarding possible relocation of problem ships to the Overseas Passenger Terminal where available – the EPA is still awaiting a response on this, however notes that the Port Authority raised the possibility of considering a booking policy that takes these issues into account.

The EPA is continuing to look for any options that could be possible but no feasible options beyond the occasional transfer of ships to the Overseas Passenger Terminal have been identified as yet.

**Action:**

- EPA to provide information regarding process for government response to the Upper House Inquiry Report recommendations to group.
- EPA to investigate the requirement for Environment Protection Licences to be consistent with a planning approval until 5 years after planning approval made and provide feedback to group and
- EPA to email update to NSW Health for meeting minutes.

## **7. Update from Port**

### **7.1 Noise Mitigation and Management Strategy**

An Interim Report has been prepared on the results of the investigations as outlined in the Noise Impact Mitigation Strategy. The Report covers our investigations into the following mitigation options: shore power, noise barrier, at-source noise control, acoustic treatment at residences, plus investigation of the nature of ‘vibration’ complaints. Port Authority is holding discussions with Carnival to reach agreement on next steps contained in the report, prior to submitting it to Planning.

### **7.2 Air Emissions**

Port Authority are awaiting the DNV GL report regarding air emissions from ships. Our own investigations into shore power have been undertaken and provide information regarding offsite works to address the power requirements, as well as the shore side equipment. Port has also had initial discussions with providers of regarding a new technology called Advanced Maritime Emissions Control System (AMECS) which is essentially a barge based scrubber used to treat emissions from the ships’ stacks. Ports has provided this information to EPA and requested it be included in the DNV study. A link to a video about AMECS can be found at <https://vimeo.com/120018367>

### **7.3 Air Quality Monitoring**

Tenders have been sought for further emissions monitoring, involving continuous PM2.5 and SO2 monitoring and real-time reporting of data. The monitoring would initially continue for 6 months, with ongoing monitoring to be reviewed at that point. The location to be monitored would be either one for the previous locations monitored, and community and Council feedback would be sought prior to a final decision being made. Port Authority also agreed to seek resident input into a possible mechanism to correlate resident feedback on pollution levels from each ship and the air quality monitoring results being recorded.

### **7.4 Ship Schedules**

Port Authority will review booking and scheduling considerations with regard to the community impacts and provide a direct response to the group, along with responses to specific questions on scheduling ships and berths, including overnight berthings, provided at the meeting.

**Action:** (wording provided by Maree Thomas)

Sydney Ports is to ensure that in taking forward bookings from cruise ship companies, the Harbour Master is alerting such companies of the possibility of early changes to berthing requirements at White Bay Cruise Ship Terminal – such as required use of shore power, mandatory use of low-sulphur fuel, and other pollution abatement measures – so as to avoid the companies using these forward bookings as a means of avoiding implementing solutions.

### **7.5 Recommendations of the Parliamentary Inquiry- (Answers to specific questions posed by residents not already answered above):**

Update to be provided in response to all questions by Port Authority at the next scheduled meeting

### **8. DP&E,- Update from Planning:**

**8.1** Planning stated that in consideration of commitments made at previous meetings regarding progression of the Noise Mitigation Strategy, Planning had anticipated that the implementation of additional noise minimisation measures would either be underway or in a more advanced state. Planning stated that it is disappointed with the delays in progression of the Noise Mitigation Strategy, particularly in relation to recommendations for progression of noise mitigation measures that would be implemented to minimise noise from the site.

### **8.2 Recommendations of the Parliamentary Inquiry (Answers to specific questions posed by residents not already answered above)**

In relation to the recommendations of the Parliamentary Inquiry, Planning's focus continues to be to ensure that the Proponent complies with its conditions of project approval. Planning is not in a position to require additional measures over and above the conditions. Planning understands that PANSW (as the Proponent of the terminal and owner of the project approval) is currently liaising with cruise ship operators regarding the implementation of additional noise mitigation measures. Planning understands PANSW's desire to engage with the cruise ships operators and seek their commitment to mitigation measures, as this will be a more successful outcome than having requirements imposed on them. However, the Planning has requested that both the final mitigation recommendations and their delivery timeframes be communicated ASAP.

### **9. Update from Health**

**9.1** Richard Broome advised that the Air Quality study is progressing as planned. It is intended that the results will be provided to NSW EPA and NSW Health by June 2015.

**9.2** Leena advised that the fact sheet and question and answers had been put on the Public Health Unit webpage with a link to the council webpage

[http://www.slhd.nsw.gov.au/populationhealth/PHU\\_EH.html](http://www.slhd.nsw.gov.au/populationhealth/PHU_EH.html)

<http://www.leichhardt.nsw.gov.au/Community-Issues/White-Bay-Cruise-Terminal-Impacts>

**9.3** The Public Health Unit participates in a vessel inspection program for routine environmental health inspections, and also there are protocols for managing outbreaks of communicable diseases. This program is coordinated by South Eastern Sydney Local Health District Public Health Unit. For more information:

[http://www.seslhd.health.nsw.gov.au/Public\\_Health/CruiseShipProgram/vessel.asp](http://www.seslhd.health.nsw.gov.au/Public_Health/CruiseShipProgram/vessel.asp)

**9.4 Recommendations of the Parliamentary Inquiry\_( Answers to specific questions posed by residents not already answered above):**

We will continue to work closely with Agencies to develop outcomes to address the concerns of residents.

## **10. Other Matters**

**10.1** Kerin Cox raised the matter of the Sydney Ports CLG Meeting Minutes No.31 Final v 1.0, May 2014. In particular the “subject: re: ports shore power:

- We ask PANSW to disclose **Schneider Electric information** provided to the Sydney Ports/ PANSW executive on shore power.
- We ask Sydney Ports to confirm White Bay’s current capacity to deliver shore power.
- We ask for the information AUS Grid recently provided to PANSW in relation to shore power.
- Plus, we express our concern about people without expertise, deciding what is good for the health and well-being of the Balmain Population. In particular, those people in close proximity to the White Bay Cruise Terminal for extended duration of exposure to carcinogenic and toxic air pollution and 20-30 dB(A) noise breaches above max. time period limits, continually.”

References were provided as follows :

Minutes of CLG Meeting 12/5/14. It's about the possibility of shore power.[http://www.sydneyports.com.au/\\_data/assets/pdf\\_file/0008/31211/CLG\\_Meeting\\_Minutes\\_No.\\_31\\_Final\\_v1.0\\_12\\_May\\_2014.pdf](http://www.sydneyports.com.au/_data/assets/pdf_file/0008/31211/CLG_Meeting_Minutes_No._31_Final_v1.0_12_May_2014.pdf)

MINUTES OF MEETING Meeting # 31 Glebe Island White Bay Community Liaison Group Leichhardt Municipal Council – Council Administration Building, Leichhardt 5.30pm-7.00pm **Monday 12 May 2014**

**Action:** Public Health Unit will note for the minutes and liaise with Ports in a response.

**10.2** There was then some general discussion and residents raised a series of concerns

- Recommendations were made last week in Parliamentary enquiry, what is the action/roadmap?
- Booking schedule for cruise ships why are cruise lines operating differently?
- Overnight stays and impact on community.
- Health impact from a noise perspective.

## 11. Future meetings

Leena asked that meetings be scheduled for rest of year to as far as practicable suit most regular attendees. It was suggested that agencies create a doodle poll with White Bay Meeting dates and times and send to residents

**Action:** Planning to organise.  
The meeting closed at 1pm.

Minutes endorsed at meeting 17 April 2015 as a true and accurate record



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Dr Leena Gupta  
Director, Public Health

20 April 2015

Members of the Balmain community note that in the report handed down from the recent Parliamentary Inquiry “the committee believes it would be a prudent step for all government agencies to take a more proactive approach to assisting the EPA to find achievable solutions to the problems presented by White Bay and **work swiftly to ensure their timely implementation**”. With this in mind, we have a number of questions for the various agencies:

### **1. Questions for Port Authority of NSW**

- What action are you intending to recommend to your Minister and the Government as a result of the Parliamentary Inquiry report?
- We have 7 overnight stays in 5 weeks and the impact on the community is overwhelming. The SilverSea on 29<sup>th</sup> January is just one example of our worst nightmare – a very hot day followed by a cooling southerly in the evening. Of course we had to lock up our hot houses rather than let them cool down because of the stench from the ship. Overnight stays must cease immediately. There is a precedent of a ship in January being moved to Athol Buoy overnight. What steps will you take to cease overnight stays immediately?
- You have 5 ships booked in simultaneously in Sydney Harbour on 25 November 2015. Why have you done this when it shows a clear disregard for the health of the community?
- To accommodate those 5 ships, you are using berths at Neutral Bay, Point Piper and Athol Buoy. Why can't you use those berths instead of White Bay at the present time when there are always less than 5 ships in? Why has the community not been considered in deciding not to make the other berths available, particularly when we have made this request repeatedly?
- On 3 January 2015 you scheduled to move L'Austral from WBCT (where it arrived at 10:30) to Athol Buoy at 18:30, presumably to accommodate the Europa at WBCT which was then scheduled to stay until 5 January at 18:00. This shows that you can relocate an overnight ship to a buoy when you choose, so why not all overnight ships?
- What steps are you taking to alert cruise companies of the possibility of early changes to berthing requirements at the WBCT, so as to avoid further delays to implementing solutions down the track?

### **2. Questions for EPA**

- What action are you intending to recommend to your Minister and the Government as a result of the Parliamentary Inquiry report?
- What is the practical effect of the proposed amendment to the Act to require an Environmental Protection Licence for cruise terminals?
- What is your approach to the recommendation that “the NSW Environment Protection Authority immediately approach the National Environment Protection Council to request a review of the air pollution limits set under the National Environment Protection Measures”.
- The DNV GL report was due to be delivered on 18 February. Has this happened? Have they identified any solutions which are able to be implemented quickly? What is your timetable for reviewing this report?
- The Emissions Management Strategy released last Friday states that a timetable for action will not be released until Q3 2015 – still another six months away. What steps are you taking before then to deliver interim solutions to alleviate the community's exposure to the emissions? Do you intend to have consulted with and gained agreement from the cruise ship operators before you release the plan?
- The strategy also states that a public seminar will be held in Q2 – what is the date, what will be addressed and who will attend?



- Given that the inquiry found that the “the significant health effects of higher sulphur fuel, and the resulting health burden on the community outweighs the economic considerations of a single industry, especially when mutually beneficial solutions have been found in other countries, such as the United States of America and Canada”, what steps are you taking to quickly mandate the use of 0.1% low sulphur fuel in Sydney Harbour?
- The Parliamentary Inquiry committee recommended that the White Bay Terminal be retrofitted with shore to ship power. What steps are you taking to implement this? How quickly can Ausgrid implement shore power once given the green light?
- At the October meeting, you reported that you were looking at opportunities to relocate the “worst offending ships” – which ships have been moved and when? What is the progress on using Garden Island shore power as an interim measure?

### **3. Questions for Health**

- What action are you intending to recommend to your Minister and the Government as a result of the Parliamentary Inquiry report?
- When will the results of the study into health impacts of shipping emissions in the GMR be made available?

### **4. Questions for Planning**

- What action are you intending to recommend to your Minister and the Government as a result of the Parliamentary Inquiry report?
- What action are you planning to take to ensure that noise limits be enforced as per the Inquiry report recommendation?

