

Meeting minutes

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| Meeting purpose: | Gore Bay Terminal GCA Engagement Forum | |
| Date: | 05 February 2018 | Time: 6:00pm |
| Location: | The Terrace Room, Lane Cove Community Centre, 1 Pottery Lane, Lane Cove | |
| Attendees: | Michele Stromquist (MSt) (SafeWork NSW); Andrew Battye (AB) (SafeWork NSW); Stuart Warden (SW) (Greenwich Community Association); Merri Southwood (MSo) (Greenwich Community Association); Janine Drummond (JD) (General Manager, Operations & Deputy Harbour Master – Sydney, Port Authority of NSW); James Goodwin (JG) (Unit Head – Sydney Industry, NSW EPA); David Wilson (DWI) (Lane Cove Council); Niamh Hynes (NH) (Lane Cove Council); Julie Seymour (JS) (Viva Energy); James Crowden (JC) (Viva Energy); Matt Hodgkinson (MH) (Viva Energy); Adam Speers (AS) (Viva Energy); Poppy Papadopoulos (PP) (Viva Energy) | |
| Apologies: | Christine Mitchell (CM) (NSW EPA) | |
| Chairperson: | Michele Stromquist | |
| Minute taker: | Poppy Papadopoulos | |

Brief summary

| Item | | Outcome | Resp. |
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| 1. | Welcome and Apologies | Welcome and apologies noted. Acknowledgement of Country JS informed the meeting she is now Southern Regional Operations Manager, having replaced Nick Adams who has changed roles within Viva Energy. | MSt JS |
| 2. | Confirmation of previous minutes | Previous minutes accepted and confirmed. MSt and AB thanked PP for taking the minutes. Minutes are published on Lane Cove Council's website. MSt gave an overview of the topic to be discussed at this meeting – shipping activities/operations. As there are no representatives present from Australian Maritime Authority (AMSA) relevant questions will be taken on notice. | MSt |

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| 3. | Overview of responsible authorities of shipping activities at Gore Bay | <p>Overview of Responsible Authorities</p> <p>JD provided an overview of the role of Port Authority of NSW (Port Authority). The Port Authority manages the navigation, security, pilotage, emergency response and operational safety needs of commercial shipping in a range of areas. Relevant legislation for these functions include the <i>Dangerous Goods Regulation</i>, <i>Marine Pollution Act</i> and <i>Marine Safety Act</i>. The Port Authority also has the role of Harbour Master in all NSW Ports where this function is outlined in the <i>Marine Safety Act</i> and is responsible for and administering the Port Safety Operating License (PSOL) which is granted by Transport for NSW.</p> <p>Roads and Maritime Services (RMS) is a government state agency (within Transport for NSW) responsible for regulating smaller commercial and recreational vessels, including boating licenses and registration of maritime activities in NSW waterways. AMSA is a national statutory authority responsible for maritime safety and protection of the marine environment.</p> <p><i>MSo asked who has authority over Naval vessels and whether more Naval vessels would arrive at Gore Bay.</i></p> <p>JD responded that Ports Authority cannot direct Commonwealth vessels however, has a good working relationship with the Royal Australian Navy (RAN).</p> <p>MH clarified that the arrival of HMAS <i>Sirius</i> at Gore Bay last March involved Viva Energy closely liaising with the RAN as well as keeping Port Authority updated.</p> | JD |
| 4. | Overview of Shipping operations | <p>Overview of Operations</p> <p>JD provided an overview of the Port Authority's involvement in day-to-day operations. Under the PSOL, the Port Authority oversees operations such as bunkering, loading and unloading of fuel products which require to be conducted in accordance with relevant industry guidelines such as the <i>International Maritime Dangerous Goods Code (IMDG)</i>. Such operations remain the joint responsibility of the vessel and terminal operators and are monitored by Port Authority staff conducting regular inspections.</p> <p>JC provided an overview of the process involving the unloading various grades of fuels (vessel to shore connection checks, order of unloading, product quality testing). During unloading of product, Viva Energy operations personnel monitor the discharge process at all times. Other agencies, such as Ports Authority, undertake independent checks periodically.</p> <p><i>MSo requested to understand when booms are deployed,</i></p> | JD, MH, JC |

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| | | <p><i>what the risks are during the unloading of fuel.</i></p> <p>MH clarified that during unloading of diesel and fuel oil, vessels have containment booms placed around them by the Port Authority. During the emptying of large shipping cargoes, inerting of the void space occurs (replacement of cargo by an inert gas) to prevent the inflow of oxygen and therefore the formation of flammable atmospheres. Ignition sources are prohibited inside the hazardous zones at all times.</p> <p><i>MSo asked about the third loading arm and its impact on slops that are generated at the site.</i></p> <p>JC explained that having a third loading arm enables the site to have better product segregation and minimises the generation of waste (slops).</p> | |
| 5. | Overview of emergency response to incidents involving maritime activities | <p>Incidents & Emergency Response</p> <p><i>MSo asked about the responsibilities of authorities/agencies to maritime incidents in general and for Gore Bay. SW asked about capabilities for scenarios including fire/explosion.</i></p> <p>JD outlined that the authority responsible for leading a response to a maritime incident is dependant on the location and scale of the incident. In NSW State waters, RMS is the responsible authority. RMS or the Port Authority will lead a response as the 'Combat Agency' with assistance from other State and Federal Agencies (such as AMSA) as required. Under the relevant State Emergency Management Plans (EMPLAN) and sub-plan, Port Authority are a designated combat agency and will work with facilities such as Terminals to ensure an effective 'first-strike' response that aligns with the operational requirements of a Terminal and including those outlined in the National Plan for Maritime Environmental Emergencies (National Plan).</p> <p>Port Authority undertake frequent auditing of their capabilities to ensure they are equipped to respond to a full range of scenarios and also call upon other combat agencies, for example Fire & Rescue NSW, if required. Capabilities include the deployment of varying types of booms, tugs with firefighting capabilities and fire cannons some which are equipped with foam. These vessels are on standby and can be deployed in Sydney Harbour and Botany Bay.</p> <p><i>MSo and SW asked about the Port Authority's involvement in emergency response training and the status of the Local Emergency Management Plan (LEMP). Also, whether crew members would be part of an emergency response.</i></p> | JD, MH |

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| | | <p>JD outlined that the responsibilities of authorities for responding to maritime incidents are set out in the NSW EMPLAN and National Plan for Maritime Environmental Emergencies (National Plan). Integrated with these two plans is the NSW State waters Marine Oil and Chemical Spill Contingency Plan. Port Authority is one of the many agencies that is a part of the Sydney Harbour Marine Emergency Plan. The Plan, is a sub-plan of the State's Emergency Management arrangements for incidents in NSW State waters. Port Authority takes part in various training exercises including planned Emergency Response Exercises at Gore Bay for various scenarios. DW clarified that the LEMP is still being worked through and has not yet been finalised.</p> <p>MH clarified that emergency response capabilities also include trained crew of chartered vessels. When berthed, a Safety Officer inspects the vessel and goes through the Safety Management System (SMS). Independently, AMSA on Port State Control (PSC) also verify the SMS. Port Authority may also request to view any sections of the SMS that are relevant to a particular work agreement or via an operational request.</p> | |
| 6. | <p>Overview of security of Gore Bay – Port Facility</p> | <p>Security <i>MSo commented that Gore Bay is within a Security zone with pleasure craft in proximity to vessels and how these are managed. To an outsider, the site does not appear to be secure from the water-side and requested to understand surveillance arrangements. SW raised that there is a potential for risk to change (increase) for example, with the availability of drones and requested to understand how levels of risks are assessed.</i></p> <p>Addressed by JD, MH and JC: There are a number of Maritime Security Zones in both Sydney Harbour and Port Botany. These zones are enacted when a security regulated ship is in port (an international ship). Once the zone is enacted, landside access must meet certain requirements (for example, fencing, access control) as well as the maintenance of a waterside exclusion zone (60-100m dependant on various operational factors). The current level of all maritime security in Australia is 'MARSEC Level 1' (the lowest of 3 levels). The zone is a security zone, not a safety zone. The NSW Water Police are familiar with the Gore Bay facility and have the powers to request that vessels move outside of the zone if required. Vessels berthed at Gore Bay report such incidents and these are escalated to other authorities, such as AMSA, depending on the scenario/situation.</p> | <p>JD, MH, JC</p> |

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| | | <p>The Office of Transport Security is the national transport security regulator for maritime transport. Gore Bay has an approved Maritime Security Plan (MSP) in place, however, this is not for public disclosure. The risk profile of the site is continually assessed. In regards to drones, which is a broader issue, we work with regulators to ensure best practice and site specifics are taken into account when developing relevant security risk assessments. In regards to fencing of the site, this is in accordance with the International Maritime Security Code.</p> | |
| 7. | Vessel selection and Environmental Performance at Gore Bay | <p>Vessel Selection and Environmental Performance <i>MSo and SW requested to understand where most vessels come from and their selection (including size), the ship vetting process for noise, how noisy vessels are addressed, how the use of low sulphur fuels by vessels is checked.</i></p> <p>MH provided an overview of Viva Energy’s vessel selection process. Vessels that are sourced are to the standards of the International Convention of the International Maritime Organisation (IMO). The decision to charter a vessel is influenced by a range of factors. This process assesses a variety of aspects and include: a) whether a vessel can be chartered to the location (Gore Bay) based on its design and physical characteristics, b) the predicted noise performance of the vessel and associated design characteristics (fans, pumps, funnels etc.), a review of any applicable ‘sister vessels’ and c) the availability of the vessel. The selection process is underpinned by the Ship Inspection Report program (SIRE) which is an International Oil Industry Standard and Viva Energy’s Ship Quality Assurance (SQA) guidelines. The SQA is above statutory requirements. The requirements include a review of Health, Safety, Security & Environment (HSSE) performance, vessel structural condition and configuration, historical regulatory & incident performance, a review of the vessel operator.</p> <p>Noise modelling may also be undertaken to predict the vessel’s performance at Gore Bay. The performance of vessels is also monitored once berthed at Gore Bay. Where possible, further modifications to discharge operations are made, for example adjusting fan speeds and pump flow rates and discharge pressure. The perception of noise is a complex phenomenon and is influenced by a variety of factors including the location of and type of ‘receiver’ and ambient conditions. On occasion these changes are effective in reducing noise -</p> | MH |

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| | | <p>in other instances they may not be. Vessels that perform well are chartered again.</p> <p>An important and self-imposed initiative which is also part of the vessel selection process, is that vessels which arrive at Gore Bay use fuel with a much lower sulphur content (compared with the sulphur levels currently regulated) while they are at berth.</p> <p>Viva Energy liaises with the EPA on matters relating to noise and odour. Shipping is regulated by International Standards. Noise is monitored and reported to the EPA. The noise limit defined in the EPL applies to “noise from the premises” and does not include noise from vessels that may be berthed at the wharves. When taking noise measurements, the noise meter will pick up all sources of noise occurring in the vicinity at that time, and can include noise from the premises (as required by the EPL), noise from vessels berthed at the wharves, background noise which could include transport related noise (cars, buses, aircraft), natural noise (such as wind, rain and birds) and noise from adjacent properties.</p> <p><i>MSo highlighted that there has been a reduction in noise from shipping, however, the tonal variations from shipping noise during the night time, at times, can be an issue and requested to understand how it’s measured.</i></p> <p>JG clarified that Viva Energy uses noise monitoring as a management tool and goes above and beyond the requirements of the EPL. There is a range of ways to measure annoyance (from noise) and a factor of 5dB is applied to some noise measurements to account for tonal variations in noise. All vessels inherently make noise. Viva Energy is proactive and places a lot of effort to select ships with a lower noise profile than required by regulation. Complaints relating to noise from shipping have substantially reduced.</p> <p><i>MSo requested to understand how Viva Energy manages its liability with marine vessels and in the event of a water-based spill, who is responsible for launching prosecutions.</i></p> <p>MH explained that the International Maritime Convention covers liability and that vessels carry insurance and pay a bond. JD explained that in the event of a spill to water from a vessel, there is a process that is followed leading to a prosecution and that Ports Authority is involved in launching this.</p> | |
| 8. | Crews on Shipping Vessels | <p>Crews of vessels</p> <p><i>MSo highlighted that there are non-English speaking Captains and crew on vessels and requested to</i></p> | MH |

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| | | <p><i>understand the language competency requirements. Also, if the requirements are not met, whether a vessel is declined before or after loading of a cargo.</i></p> <p>MH gave an overview of the procedure for selecting, appointing and monitoring the performance of contractors that undertake activities in relation to Marine Shipping operations at Gore Bay. Crew competency is regulated by AMSA . Where a seafarer holds a foreign certificate of competency, AMSA will issue a certificate of equivalence based on assessment of the foreign certificate of competency, evidence of sea time, passport, English competency and medical fitness. In addition, officers are subject to an assessment of their competency in the Australian Maritime Regulatory Framework. Countries issuing Maritime certificates of competency are audited by the IMO. These competency requirements are also part of Viva Energy’s vessel selection process and vessels are not chartered, should they not meet these requirements.</p> <p><i>MSo requested to understand how local unions interact with crews from the vessels.</i></p> <p>MH informed that labour conventions are adopted internationally. The International Transport Workers’ Federation (ITF) is an international federation of transport workers' trade unions. Local union members also on board vessels and validate conditions and welfare of seafarers.</p> | |
| 9. | Emissions (onshore) | <p><u>Vapour Emissions Control System</u></p> <p>The Vapour Emissions Control System (VECS) is used for odour control during the storage and handling of fuel oil. A discussion about some of the works over the years to improve the performance of the VECS ensued. These works have been part of pollution reduction studies in the EPL which have been overseen by the EPA.</p> <p>JG clarified that the most recent EPL conditions placed for monitoring the VECS were not correct at the time and will be worked through with Viva Energy.</p> | |
| 9. | Public Liability Insurance | MSo thanked Viva Energy for providing assurance that it has public liability insurance. | MSo |
| 10. | Preparation of next agenda and forum date | <p>MSo summarised the meeting that GCA now have an oversight of the regulatory framework that applies to Gore Bay and can make further enquiries with the representatives who have attended these meetings, which SafeWork NSW has facilitated.</p> <p>There are four meetings remaining.</p> <p>The next meeting will cover topic of Health and is planned to be covered with representatives from NSW</p> | MSt |

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| | | <p>Health. GCA is to provide a list of key concerns ahead of this meeting.</p> <p>GCA to revisit the original list of 10 high priority topics that was collated at the 28 June 2017 (plenary) meeting and revert to MSt of the topics to be discussed at the next two meetings.</p> <p>Next Meeting: May, date to be advised.</p> | |
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Actions from previous meetings

5 February 2018

| Agreed actions | Timeframe | Responsibility | Status |
|---|-----------|------------------|--------|
| Arrange next meeting | 1 month | MSt/ DWI (venue) | |
| Topics to be discussed at the next two meetings | 1 month | MSo/SW | |

6 November 2017

| Agreed actions | Timeframe | Responsibility | Status |
|---|---------------------|------------------|-----------|
| Arrange next meeting | 1 month | MSt/ DWI (venue) | Completed |
| Provide information on Viva Energy's Public Liability Insurance | Before next meeting | NA | Completed |

7 August 2017

| Agreed actions | Timeframe | Responsibility | Status |
|---|---------------------|----------------|-------------|
| Provide information on LEMP to residents | Next rates notice | LCC | Completed |
| Provide Pipelines publications to GCA | Before next meeting | PP | Completed |
| Provide an overview of council liaison program and Pipeline Management System | Next Meeting | Viva Energy | Completed |
| LEMO to be present at next meeting and provide an overview of how they interact with pipeline | Next Meeting | LCC | Outstanding |