

**GREENWICH COMMUNITY ASSOCIATION
REPORT TO GENERAL MEETING 21 October 2015
GREENWICH COMMUNITY ASSOCIATION GORE BAY TERMINAL SUB-COMMITTEE**

Sub-Committee Membership

The sub-committee membership is as follows:-

- Jenny Bowen
- Karen Coleman
- Garry Draffin (Joint Deputy Chairperson)
- Penny Mabbutt (Joint Deputy Chairperson)
- Ian Meller
- Stuart Warden (Secretary)
- Han Xiao
- Merri Southwood (Chairperson)

Changes in Sub-committee Membership

In the August report of the sub-committee I neglected to report that Tom Lawson had advised on 22/6 that he was resigning from the sub-committee.

We valued Tom's insights into the Gore Bay operation that derived from his many years of involvement with the operator through various community liaison groups.

Given the cancellation of the SSD for Gore Bay Terminal, it is suggested that the filling of two positions on the sub-committee be held over until our next AGM.

Meetings of the Sub-committee

Since the last GCA general meeting, the sub-committee met on:-

- 7 October 2015

Action arising from last meeting

To be discussed below.

Human Health Risk Assessment Report

Viva continues to block release of the draft Human Health Risk Assessment Report that is with the Department of Health and was prepared for the now cancelled EIS.

The matter went to another planning meeting of NCAT NSW Civil and Administrative Tribunal 6/10.

We are advised that a decision as to release will be made on the papers by the Tribunal but a date for this decision has not been suggested.

Regulation of Sulphur Levels in Shipping

On 4/9 the GCA received email confirmation of what it had known for some time - that the amendments to regulations governing sulfur levels in cruise ships would not be extended to other vessels.

As reported at the August GCA meeting, on 14/7 Tom Gervay, Penny Mabbutt and Merri Southwood attended a meeting with Brand Black (Chief of Staff) and Mark Egelstaff (the Minister's EPA delegate) in which concern was expressed by the GCA that the low sulfur regulations were not to cover Gore Bay tankers.

We have not yet had a reply to Tom Gervay's follow up email asking for confirmation by the EPA or the Minister of the maximum sulfur level used in the Destine and tankers at Gore Bay.

The EPA has invited the GCA to a workshop on 26/10 on the management of air emissions from shipping and port operations in NSW – invitation attached below.

Lane Cove Council has also been invited to send a representative.

Support for the following motion is sought:-

That the GCA appoint a representative to attend the EPA workshop on the management of air emissions on 26/10/2015.

Dear Ms Southwood

Please see a copy of the invitation to the EPA shipping emissions workshop, Monday 26 October, below. A draft agenda is also attached for your information. If you are interested in attending, please let me know as soon as possible.

Regards – David Robinson
David Robinson
Air Policy
NSW Environment Protection Authority
Ph: 9995 6092 Fax: 9995 5938
david.robinson@epa.nsw.gov.au

From: David Robinson
Sent: Friday, 9 October 2015 2:04 PM
To: David Robinson
Subject: Invitation to attend shipping stakeholders workshop 26 October 2015
Invitation to Attend

**NSW EPA Shipping Stakeholders Emissions Workshop
Monday 26 October 2015**



The NSW Environment Protection Authority (EPA) would like to invite you or a representative of your organisation to a workshop to discuss the management of air emissions from shipping and port operations in NSW. The afternoon workshop will take place at the SMC Conference Centre, 66 Goulburn St, Sydney NSW, on Monday 26 October from 1.30pm to 4.00pm.

This workshop follows on from a stakeholder workshop held in November 2014 and consultation on, and publication of, the Protection of the Environment Operations (Clean Air) Amendment (Cruise Ships) Regulation 2015. Details about the previous workshop and the regulation are available at <http://www.epa.nsw.gov.au/air/ports.htm>.

The EPA would now like to undertake further consultation with shipping and ports stakeholders about emissions management in shipping and port operations in NSW, and to report back on recently completed studies, including the study by Det Norske Veritas (DNV.GL) 'Emissions from ships operating in the Greater Metropolitan Area (NSW)'. The report from this study is available on the EPA website at <http://www.epa.nsw.gov.au/air/ports.htm#clean>.

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A full agenda and the room location will be sent to attendees closer to the event. The SMC Conference Centre is located at 66 Goulburn Street Sydney, between Pitt and Castlereagh Streets; a map showing the location is provided at: <http://www.smcfc.com.au/convenient-sydney-conference-location/>. The venue is close to Central and Town Hall railway stations, and there are pay parking stations nearby.

Please RSVP by **Monday 19 October 2015** by contacting, Mr David Robinson, EPA Air Policy, on phone: 02 9995 6092 or email: david.robinson@epa.nsw.gov.au.

Representatives from industry, government and the community have been invited to attend and places at the workshop are limited. If your organisation would like to send an additional representative, please provide David Robinson with the details of the additional attendee.

Please contact David Robinson for further information or if you have any questions.

Ann-Louise Crotty
Manager Air Policy
NSW Environment Protection Authority

EPA Licence Review

The EPA Licence 661 for Gore Bay is due for review by 29 November 2015.

The GCA wrote to Council 29/6 seeking a meeting and support in respect of the forthcoming review but no response has been received.

On 27/8 the GCA wrote to the EPA seeking a meeting with Mark Gifford, Chief Environmental Regulator, to discuss the review process.

On 14/9 Penny Mabbutt, Ian Meller and Merri Southwood attended a meeting with Mark Gifford and Greg Sheehy to discuss key aspects of the licence review process.

On 22/9 the EPA confirmed to the GCA that the EPA review of Licence 661 was due by 29/11 and invited the GCA to make submissions by 13/11. The EPA letter included details of a draft Industrial Noise Policy and a response from NSW Health in respect of recommended inclusions in the reviewed licence. The full letter from the EPA is with the Secretary but reply from NSW Health attached.

On 24/9 the GCA wrote to Anthony Roberts MP seeking responses to letters sent in November 2014 relating to petrol storage at Gore Bay, EPA licence review and release of the Viva Human Health Risk Report. The Minister has responded 6/10 that he has referred the matter to Environment and Heritage.

The GCA followed up with the EPA on 28/9 summarising the key matters arising from the meeting on 14/9 – attached - and inviting EPA representative(s) to address the GCA meeting of 21/10.

Correspondence has been exchanged since then relating to arrangements for the meeting.

Invitations to the meeting 21/10 have been extended to all Lane Cove Councillors, all North Sydney Councillors per the General Manager, North Sydney residents per the Wollstonecraft Precinct Association and White Bay residents per John Stamolis.

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Greenwich Community Association Inc

PO Box 5057, Greenwich, NSW 2065
www.greenwich.org.au

28 September 2015

Mr Mark Gifford
Chief Environmental Regulator
NSW Environment Protection Authority
PO Box A290
Sydney South NSW 1232.

Dear Mr Gifford

Viva Energy Australia Gore Bay Terminal Review Environment Protection Licence 661

Thank you for the opportunity for our representatives to meet with you and Greg Sheehy in relation to the forthcoming review of EPA Licence 661 that regulates operations at the Gore Bay Terminal.

Many items were covered at this meeting. It is important for us to be sure, when working with the community to prepare our submission for the review, that we have an accurate understanding of process and the regulatory regime. For the sake of clarity, I summarise below our understanding of the key points considered last week.

Licence review process

The licence review will take place this year and must be completed by the anniversary date of the licence, 29 November 2015. The EPA will notify the public and interested parties of the forthcoming review and outline details of the process around the review. We note that at the date of this letter the GCA does not appear to have received notification.

The licence will be reviewed under a blend of the previous load-based system and the new risk-based system. The EPA has placed some information about the new risk-based system on its website. The EPA is unable to provide further information to the community about the risk-based system.

Storage of petrol and jet fuel

The EPA licence defines the potential scope of operations at the terminal. The licence includes the right to store a full range of petroleum products (including petrol and jet fuel) and the EPA does not foresee at this point that this will change after the review. The EPA is not the authority responsible for regulation of non-environmental risks such as explosion or fire arising from product that may be stored at Gore Bay.

The operator is required to advise WorkCover of product stored and levels thereof and it is WorkCover that regulates the controls around this product storage in terms of non-environmental risk.

We note that you offered to provide us with the name of the appropriate WorkCover officer to discuss this aspect further and we look forward to hearing from you soon. As you are aware, the potential storage of petrol and/or jet fuel is of significant concern to the community and we are anxious to progress this discussion with WorkCover immediately.

Regulation of tankers

The tankers at berth at Gore Bay are not included within the current licence and it is not intended that this will change under the review. You advised that the regulatory environment around tankers is complex and sulfur level in marine fuel used by tankers cannot be addressed speedily as was the case with cruise ships. Tankers in NSW waters are required to comply with MARPOL sulfur emissions standards for marine fuel (currently 3.5%) and there is no fixed date for mandatory reduction of sulfur levels in marine fuel ahead of the current proposed MARPOL date of 2020 when emissions must reduce to 0.5%.

You confirmed that Viva Energy has advised that it uses low sulfur marine fuel at berth but the EPA has not verified this. The exact sulfur level of marine fuel used by Viva Energy is not known.

You advised that supply of distillate in our region is plentiful but it is more difficult to source supplies of marine fuel with sulfur levels of 0.1%.

You also confirmed that it is not the EPA's intention to mandate the provision of shore to ship power in the review of Licence 661.

Monitoring of emissions etc

The EPA has recently introduced variations to the licence in respect of monitoring of the VECS system. These provisions are no longer subject to appeal and they are part of the licence provisions.

The EPA is contemplating reducing the mandatory monitoring and reporting required under the Leak Detection and Repair program to once every two years.

There is no statement by the EPA of what is meant by the term "best practice" within the scope of Section 78 of the Protection of the Environment Operations Act 1997.

The standards adopted for the purposes of reviews of EPA licences are as follows:

- Air Emissions: WHO standards and "Approved Methods for the Sampling and Analysis of Air Pollutants in NSW"
- Noise Levels: WHO standards/NSW Industrial Noise Policy (under review)
- Soil/Water Contamination: WHO standards

Access to Human Health Risk Assessment Report

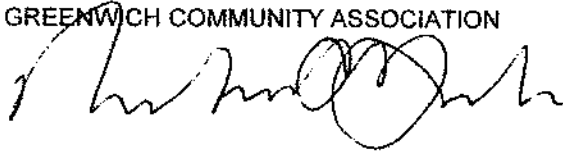
The EPA has not obtained from NSW Health a full copy of the report titled Human Health Risk Assessment Report which was required as part of the Director General's Requirements in respect of the proposed SSD for Gore Bay. The EPA will now seek this report through an informal access request.

The Greenwich Community Association is preparing a submission in anticipation of the licence review. For this reason, we request your early comments in relation to the items summarised above. The GCA will hold its regular public meeting at 7:30 pm on Wednesday 21 October. It is intended that the licence review will be the main item of business that night.

We welcome your agreement to send a representative of the EPA as guest speaker at this meeting. We will be sending out a newsletter to advise the community of the attendance of an EPA representative(s) and would appreciate your confirmation of the names and responsibilities of the EPA representatives by 7 October 2015.

Yours sincerely

GREENWICH COMMUNITY ASSOCIATION



Tom Gervay
President

for



28 July, 2015

Greg Sheehy
A/Director Metropolitan
Environmental Protection Authority
PO Box 668
Parramatta NSW 2124

RECEIVED
METROPOLITAN REGION

03 AUG 2015

PARRAMATTA

Dear Mr Sheehy,

I reply to your letter of 20 July 2015 seeking advice on health impacts that the EPA can take into account for statutory review of Viva Energy Australia Ltd (Viva) Environment Protection Licence number 661 at Manns Avenue, Greenwich.

In regard to health impacts from the site a review of the licence should consider potential noise, odour and air quality impacts on adjoining and neighbouring residential communities.

Noise

The site generates noise that has distinctive tonal and frequency characteristics and because of the intrusive nature of this noise it is likely to impact the amenity of adjacent residential communities. A noise condition addressing tonal and frequency noise characteristics, a limitation on noise emissions from site, ongoing noise monitoring and a noise management plan detailing measures to mitigate adverse noise effects should be included in the licence.

The review should also consider noise impacts from future modifications to existing operations on the site and include noise conditions to identify changes in background sound levels that may affect adjacent residential communities.

Odour and Air Quality

In view of the close proximity of residential properties adjoining the site ongoing boundary monitoring should be required to supplement point source emission measurements. This ongoing monitoring should occur at consistent locations on the site boundary and measure odour and ambient air levels of Polycyclic Aromatic Hydrocarbons (PAH) and Volatile Organic Compounds (VOC).

Should you wish to discuss any of the above matters please contact Geoffrey Prendergast on 9477 9029.

Yours sincerely,

Dr Michael Staff
Director