**From:** Jennifer Owen

Sent: Thursday, 3 June 2021 11:38 AM

**To:** IPCN Enquiries Mailbox

**Subject:** Public Sumbmission - Glebe Island concrete batching plant

Attachments: EmailreShipNoise2Jun2021.pdf; EPA REPLY FW Noise limit breaches at Glebe Island Berth 1.pdf;

NoiseAAL Kembla at Glebe IslandFeb2019.pdf; Noise from MV Summitt at Glebe

IslandJUn2019.pdf

The Commissioner
Office of the Independent Planning Commission NSW
Level 3, 201 Elizabeth Street Sydney NSW 2000

#### Dear Sir/Madam.

I am responding to the invitation to submit additional information to the IPC enquiry into the Hanson application to build a batching plant on Glebe Island. Specifically, my submission relates to the Letter from the Applicant to the Commission, dated 24 May 2021 (including the Applicant's amended Site Plan, NS Elevations and EW Elevations).

In the Letter, the following statements are made:

"Either way, the importation of aggregates via ship to Glebe Island will result in an improvement to the efficiency and sustainability of Hanson's concrete supply chain and would reduce truck movements across the inter-city and Sydney metropolitan road networks.", and...

"Hanson attempted to have Condition F3 (a) amended by DPIE to clearly state that the 1,000,000 tonnes of aggregates delivered per annum is by ship only, but DPIE had already referred the project onto the IPC. Hanson would like this conditioned amended, so it clearly states that the 1,000,000 tonnes per annum is delivered by ship.

The ship capacity is anticipated to be within 4,000 tonnes (2,500 m3) and 13,000 tonnes (8,125 m3) depending on what is available in the shipping market at the time. Hanson is yet to determine to appropriate vessel for the facility. The approximate aggregate truck capacity delivering and receiving aggregates from the site will be 33 tonnes (20.6 m3)."

Using Hanson's numbers, this implies that Glebe Island will host between 250 ships (of 4,000 tonnes) to 76 ships (of 13,000 tonnes) per annum by Hanson alone. Added to this must be other shipping activity that may also occur at Glebe Island. The issue is that Glebe Island port is not appropriately built to accommodate that many ship movements so close to such a residential area where thousands of people now live.

As Hanson points out, they expect "efficiencies" from the use of ships to deliver aggregate to the proposed facility, but this efficiency is at a huge cost to the community. No requirement to establish appropriate port infrastructure, including at a minimum, ship-to-shore power to avoid generators running 24/7 and affecting all the people who live within meters of the port and the facility being affected is being required of Hanson. However, their profits will be boosted by the co-location of the proposed multi-user facility at Glebe Island and their concrete batching facility. Both projects go hand-in-hand.

The noise, light and air quality impacts of ships at Glebe Island have been a constant problem for years, and the Port Authority has done little to address community concerns. I attach correspondence over the years with the Port Authority and the EPA to demonstrate the Port Authority's ongoing insistence that Glebe Island is and always has been a "working port", but their failure to comply with the standards set by the EPA on noise emissions. These provide proof that the operators of the Port, and users, will not make any meaningful attempt to comply with any conditions placed upon the port and other industrial activity associated with it, including the proposed batching plant. I also attach a table, prepared in 2018, and referred to in my correspondence, or the regular breaches of noise limits at Glebe Island. I note that even this year, breaches still continue. I do not have time to update the table, but

attach several recent noise monitoring reports which indicate breaches of the noise limits as recently as March and April this year. I would also note, fining operators of noisy ships does nothing to address the longer term problem nor to improve the living conditions of the thousands of residents who now face the Glebe Island port.

In fact, external consultant, SLR, in a report dated 14<sup>th</sup> May 2019, to Hanson, (link: https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=EXH-808%2120200131T012303.768%20GMT) concludes that the predicted level of noise of the combined operations of Predicted Cumulative GIB1, Facility, GIB2 and Multi-user Facility Amenity Noise (dBA re 20 μPa) "At Pyrmont, the cumulative amenity noise levels are below the daytime Precinct amenity noise level of 65 LAeq(11hour). Further at Pyrmont, cumulative amenity noise levels may exceed the Precinct amenity level of 55 LAeq(4hour) by up to 3 dBA during the evening, and during the night-time may exceed the Precinct amenity level of 50 LAeq(9hour) by up to 8 dBA." 8Dba at night time is a significant exceedance. I am not a sound engineer, but my understanding that increases in decibels are not linear but escalate dramatically the further the limit is breached.

Regardless of the Port Authority's posturing, it does not require an expert to conclude that port of Glebe Island has not operated as a "working port" for many years. This is as a result of the NSW Government's sale of land and permitted development of Jacksons Landing, which now houses thousands of residents. The situational considerations of what is appropriate at Glebe Island have clearly changed, as a result of the government's actions, given the significant increase in residential housing with meters of the port. If a "working port" is to be reestablished, appropriate infrastructure needs to be built, at the cost of Port Authority or the users of the Port, in order to operate within safe standards for noise, light and air pollution, given its residential location.

Ship emissions are an even greater issue given the emergence of the CV-19 pandemic and the disastrous performance of the shipping industry in operating safely when faced with global pandemics. The establishment of appropriate bio-security facilities and procedures for Hanson (and other) ships, their contents, and the people on board have also not been outlined or required. Allowing foreign ships and their crew into the middle of Sydney harbour on an almost daily basis, and the level of interaction and activity which is proposed, places the whole of the city at risk. The Covid pandemic has demonstrated that ships are diabolically effective vessels for the transmission of disease. If Hanson is to operate this shipping facility, appropriate bio-security facilities and protocols also need to be established, given the location of the port and the proximity of Sydney residents.

#### In summary,

- 1. The expanded port (the Multi User Facility (MUF)) is clearly integral to the Hanson proposal and must be considered as part of the development application. The activity proposed by Hanson is inconsistent with the pre-existence of thousands of residents whose health, safety and quality of life will be negatively affected by the operation of the plant and the MUF.
- 2. In return for the efficiencies gained from shipping aggregate to the proposed plant, Hanson needs to be required to invest in the appropriate port infrastructure, including ship-to-shore power and biosecurity facilities, to protect the community from the increased noise, light, biohazards and air pollution that the operation of their batching plant will result in, given their reliance on shipping to bring aggregate to the proposed batching plant.
- The Port Authority cannot be trusted to impose adequate constraints on the operation of a MUF at Glebe Island to service the Hanson plant, and to impel Hansen's and others ships to be compliant with constraints. The FPA has also been very ineffective and enforcing compliance. Corporations who have demonstrated a disregard

	LFA has also been very ineffective and emorcing compliance. Corporations who have demonstrated a disregard
	for regulatory requirements should not be rewarded with an expanded operational remit. They simply can't be
	trusted.
Yo	urs sincerely



# Re: Copy of page message (to 407152)

1 message

Jennifer Owen

Wed, Jun 2, 2021 at 11:04 AM

To: Enquiries < Enquiries@portauthoritynsw.com.au > Cc: Enquiries < Enquiries@portauthoritynsw.com.au >

Hi Tara

The noise being emitted MUST be higher than the decibel limit stipulated by the EPA, and it is running all day and all night.

Whether it is a type of ship that will be "normally" using the port on a regular basis is not relevant. It is there now, and there is every likelihood that other such noisy rust buckets will be permitted to berth there in the future.

The experience with the Port Authority is that it will obfuscate and mislead to the maximum extent possible, and try to avoid its responsibilities to ensure the appropriate operation of the berths at Glebe Island. This ship is a case in point. The ship's master does not seem to have any regard to the requirements to monitor and reduce noise and air emissions while in port, and it does not appear that any authority is actually requiring him to address the problem.

Thank you for reminding me that I can complain, but that is what I have just done. Receipt of such an obvious form letter with all of the standard text about working port, etc etc etc, is a sign of the disrespect that the Port Authority exhibits to the residential community where it operates.

It would be more effective if the Port Authority actually paid a visit to the ship to listen to the noise and take action to require the ship to address its noise issues.

The Port Authority continues to claim that Glebe Island is a "working port" and this is all business as usual. If the GI facility were truly a 24/7 port, it should be built as such, and at a minimum, ship-to-shore power would be installed to reduce the need to run generators, given that significant numbers of residential homes have been constructed within meters of the port since it was last ever used on a continuous 24/7 basis.

Regards
Jennifer

Jennifer Owen
Em:
Ph:

On Wed, Jun 2, 2021 at 10:01 AM Enquiries < Enquiries@portauthoritynsw.com.au> wrote:

Dear Jennifer,

Thank you for raising your concerns regarding the vessel AAL Shanghai with Port Authority. Details of the noise disruption you are experiencing have been escalated to our operations team for real-time investigation and action as required. Further background details on the vessel visit are below.

Glebe Island berths 1, 2, 7 and 8 are existing operational port lands with activity permitted to operate at these berths 24 hours a day, 7 days a week as required. These berths provide a low-cost, low-impact and sustainable way to bring dry bulk materials into Sydney to support the increasing demand for construction materials to service the NSW Government's major infrastructure projects, the wider economy and jobs for the people of NSW. The port also provides opportunities to receive, store, pre-assemble and transport materials to support major infrastructure delivery.

Approximately 6,000 m2 of land near the eastern point of Glebe Island has been leased / licenced to Infrastructure NSW to support delivery of the new Sydney Fish Markets State Significant Development. Prior to

the lease being issued, Port Authority assessed the operational activities proposed to occur on Glebe Island and considered that these are consistent with the use of the port, port operations and existing planning approvals. A summary of the key tasks is below:

- Site set-up and pack-up (at completion), including construction and removal of the temporary crane base, hardstands and concrete support structures
- Receiving, unloading, handling, storage, sorting, and/or transport off-site of building materials including; piles (foundations), and other structural steel, timber or concrete elements such as beams, columns, panels and planks
- Pre-assembly, alteration or rectification of miscellaneous building materials and loading onto barges via mobile crane prior to delivery to the new Sydney Fish Markets
- Berthing of tugs and barges serving the New Sydney Fish Markets project

The vessel AAL SHANGHAI is berthed at Glebe Island berth 2 (GLB2) for the purpose of unloading (and temporary storage), of piles (foundation materials), for the new Sydney Fish Market Project at the head of Blackwattle Bay. The benefits of delivering these large construction elements by ship into Glebe Island is the removal of a significant number of truck movements from our roads. Road transport would require a large number of trucks traveling far greater distances and through Sydney to deliver large construction elements to the Fish Market Project.

Port Authority anticipates the vessel will remain at berth for approximately 2 days. At this time, the ship is planned to depart on Thursday 3 June at approx. 6pm.

Activities associated with the vessel visit are required to be carried out in accordance with Port Authority's planning approval for the berths at Glebe Island 1 and 2 which allow for ad hoc port activity.

During its stay, the ship's generator will continue to run as required to support liveable conditions for the crew onboard (e.g. for lighting, air conditioning, refrigeration, and other onboard systems). The vessel operator has been reminded that the berths at White Bay and Glebe Island are adjacent to residential areas and noise and light emissions from the vessel and site activities should be minimised throughout its stay, whilst ensuring safe operations. The ship's master is also required to ensure the ship's generators/engines are maintained and operating efficiently to reduce noise and air emissions while in port.

In this instance, Port Authority did not carry out pre-arrival noise monitoring. This is because this is not the typical type of vessel that will be using the port on a regular basis. Attended noise measurements for the AAL Shanghai were carried out last night. At this time, the results have not yet been provided to Port Authority.

Should you have an enquiry or wish to lodge a complaint related to this visit, please call our 24/7 community enquiries and complaints line on 02 9296 4962. This will prompt a real-time investigation into your issue.

I hope this information assists. We thank you for your patience during this visit.

Kind regards

Tara Kennedy | Community Relations Manager

Port Authority of New South Wales

Level 4, 20 Windmill Street | Walsh Bay NSW 2000 Australia

PO Box 25, Millers Point   NSW 2000 Australia	
Original Message From: messagingreports@vodafone.com.au <messagingreports@vodafone.com.au> Sent: Tuesday, 1 June 2021 10:16 PM To: SY_VTS <vts@portauthoritynsw.com.au>; Enquiries <enquiries@portauthoritynsw.com.au> Subject: Copy of page message (to 407152)</enquiries@portauthoritynsw.com.au></vts@portauthoritynsw.com.au></messagingreports@vodafone.com.au>	
Jennifer Owen, , , , , , , , , , , , , , , , , , ,	from

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# FW: Noise limit breaches at Glebe Island Berth 1 [ ref: 00D90ZANp. 5006F1INHBe:ref]

1 message

Jacinta Hanemann	
10.	

Fri, Aug 31, 2018 at 4:03 PM

Dear Jennifer

Thank you for your email to the EPA regarding noise limit breaches at Glebe Island. I apologise that you had to contact the EPA on numerous occasions before receiving a response. Unfortunately, the original email was not logged in the relevant information management system and was therefore not tracked. In addition, in this period the officer who was responsible for administering this licence moved to another area within the EPA.

I acknowledge your concerns about the impacts of ship noise on residents in the Pyrmont area.

The EPA administers environment protection licence (No. 13008) for Glebe Island Berth 1 and has reviewed the non-compliances with noise limits. I note that the majority of the exceedances are less than 5 decibels (dB) and that the accuracy of noise monitoring is commonly +/-2 dB of the actual noise levels.

When reviewing breaches of licence conditions and determining our regulatory response, the EPA takes into consideration its Compliance Policy, which is available at <a href="https://www.epa.nsw.gov.au/publications/legislation/epa-compliance-policy-130251">https://www.epa.nsw.gov.au/publications/legislation/epa-compliance-policy-130251</a>. Considerations in this Policy include the environmental harm resulting from a breach. I note that a difference of 2 dB is not detectable to the human ear.

The non-compliances with the noise limits on the environment protection licence for Glebe Island Berth 1 has prompted an EPA review of the noise limits on this, and other bulk shipping licences, in the Glebe island/White Bay area.

The EPA is also working with the Port Authority in the development of a procedure for managing uncharacteristically noisy ships.

The NSW Government is endeavouring to maintain Sydney Harbour as an operational port and is seeking to achieve a balance between encouraging economic benefit for the state and addressing significant impacts on local communities.

If you have concerns about noise levels from any particular ship, I encourage you to contact the Port Authority's 24-hour community enquiries and complaints line 9296 4962 or email: enquiries@portauthoritynsw.com.au. You can also call the Environment Line on 131 555 or email info@environment.nsw.gov.au and request that your call or email is registered as a pollution incident.

Yours sincerely

Jacinta

#### **Jacinta Hanemann**

#### Regional Manager Operations - Metropolitan Infrastructure

Metro, NSW Environment Protection Authority

+61 2

www.epa.nsw.gov.au 💆 @EPA NSW

#### Report pollution and environmental incidents 131 555 (NSW only) or +61 2 9995 5555



From: Jennifer Owen

Sent: Wednesday, 29 August 2018 12:17 PM

To: DPE CSE Information Planning Mailbox <information@planning.nsw.gov.au>

Subject: Fwd: Noise limit breaches at Glebe Island Berth 1 [ref:\_00D90ZANp.\_5006F1INHBe:ref]

Dear Sir/Madam

I contacted your offices on 12/7/2018 regarding a complaint about the Port Authority NSW's ongoing breaches of its licence to operate at Glebe Island. I had been told by Service NSW (where the Port Authority's website directs complaints to be made) that my concern needed to be addressed by the epa.

The correspondence I sent and the contact I had with the epa is outlined in the emails below.

I have not had any response from my last 2 follow up emails to the epa person who initially replied to my complaint.

Two weeks ago, having had no reply from the epa, I contacted the NSW Ombudsman's office to follow up. They have now advised me that I need to complain about the complaint handling procedure to this Department directly. This is incredibly frustrating and a demonstration of bureaucracy gone mad! To have to complain about a complaint is just ridiculous and an example of how Government obfuscates to the point where citizens are forced to go around in circles to get a satisfactory response and action.

I would like a response on the following

- · What is happening with my complaint
- · Why has it not been dealt with adequately to date

The actions which will be taken against the Port Authority for its historic breaches from 2014 to 2018.
The actions which will be taken to ensure the activities of the Port Authority comply with the nighttime noise limits which are a condition of its license to operate.
I attach the table outlining the breaches referred to in my initial email.
Regards

Jennifer Owen
Em:

----- Forwarded message -----From: Jennifer Owen

Date: Wed, Aug 22, 2018 at 2:56 PM

Subject: Re: Noise limit breaches at Glebe Island Berth 1 [ ref:\_00D90ZANp.\_5006F1INHBe:ref ]

To: Environment Line <info@environment.nsw.gov.au>

#### HI Barbara

I have still not received any response from you or anyone else. Can you advise what the delay is? I made my initial request on 12th July 2018. 6 weeks have now passed without any satisfactory explanation from anyone in Government.

Regards
Jennifer
Jennifer Owen
Em

On Thu, Aug 16, 2018 at 9:27 AM Jennifer Owen

### Hi Barbara

I have not received any satisfactory response to my email of 12/7/18 regarding the ongoing license breaches by the Port Authority at Glebe Island. I write to inform you that I will be taking the issue higher if nothing is received to my satisfaction by the end of this week.

Regards

Jennifer

Jennifer Owen
Em:
Ph:
On Fri, Aug 3, 2018 at 2:30 PM, Environment Line <info@environment.nsw.gov.au> wrote:</info@environment.nsw.gov.au>
Hi Jennifer
I will contact the area concerned.
1 Will contact the drea concerned.
Demande
Regards
Barbara
Dept of Planning and Environment
Tel: 131 555
info@epa.nsw.gov.au
Original Message
<b>From:</b> Jennifer Owen <b>Sent:</b> 03/08/2018 11:56
To: info@environment.nsw.gov.au Subject: Re: Noise limit breaches at Glebe Island Berth 1 []
HI Barbara
I have not received any reply from your Infrastructure Unit to date. Are you able to follow up?
Regards
Jennifer
Jennifer Owen
Em Em
Ph:

On Thu, Jul 26, 2018 at 2:04 PM, Environment Line <info@environment.nsw.gov.au> wrote:

Hi Jennifer

I understand you called yesterday seeking a response to your enquiry. I have referred your email to our Infrastructure Unit and you will receive a response as soon as possible.

Regards

Barbara

Dept of Planning and Environment

Tel: 131 555

info@epa.nsw.gov.au

------ Original M<u>essage -----</u>

From: Jennifer Owen
Sent: 12/07/2018 18:51
To: info@epa.nsw.gov.au

Subject: Noise limit breaches at Glebe Island Berth 1

Dear Sir/Madam

I write with concern having just read the series of Noise Compliance monitoring reports for the years between 2014 to 2018 by SLR Consulting for ships berthed at Glebe Island Berth 1. The reports are listed on the Port Authority of NSW own website.

SLR's reports state that SLR Consulting is commissioned by the Port Authority of NSW to conduct monitoring of noise emissions during the unloading of vessels at Glebe Island Berth 1 (GI-1), as required by Clause M4.1 of the EPA's Environment Protection Licence (Licence No 13008). Their reports provide the results of the monitoring as required by Clause R3.5 of the Licence.

I attach a table outlining the breaches found in each instance for the noise monitoring stations in Bowman St, Pyrmont in every instance for every ship monitored and reported upon.

It seems that in every single report, ships berthed at Glebe Island Berth 1 have breached the relevant noise limits at night as measured in Bowman St Pyrmont, consistently since 2014. Ships continue to berth at this point, and breaches have continued over the 4 years of measurement.

In fact, in the most recent report, for the CSL Reliance on 18-19 February 2018, it is stated that "Complaints regarding noise during the evening and night were investigated and it was found that the key source of the noise (vessel generator) was unable to be reduced". Surely, if the activity is in breach of a license to operate, and the breach cannot be rectified, as the regulatory body, it is the EPA's duty to restrict/prohibit activities which will breach the terms of a license issued?

May I ask what action the EPA took in each instance to penalise the Port Authority for breaches of the noise limits? I would appreciate your prompt response to clarify what penalties have been imposed and what rectification is being mandated for NSW Port Authority as it seems to consistently be in breach of its license to operate this berth.

Regards

Jennifer Owen

Sent from Mail for Windows 10		
ref:_00D90ZANp5006F1INHBe:ref		

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PLEASE CONSIDER THE ENVIRONMENT BEFORE PRINTING THIS EMAIL





# Re: Noise from MV Summitt at Glebe Island

1 message

#### Jennifer Owen

Sat, Jun 8, 2019 at 10:39 AM

To: Enquiries < Enquiries@portauthoritynsw.com.au>

Thank you for your reply. I have rung this morning again, as the noise and vibration is worse than it has been all week. It beggars belief that the ship continues to breach noise and vibration limits yet has not been controlled in any meaningful way.

The vibration is actually inducing nausea.

The residents of Pyrmont are continuing to seek answers on the intentions of the Port Authority with Glebe Island, and their behaviours around controlling ships do not give any confidence on any promises that may be made about limits and compliance.

Jennifer Owen	
Em	
Ph:	

On Fri, Jun 7, 2019 at 6:50 PM Enquiries <Enquiries@portauthoritynsw.com.au> wrote:

Good evening Jennifer

Thanks for getting in touch with us and sorry to hear about the inconvenience caused by the vessel SUMMIT at Glebe Island.

Earlier in the week we were made aware of excessive noise coming from the vessel. We followed this up directly with the ship to see what measures can be taken to reduce the noise. The same day the ship reduced the generators they were using at night and the speed of their venting fans which appeared to have reduced noise during the night.

We're been undertaking noise monitoring for this vessel and have found that the noise in the morning relates to the ship readying itself to begin operations during the daytime hours permitted under requirements of the Environment Protection Licence for the activity. Should you wish, we offer to undertake noise monitoring at your residence to ascertain noise levels. Please let us know if you would like us to carry this out.

The SUMMIT is here to unload salt which is an operation that occurs only twice a year. We completely understand your frustrations at this vessel and have been working to reduce noise from the ship wherever possible. The ship is scheduled to leave tomorrow (Saturday).

While our business office is not open until 830, our operations team are always on duty and will try to resolve any issue in real time. Should you experience any excessive noise from this or any ship at Glebe Island, our 24/7 enquiries line is 02 9296 4962 and your message will be passed onto the ops team to look into.

The Glebe Island Multi-User Facility is still progressing through the statutory planning pathway and the Response to Submissions report is being finalised. These things do take a long time due to the careful review process but updates, when they become available will be published to https://www.portauthoritynsw.com.au/projects-and-planning/projects/glebe-island-multi-user-facility/.

Apologies again for the inconvenience caused by this particular vessel's stay.
Best regards
Port Authority of New South Wales  Level 4, 20 Windmill Street   Walsh Bay NSW 2000 Australia
www.portauthoritynsw.com.au
From: Jennifer Owen Sent: Friday, 7 June 2019 8:30 AM
To: Enquiries < Enquiries@portauthoritynsw.com.au> Subject: Fwd: Noise from MV Summitt at Glebe Island
Subject: Noise from MV Summitt at Glebe Island
I am writing to complain about the noise coming from the MV Summit at Glebe Island. The boat has been in port fo several days, and on several occasions has been operating very loudly. Previous complaints have led to some rectification, but this morning, it commenced operating just after 6am, and the so-called '24/7' complaints line is not open until 8.30 it appears.
It is quite unacceptable that the ship needs to be continually contacted in order for it to operate in accordance with the appropriate noise levels for a port so close to so much residential housing, and for no rectification to be possible as no-one is on call to communicate to the ship's captain.
I shall also be complaining to the EPA.
Jennifer Owen
Ph:

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## AAL Kembla at Glebe Island

1 message

Enquiries < Enquiries @portauthoritynsw.com.au>

Mon, Feb 18, 2019 at 5:10 PM

To:

Good afternoon Jennifer

Thank you for your enquiry regarding the AAL Kembla at Glebe Island.

We understand your concerns and were in contact with the ship's agent during its stay to ask that they mitigate the issues of emissions and noise from the vessel.

The ship's crew advised that they restricted operations to using one generator on minimum load at night and stopped the use of the side fans to further reduce noise levels.

The vessel was in port to deliver a tunnel-boring machine for the Sydney metro tunnel under the harbour: https://www.sydneymetro.info/article/mega-borer-kathleen-arrives-dig-deep-under-sydney-harbour. It was the first time this vessel has visited and has now departed following the delivery.

We apologise for any impacts caused by this ship and will continue to work with vessels to reduce these impacts as much as possible.

Best regards

Adam

## **Port Authority of New South Wales**

Level 4, 20 Windmill Street | Walsh Bay NSW 2000 Australia PO Box 25, Millers Point | NSW 2000 Australia www.portauthoritynsw.com.au



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