



New South Wales Government
Independent Planning Commission

TRANSCRIPT OF MEETING

**RE: PORT BOTANY QUAYLINE EQUALISATION PROJECT
(SSI-79878464) AND PORT BOTANY EXPANSION MODIFICATION 18
(DA-494-11-2003i-MOD 18)**

COUNCIL MEETING

PANEL: ANDREW MILLS (Chair)

OFFICE OF THE IPC: KENDALL CLYDSDALE
TAHLIA HUTCHINSON

**RANDWICK CITY
COUNCIL:** MERYL BISHOP
DAVID ONGKILI
DAVID APPLEBY
BRONWYN ENGLARO

LOCATION: ZOOM VIDEOCONFERENCE

DATE & TIME: 2:10PM – 2:45PM
TUESDAY, 18th AUGUST 2026

<THE MEETING COMMENCED

MR ANDREW MILLS: I'd like to start with an opening statement, if that's all right.

5 **MS MERYL BISHOP:** Please do.

MR MILLS: Before we begin, I'd first of all like to acknowledge that I'm speaking to you from Gadigal land and I'd like to pay my – to acknowledge the traditional custodians of the lands from which we all virtually meet, and pay my respects to
10 Elders past and present.

So, welcome to the meeting today to discuss the Port Botany Quayline Equalisation Project and the Port Botany Expansion Modification 18 applications that are currently before the Commission for determination. The Port Botany Quayline Equalisation
15 Project is a state significant infrastructure application which seeks a consent to construct an extended quayline on the southern side of Brotherson Dock and reclaim land adjacent to the extended quayline, to demolish the existing bulk liquids berth (BLB1) and associated pipeline infrastructure, and to construct and operate a new bulk liquids berth (BLB3) and associated pipeline and bulk liquids handling infrastructure.
20 The Port Botany Expansion Modification 18 application is seeking approval to make operational and administrative amendments.

My name is Andrew Mills. I am Chair of the Commission and of this single-member commission panel. We're also joined today by Kendall Clydsdale and Tahlia
25 Hutchinson from the office of the Independent Planning Commission.

In the interest of openness and transparency and to ensure the full capture of information, today's meeting is being recorded, and a complete transcript will be produced and made available on the Commission's website.
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The meeting is one part of the Commission's consideration of these matters and will form one of several sources of information upon which the Commission will base its determinations.

35 It's important for the Commission to ask questions and to clarify issues wherever it's considered appropriate and if you are asked a question but are not in a position to answer, you may take it on notice. Following the meeting, the Commission will advise you in writing of any questions taken on notice that the Panel considers requires a formal response. And any subsequent response or information provided to the
40 Commission will then also be published on our website.

I request that all participants here today introduce themselves before speaking for the first time and for all members to ensure they do not speak over the top of each other, to ensure accuracy of the transcript.
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Thank you for that, and we can begin. I understand, Bronwyn, with you in the room would be Meryl, David and David – is that correct?

MS BISHOP: Yes, that is correct.

MR MILLS: Lovely, thank you. You've got a blur at the back of your picture, Bronwyn, so people are sort of popping in and out a little bit. But welcome everyone.

5 [Multiple people say hello]

MR MILLS: I understand you have a presentation that you wanted to talk to?

MS BISHOP: Yes, Bronwyn will commence that now.

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MS BRONWYN ENGLARO: Can you see my screen?

MR MILLS: I can, yes.

15

MS ENGLARO: Great. Thank you. So, I've just indicated on the map the location of the Quayline Equalisation Project and the new bulk liquids berth terminal number 3 in close proximity to popular swimming beaches and fishing locations. I've also put the original Port Botany Expansion from 2003 location in regard to the Mod 18.

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So, Council received a briefing from NSW Ports on the 21st of February last year. We did a submission on the SEARs in February. We reviewed the EIS and did a submission on that in October last year. And we did a Response to Submission Report submission in January this year.

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So, of the issues that we've raised, I'm just going to run through some of the key issues, and whether they were addressed in the conditions and what the result was from those conditions.

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So, a high-priority issue for our residents is fish habitat within Botany Bay. So, we were pleased to see that the Fish Habitat Offset Strategy was included, required prior to construction at a 2:1 ratio. So, that will be well-received from the community.

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We were happy to see that the Fish Habitat Strategy will include monitoring to ensure that the proposed performance measures are met. We're not sure what the duration of that monitoring will be, but there will definitely be monitoring to meet those requirements.

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And we also put in our submission the request to have total suspended solids as an indication of turbidity in real time throughout the dredging works, and we were happy to see that that was included as a condition of consent, just to maintain the turbidity levels within that Brotherson Dock area.

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The noise management was a key issue for residents, with concerns about the 24/7 operations proposed originally with the proposal for the four-year duration. And we had noted that there were night-time construction exceedances modelled at four of our residential receivers. So, we're happy to see that, other than the dredging which is permitted 24/7, out-of-hours protocols will be needed to justify any out-of-hours work and only low-risk activities can be approved by the Environmental Representative, and high-risk activities will be approved by the Secretary. So, that was a big one for our

residents as well, because night-time noise is very sensitive for residents in the vicinity of Port Botany with the 24/7 operations of Port Botany.

5 In regard to contamination, Council requested an independent site auditor to be appointed and that's been required as condition E3. We requested a detailed site investigation be completed, given the heterogenous nature of the landfill and the dredging material, especially in regard to acid sulphate soil and other contaminants. We noted that that has not been a requirement, but an unexpected finds procedure for contamination has to be prepared and endorsed by the site auditor for anything that
10 they may come across during the works.

PFAS was also another issue of concern for the residents, with PFAS being found in Botany Bay and on the foreshore areas. The project has been assessed as not contributing to existing background PFAS levels in Botany Bay. However, there is a
15 Water Quality Monitoring Plan that the site auditor will be required to review. But no PFAS-specific condition.

Emergency response. Council was concerned about the cumulative risk of the development and whether that would change the risk contours that were done as part of
20 the 1996 Port Botany Land Use Safety Study. The hazard risk assessment determined that as the operation would be the same as currently undertaken by DP World, that there would be no cumulative risk for the DP World operations. However, a hazard and operational study for the bulk liquids berth terminal is a requirement, along with an Emergency Safety Plan, a fire safety study, and a hazard operability analysis
25 required prior to construction.

Airport impacts. This was another issue of great concern to Randwick residents. We noted that a preliminary hazard analysis was done as part of the EIS, which identified there was a low likelihood of aircraft strike. However, Council knows that – the
30 Council submission as part of their Response to Submission Report from January this year, yes, 27th of January, raised some concerns as to why the hazard risk assessment didn't look at the ship size and the number of ships at port and the duration of which ships would be at port. They also raised the concern that most aircraft would overfly the proposed location of the new bulk liquids berth terminal number 3, and that the risk
35 of aircraft impact may not have been quantified.

The other concern was that the assessment didn't consider that aircraft departing from the third runway on departure 16L will overfly the new proposed location of the bulk liquid berth terminal. And that was also an issue with the smoke plume impact on
40 aircraft, but the assessment did not consider that the aircraft do take off over the proposed bulk liquids berth terminal at relatively low altitude. And I'll just show you now the 16L departure route which takes off over the edge/end of the port. This is a diagram showing the departures from 16L, the third runway – these changed in 2003 in response to a safety issue, and the flights were required to take off on the green line,
45 which is closer to the land than what the previous pink line required. So, I think that's why since 2003 that the planes take off over the end of the terminal.

MR MILLS: Bronwyn, can I interrupt there?

MS ENGLARO: Yes, sure.

MR MILLS: Do you know what the safety concern was to require that change in 2023?

MS ENGLARO: That was in regard to a near-miss between planes and that they wanted to separate the planes taking off and landing by a greater distance. So, that's why the take off direction was further over land than over the heads of Botany Bay where it previously was located, which is the pink line. So, pink went through ...

MR MILLS: Yes, [unintelligible 00:19:57] effectively.

MS ENGLARO: Through the heads of Botany Bay, but then because of the safety concern in 2023, it was taken further apart.

MR MILLS: Yes. Thank you.

MS ENGLARO: And CASA has confirmed in their letter that the planes are taking off over the location of the BLB3. Is there anything further for that?

MR MILLS: No. Thank you.

MS ENGLARO: Okay. And Port Botany Expansion Terminal 3, the consent from the DA in 2003, so for the Mod 18. A big concern for the community and the Commission of Inquiry was the Penrhyn Estuary which provides feeding and roosting areas for migratory birds, predominantly the Little Tern being the priority there.

The Penrhyn Estuary Habitat Enhancement Plan was the key requirement of the consent and the approval. And even the committee, on the Ports Committee, have copies of the Penrhyn Estuary Habitat Improvement Plan on them at every meeting, so they're very, very well-versed in the content of that plan. And now, this modification is deleting the enforceable obligations of the Penrhyn Estuary Habitat Enhancement Plan. And there's concerns about whether the integrity of the compensatory habitat will be maintained into the future.

MR MILLS: I think that was the request from the Applicant. The Department have recommended to us not that they not be deleted.

MS ENGLARO: Right. Okay. We haven't seen that. Oh, and the other concern was, given the dynamic nature of Botany Bay with the coastal processes and hydrodynamics that operate, there are some areas within Botany Bay that suffer severe erosion. And we were concerned that the condition around guarding the long-term impact of hydrodynamics on the coastal processes in Botany Bay should be retained to safeguard Botany Bay into the future. So, we're not sure why, given that was post construction implementation of monitoring program, why that has to be deleted.

The other changes proposed that were of most relevance to Council was the structure of the community consultative committee. Restricting the community representative numbers to three. Currently on the Port Botany Community Consultative Committee,

there are four community representatives that attend meetings on a regular basis. And the terms of reference for that committee that has been operating since 2013 cap the number of community representatives at seven. So, a bit concerned that if there are only three community representatives allowed on the community, will one have to be removed if this approval goes ahead.

And the other thing that we raised in our submission is that Council is not listed as a member of the community consultative committee despite being a part of it for over 20 years. And we requested that Randwick be included as a member of the community consultative committee to reflect the terms of reference that currently the committee operates under.

MR MILLS: Yes. Again, the Department's recommended to us that you be added.

MS ENGLARO: Okay, that's great. Just overall, our implications of the Mod 18 was removing the ongoing monitoring and biodiversity obligations may undermine the offset strategy, which was included as part of the Commission of Inquiry to offset the habitat loss from the terminal 3 construction. And the community is very attached to biodiversity offsets, and especially in regard to marine environments in Botany Bay. So, we didn't want to see any of those commitments watered down. And we do understand that that is a Sydney Ports owned land and managed facility, and not NSW Ports responsibility. And we were wondering whether that could be modified to reflect that, rather than just being deleted.

And I think that was the rest of our comments. Does anyone have anything to add?

MS BISHOP: No, thank you, Bronwyn.

MR MILLS: That's terrific, thank you. We'll definitely – sorry, first of all, the presentation that you've provided, and we have made some comments along the way on some of them and we've taken notes in relation to some of the others to make sure we take into account. But the presentation, is that something that has been sent through to the office as yet or ...

MS ENGLARO: Not as yet, no, but we can do that.

UNKNOWN SPEAKER: Happy to share it if ...

MR MILLS: That would be lovely, yeah. Appreciate that, thank you. Do either of you have any questions?

MR KENDALL CLYDSDALE: Nothing from me, Chair.

MR MILLS: Thank you very much for your time, and thank you for being persistent in getting the sound all working so that we could have a good hearing from you today. Appreciate your time.

MS BISHOP: Thank you so much, and apologies for our inability at this end. Okay. Thank you.

>THE MEETING CONCLUDED