

**Submission
No 148**

**INQUIRY INTO PERFORMANCE OF THE NSW
ENVIRONMENT PROTECTION AUTHORITY**

Name: Ms Annette O'Neill

Date received: 1/09/2014

Many Balmain residents may have expressed to you their concern about the real hazards of this initiative. I am personally aware of neighbours and friends whose health and enjoyment of life has been seriously and radically disturbed just because of the inadequate management of the introduction of cruise ships. I know people who have lived with chronic respiratory conditions all their lives but are now seriously unable to cope with the emissions from cruise ships in White Bay. With no redress from government they will have no choice but to relocate away from their chosen place of residence at great personal cost of their well being.

As far as I can see the ill effects on the health of many susceptible people is a direct result of noxious emissions from the high volume of cruise ships loading and unloading in such close proximity to a densely populated inner city suburb. In particular it seems that the regulations governing emissions in White Bay are out of step with world best practice, for example:

- the sulphur content of fuel is up to 35 times higher than allowed in Europe and North America.
- shore-to-ship power has not been provided. The cruise ships in White Bay do not use shore to ship power that would eliminate constant use of ship engines with diesel emissions that are seriously hazardous to health. It is well known that diesel emissions are carcinogenic containing the dangerous toxins: sulphur dioxide, nitrogen oxides, particulate matter (both PM10 and the finer and more deadly PM2.5), benzene, toluene and formaldehyde. Despite this, the monitoring of the White Bay Cruise Terminal measures only two toxins – sulphur dioxide and PM10. It completely ignores the other dangerous emissions. Benzene is a carcinogen for which there is no safe level of exposure. Further, the criteria against which sulphur dioxide is being monitored is woefully inadequate, with the 24 hour allowable limit 11.4 times higher than the World Health Organisation recommends.]
- emissions monitoring criteria is inadequate and unsafe.
- planning conditions have been breached.

There is no provision for cruise companies to be penalised for breaches of the (however inadequate) regulations that do exist. For example, monitoring has shown that the cruise ships have breached noise criteria 75% of the time, yet the only requirement in the planning approval to address such breaches is for more monitoring to be conducted.

This lack of regulation has already resulted in our community experiencing a range of health symptoms and exposure to serious, known health risks that could easily have been avoided if protective measures adopted long ago in the Northern Hemisphere were implemented here.

I recently visited the ports of Naples and Venice in Italy. I noticed the high volumes of commercial shipping, particularly cruise ships that were loading and unloading in the Bay, seemingly without hazard to the residents.

If the NSW government had the will to address these serious deficiencies it would enable the population of Balmain - and other locations that might also be affected by cruise ship emissions, to enjoy good health as well as enjoy any economic benefits of the cruise ship industry.

Yours sincerely

Annette O'Neill

Background

This is an Inquiry into the performance of the NSW Environment Protection Authority and amongst other issues, the regulation of cruise passenger ships at the White Bay Cruise Terminal in Balmain.

The simple truth is that regulations relating to the operation of cruise ships at White Bay significantly lag behind other first world countries, yet this new terminal has been approved in an area immediately adjacent to a high density residential community, with the ships smoke stacks the same height as homes. Examples of the inadequate regulations at White Bay are:

1. Fuel sulphur content is up to 35 times higher than allowed in Europe and North America. Cruise ships in Sydney Harbour are allowed to burn fuel with a sulphur content of up to 3.5%. In North America, once ships come within 200 nautical miles of the east or west coastlines, they are not allowed to burn more than 1% sulphur fuel and this will further reduce to 0.1% sulphur by January 2015. In Europe, ships in port are also limited to 0.1% sulphur fuel.

2. Shore-to-ship power has not been provided. Over 100 ports around the world now provide the ability for ships to plug in to the local power grid so that they can switch off their engines stopping dangerous diesel emissions in port. Whilst there was a requirement to allow for shore power at the White Bay Cruise Terminal in the future, there is no requirement to actually provide it and as predicted Sydney Ports are reluctant to embrace shore power at the site.

3. Emissions monitoring criteria is inadequate and unsafe. It is well known that diesel emissions are carcinogenic containing the dangerous toxins: sulphur dioxide, nitrogen oxides, particulate matter (both PM10 and the finer and more deadly PM2.5), benzene, toluene and formaldehyde. Yet, monitoring of the White Bay Cruise Terminal measures only two toxins – sulphur dioxide and PM10. It completely ignores the other dangerous emissions. By way of example, benzene is a carcinogen for which there is no safe level of exposure. Further, the criteria against which sulphur dioxide is being monitored is woefully inadequate, with the 24 hour allowable limit 11.4 times higher than the World Health Organisation recommends.

4. There are no penalties for breaches of planning conditions. There is no provision for cruise companies to be penalised for breaches of the regulations that do exist (inadequate as they are). For example, monitoring has shown that the cruise ships have breached noise criteria 75% of the time, yet the only requirement in the planning approval to address such breaches is for more monitoring to be conducted.

This lack of regulation has already resulted in our community experiencing a range of health symptoms and exposure to serious, known health risks. All of which could easily been avoided if the protective measures which were adopted long ago in the Northern Hemisphere, were implemented here.

The role of the EPA in the White Bay Cruise Terminal approval process

- Sydney Ports Corporation were the proponent – that is, they were responsible for the major project application to construct and operate the White Bay Cruise Terminal as a result of the need to quickly relocate the terminal from Barangaroo to allow development at that site.

- In 2011, the Government changed and a petition of 15,000 saw the decision to relocate the cruise ship terminal re-examined. Minister Hazzard, the new Minister for Planning, was initially concerned about the relocation to White Bay and impact on the community. However, the Director General of Planning signed off on what has proved to be, woefully inadequate environmental controls a few days before ships began arriving on April 15, 2013.

- Sydney Ports Corporation provided the Environmental Assessment Report, not the EPA.

- The EPA (then known as the Department of Environment and Climate Change - DECCW) made a submission along with other government departments and members of the public on the adequacy of the Sydney Ports Environmental Assessment Report.

Amongst other things, the submission stated:

- o "DECCW considers that the adverse air quality impacts of the proposed CPT operations could be significantly reduced through the use of 0.5 per cent sulphur fuel"

- o "DECCW still considers that adoption of shore-to-ship power would be the most effective and innovative way to satisfy Action for Air objectives of reducing air pollutants"

Given these highly appropriate recommendations by the EPA were seemingly ignored by Sydney Ports and the Planning Authority, serious questions need to be asked about why? Had the recommendations been adopted, the community would not be suffering air and noise pollution to the extent it is today. The EPA 's role is to protect the NSW environment and community. Their advice, was ignored

Further information

For those of you who are interested, here are some links to further information about diesel emissions and the approval of the White Bay Cruise Terminal.

1. Sydney's Woolcock Institute of Medical research recently made a presentation on the health impacts of diesel

emissions: <http://www.epa.nsw.gov.au/resources/air/HealthImpactsOfDieselEmissionsChristineCowie.pdf>

2. The EPA's (under their old name Department of Environment and Climate Change -DECCW) submission to the Department of Planning can be found on this page (it's number 161, scroll down to find): http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=2916

3. The Terms of Reference for the Inquiry can be found here:<http://www.parliament.nsw.gov.au/prod/parlment/committee.nsf/0/743BDB8875807D85CA257CFC002142D1>