

## **INQUIRY INTO DEFENCE INDUSTRY IN NEW SOUTH WALES**

**Organisation:** Potts Point & Kings Cross Heritage & Residents' Society  
**Date received:** 16 July 2017

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## **SUBMISSION**

**NSW Legislative Council Standing Committee Inquiry on State  
Development: Defence Industry in NSW**

**BY**

**FROM POTTS POINTY AND KINGS CROSS HERITAGE AND  
RESIDENTS' SOCIETY**

**11<sup>th</sup> JULY 2017**

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## 1.0 Heritage society background

This local heritage society is a non-profit community group formed in 2003 in response to increasingly avaricious development in the area and growing concerns of how best to conserve the area's significant past and prevent further losses of heritage and concomitant amenity.

Andrew Woodhouse is a professional heritage consultant and was the inaugural president and founder and is the current president.

The society's geographical area covers the 2011 postcode areas of Potts Point, Kings Cross, Elizabeth Bay, Rushcutters Bay, Woolloomooloo and Garden Island. Garden Island is an individually-listed as a heritage item.

The society consists of a floating membership of about 200 or more and has made hundreds of submissions to the City of Sydney Council and our elected representatives at all government levels including the Federal Government's 2012 Independent Review of Enhanced Cruise Ship Access to Garden Island by Dr Allan Hawke AO.

### 1.1 Previous submissions: 2012 Allan Hawke Review

On 16<sup>th</sup> June 2011 Minister for Defence, Stephen Smith, announced an Independent Review of the Potential for Enhanced Cruise Ship Access to Garden Island Naval Base Sydney. The review was led by Dr Allan Hawke AO, and completed in 2012.

The review examined increase in use of Garden Island by new, larger Royal Australian Navy ships including the Landing Helicopter Dock (LHD) vessels HMAS Choules, HMAS Adelaide and HMAS Canberra, and three *Hobart* class Air Warfare Destroyers. These ships required berthing, maintenance and repairs facilities using Sydney's support base, HMAS Kuttabul.



Looking south easterly 2015. HMAS Canberra with Potts Point apartments within 50 metres immediately in the background, a constant source of friction due to increasing RAN activities



## 1.2 Quotes from Dr Allan Hawke's 2012 Review:

source: <http://www.defence.gov.au/Publications/Reviews/CruiseShipAccess/>

Page numbers refer to hard-copy pagination

"Most submissions supporting enhanced access by the cruise industry to Garden Island have been formulated on the **premise that sufficient excess capacity, over and above the needs of Navy, does in fact exist.**"

"Garden Island's actual capacity to meet the future berthing requirements of both Navy and the cruise industry clearly needs to be tested." Pt 2.25 p 15

"Regardless of whether access to Garden Island is enhanced or remains *ad hoc*, it is **not appropriate that Defence, and ultimately the Australian taxpayer, bears the cost of non-essential commercial activity at Garden Island.**" Pt 2.27 p 16

"Enhanced cruise ship access to Garden Island **will have a significant impact on local residents from an amenity and congestion viewpoint.**" Pt 2.31 p 17

"There are competing and opposing views expressed by the tourism industry and Sydney City Council compared with those of **local residents**, who clearly do not favour the added congestion and adverse lifestyle impacts they foresee from large cruise ships berthing regularly at Garden Island." Pt 2.31 p 17

"Further consultation and analysis would be needed to determine **how adverse impacts could be minimised if enhanced access proves achievable.**" Pts 2.31 p 17

"There are no foreseeable future circumstances where Defence would be in a position to relinquish its primacy of use at Garden Island." Pt 2.23 p 14

"The majority of submissions to the Review sought some form of increased access, with limited views on how this might be achieved, but with the **inherent assumption that sufficient excess capacity currently exists** at Garden Island to enable increased access without an adverse impact on Navy's activities. [my emphasis- aw] Pt 3.32 p 34

"Questioned about potential for cruise ship visits to compromise the security of Garden Island, **72% of respondents were more likely to support Navy**" pt 3.34 p 35

"The Carnival [cruise ship industry] submission therefore proposes regular use of Fleet Base Berths 2-3, with an overhead passenger catwalk to a new terminal facility on the wharf." pt 3.36 p 36

"Representatives of **residents in the Potts Point area hold strong views** about the prospect of allowing large cruise ships to berth regularly at the Fleet Base. This stems from concerns about a **major increase in** heavy trucks, coaches, private motor vehicles and taxi traffic in the area, plus the visual and **noise impacts on nearby residents.** Pt 3.37 p 37

**“Carnival Australia’s contention that “...a permanent framework / arrangement for the shared use of Garden Island will deliver greater certainty for the Navy as well as industry” is a tad cute.”**

“The only certainty this provides for Navy is the knowledge that during its peak demand period, it will be faced with greater inconvenience, added maintenance and operating costs and uncertainty surrounding availability of alternate berths. pt 3.38 p 37

“Though not clearly stated, the effect of the Carnival proposal would be to virtually take over the use of Fleet Base Berths 1-2 or 2-3 for five to six months of the year, which would deny their use by naval vessels for anything but short periods alongside at best.” Pt 3.4 pp 37-8

“Many passengers not permanently disembarking will take a tour in and around Sydney. Due to the tight windows imposed by rapid turnarounds, the tour operators pre-position passenger coaches on the wharf at Fleet Base Berths 3-5 prior to the ship’s arrival. Combined with those required for departing passengers, there **may be 50-60 coaches** pre-positioned on the wharf awaiting the ship’s arrival.” Pt 3.44 p 40

**“Access and traffic flow in the vicinity remains a major issue and results in traffic congestion in the nearby streets** (which are mostly limited to one or two lanes in either direction).” Pt 3.45 p 41

“The Carnival proposal would further alter/increase both security and Workplace Health and Safety assessments and risks that would fall largely to Defence/Navy to manage” pt 3.49 p 42

“The need for additional cruise ship berth space east of Sydney Harbour Bridge thus depends on construction of new facilities elsewhere in Sydney.” Pt 3.53 p 43

“Transit through the centre of Garden Island by passengers and numerous cruise ship support vehicles would pose unacceptable security and safety risks and preclude segregation of cruise ship and Navy functions.” Pt 4.6 p 49

Re: Taronga Zoo option pt 4.10p 51:

And “It would also be a visually unobtrusive solution, noting its location within the World Heritage vista associated with the Sydney Opera House, which may trigger the requirement for an environmental impact assessment.” 4.17 p 53

Re: Port Botany option: “Submissions from both Royal Caribbean and Carnival Australia indicate temporary structures, such as serviced marquees or a large shed, **would be adequate for the required role.**” Pt 4.21 p 55

“If the security preparedness level at Garden Island was heightened significantly, as was the case following the September 2001 terrorist attacks in the USA, cruise shipping might be denied access to the base for the duration of any heightened security. This could result in scheduled cruise visits being cancelled for prolonged periods of time.” Pt 4.34 p 59

“Re: use of Glebe Island see; Pt 4.42 to 4.47 pp 61-2

**“Option 4 new naval mega-wharves on eastern side of Garden Island Pts 4.78 et al p 73.**

“[This] It is **the most efficient option** in terms of operating and maintaining naval capability and limits the necessity of duplicating functions ... cost \$341 million.

Pt 4.84 p 76 and see figure 9 p 75

“It would not, however, be achieved in a time frame needed to resolve short-medium term cruise industry berth demands,” p 91

“The NSW Government is responsible for the provision of commercial port infrastructure” p 91

“Further community consultation should be conducted to understand the **impact on local residents and to identify mitigation strategies preserving amenity and heritage values for both local residents and the general public.** p 96.

**We agree with Dr Hawke’s conclusions and ask this Enquiry to read his full report.**

**1.3 In addition, we have lodged objections to the Navy’s most recent expansion proposals – see email below.**

**From:** Andrew Woodhouse [<mailto:heritageandconservation@hotmail.com>]

**Sent:** Thursday, 18 May 2017 12:56 PM

**To:** [comausflt.office@defence.gov.au](mailto:comausflt.office@defence.gov.au); [nick.tate@defence.gov.au](mailto:nick.tate@defence.gov.au)

**Subject:** Objections: Navy Proposal for Expansions **Garden** Island, Sydney

**RE: Navy Proposal for Expansions at **Garden** Island, Sydney**

Please register our objections as follows:

1 No alternative proposals have been put forward. The expansion is for maintenance and therefore could – *at least in part* - be on the eastern side of **Garden** Island, in Darwin, at HMAS Sterling or at Port Kembla [see <http://www.illawarramercury.com.au/story/3143537/navys-move-could-pay-its-own-way-designer/> ]

Apart from a missing pylon, the site should be repaired, not replaced.

The Navy’s background report to government is self-serving.

2 The cost to taxpayers is excessive. No detailed figures have been provided.

3 The proposed hours of works are excessive and will add noise, traffic congestion and reduce amenity to local residents.

4 It will exacerbate current Navy noise negligence.

5 No liability fund has been established to compensate neighbours for losses of amenity and value to properties.

6 No acoustic impact study, noise pollution, or toxic air borne substance analysis or asbestos management\* or Plan of Management have been provided or referred to. The project cannot be managed professionally.

7 A new, larger wharf will alienate the heritage-listed harbour.

8 A new wharf will accommodate more mega-cruise liners, exacerbating traffic concerns in the area.

9 A new wharf will not reduce noise or losses of amenity now experienced by locals.

\*Asbestos at Garden Island see <http://www.abc.net.au/news/2015-12-10/overloaded-sewerage-system-asbestos-at-hmas-stirling/7018606>

## 10 Conclusions

The Navy's proposal for expansion is an overdevelopment in a dense urban area. It will take five years for stage one to complete and then another five years for stage two at another \$200 million. Construction will not be complete until after 2027 – it is extensive, expensive and intrusive. Please acknowledge receipt.

Thank you

**Andrew Woodhouse**

President - Potts Point & Kings Cross Heritage & Residents' Society

*Saving our Past for our Future*

## 1.4 General site context past and present

The Navy first occupied Garden Island in 1788.

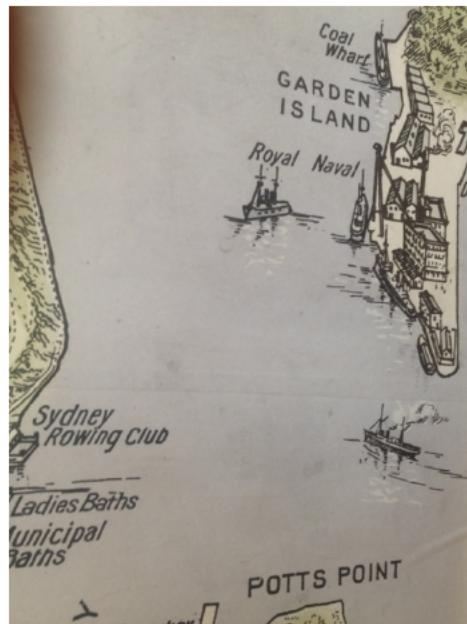
Original rock engravings still exist at northern tip of Garden Island from sailors from HMS Sirius, flagship of the First Fleet. The original garden was designed to propagate vegetables but was abandoned after crops quickly failed after a few months due to lack of natural water.





Garden Island was separated from the mainland until WII.  
And the Cowper Wharf roadway Fleet Base was not a part of RAN until the late 1970s.  
This site was commercial wharfage

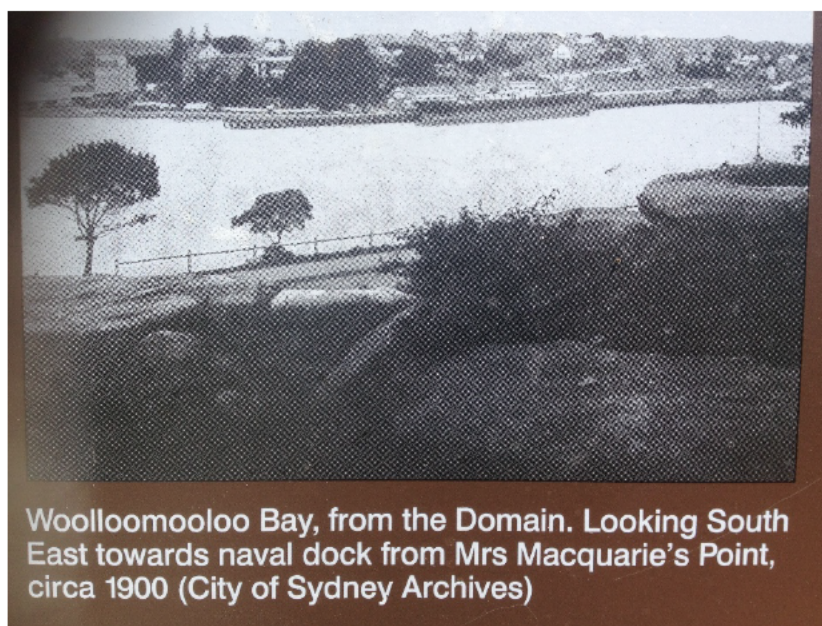
See image below



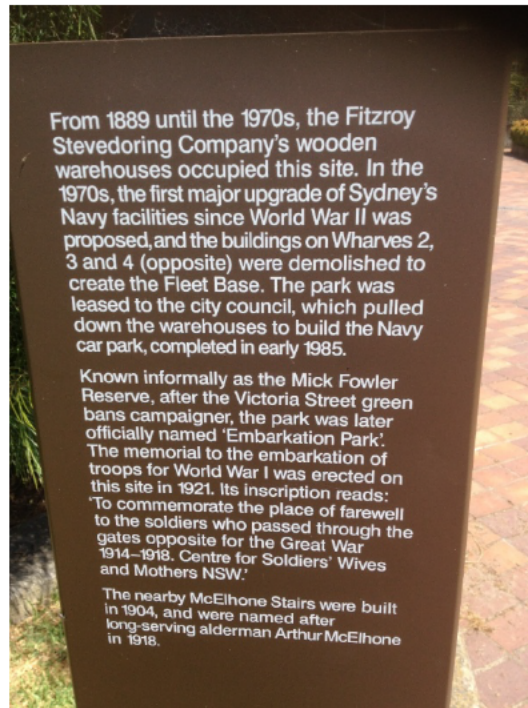
Source: Map of Sydney 1909 NSW state library – Garden Island at top of map showing clear separation from Potts Point, at foot of map.



Above: source: Map of Sydney 1909 NSW state library – west at top of map  
Shows wharfage use facing west towards Woolloomooloo Bay used for commercial steam ship companies, not the RAN. Potts Point is at bottom of map.



This is confirmed by a heritage plaque in Embarkation Park which reads “In the 1970s the first major upgrade was proposed ... to create Fleet base” – see above and below.



It is therefore not correct to claim the navy has continuously used current Garden Island HMAS Kuttabul site since 1788: nay such claim is revisionism.

The Cowper Wharf Roadway occupation is an offensive site and a source of the intrusive noise.

RAN uses on this section are relatively new.

### **CURRENT CONCERNS**

Nosie continually emanates from the site, especially while large ships are in dock and reduces residents' amenity including the ability to sleep and enjoy balconies. Noise is a health hazard.

Noise is at unacceptable levels

It comes form various sources including:

Container air-conditioning units - see below





Noise also emanates from wharf-side generators and ships' generators – see below.





Wharf-side generators often operate simultaneously to ship generators. The wharf-side generators:

- Do not have adequate acoustic screening, only a half-height, light blue tarpaulin not covering the whole generator site.
- Send noise upwards into a nine-storey steel wall that is the side of the ship which
- then bounces off the concrete wharf towards neighbouring premises which are part of a sensitive heritage conservation area including significant heritage-listed homes.

Since abandoning the site in 1788 after a few months due to lack of natural water for their garden vegetable patch, the Navy did nothing with the site until the 1850s when they built a small wharf on the eastern side. It was owned by the NSW Colonial Government.

The site was largely unused until the end of the 19<sup>th</sup> century and then re-used during the First and Second World Wars when the largest expansions occurred. The federal government resumed land and properties in the area, built the Captain Cook Dry Graving Dock to repair ships' hulls, the largest earthworks in Australia at the time, and joined Potts Point to Garden Island. Potts Point may have lost its point but not its significance.

Since then, The Royal Australian Navy has expanded towards Woolloomooloo and Harry's Cafe de Wheels.

Since the late 1970s its use of berthage facing Cowper Wharf Roadway has intensified.

There is no continuing naval use of Garden Island as claimed.

The whole defence site is known as HMAS Kuttabul.

Today, the Garden Island industrial complex employs over 8,000 staff.

Potts Point has a population of 9,426 (2016 census).

Those most affected by Navy activities are at its northern end; those facing west.



Above. Potts Point and Garden Island: Woolloomooloo Finger Wharf apartments to the left.  
Potts Point apartments in lower foreground.





Garden Island - *Queen Mary 2* visit February 2011.

Above. Looking west: Potts Point in left foreground showing vacant wharves on eastern side.



Above. Looking south east: Potts Point in middle centre, showing comparative size of cruise ships.  
Brown sludge in harbour is cruise ship discharge, a significant environmental concern.

## 2.0 Terms of Reference

### NSW Parliamentary Inquiry: Defence industry in New South Wales

#### TERMS OF REFERENCE

1. That the Standing Committee on State Development, with reference to the *New South Wales: Strong, Smart and Connected Defence and Industry Strategy 2017*, inquire into and report on opportunities to incentivise and grow the defence industry in New South Wales to generate economic development and in particular:

- a. maximise opportunities for NSW-based companies from Defence's growing exports and investment in defence capability – in both acquisition and sustainment
- b. encourage defence industry innovation, research and education including developing the future workforce
- c. identify targets, programs and projects for defence spending in New South Wales
- d. maximise the economic benefits of locating defence force bases and defence industry in the regions
- e. how to establish and sustain defence supportive communities
- f. further enhance collaboration between the NSW Government and Commonwealth agencies
- g. any other related matter.

2. That the committee report by June 2018.

#### Committee membership

**The Hon Greg Pearce MLC** Liberal Party *Chair*

**The Hon Mick Veitch MLC** Australian Labor Party *Deputy Chair*

**The Hon Rick Colless MLC** The Nationals

**The Hon John Graham MLC** Australian Labor Party

**The Hon Paul Green MLC** Christian Democratic Party

**The Hon Natasha Maclaren-Jones MLC** Liberal Party

We refer to our covering letter in which we relate our proposals to the Terms of Reference.

## 3.0 Executive Summary

In essence, we submit there is scope for accommodation for increased cruise ships in and around Sydney Harbour, subject to acceptable Plans of Management.

Our four-pronged solution is workable and viable:

1 "Navy" is a four-letter word to local residents. Its daily operations have crept into Potts Point towards Harry's Cafe De Wheels, creating significant adverse amenity impacts. No other global city has such an intrusive industrial defence site in its "front yard". This is a result of historical factors since 1788.

Our independent acoustic report – **see section 4.1** and separate attachment - confirms current, local adverse impacts.

Locals have lodged complaints with no result – **see section 6.0**.

2 Navy maintenance [and noise] should and can therefore be *partly* - not fully - relocated to Port Kembla or elsewhere - **see section 6.0**.

3 The mega-million dollar private, commercial cruise ship industry does not have a mortgage on heritage-listed Sydney Harbour: the harbour is the jewel in our crown and belongs to everybody. But if the Navy partly relocated then berthage on the western side of Cowper Wharf Roadway facing the W'loo finger wharf would be available.

Noisy HMAS Adelaide, HMAS Canberra and HMAS Choules etc would then be permanently relocated.

However cruise ships carry about 2,000 personnel each and need to be carefully managed to restrict adverse local amenity and traffic congestion impacts.

Limits on noise, buses, traffic congestion and hours of use for cruise liners must apply.

**There should be no additional noise in any habitable apartment: residents have a right live in their chosen environment.**

Other areas of Sydney Harbour are also possible terminal sites such as:

- The east side of Garden Island
- Goat Island, once inhabited by Benenelong and Barangaroo, which would provide an "indigenous introduction" to overseas passengers
- Cockatoo Island. already with wharfage with ferry access to CBD – for smaller ships

4 And cruise ships can be docked at a floating terminal, perhaps in Botany Bay or nearby, with tenders providing that "wow" factor for passenger entering Sydney Harbour – **section 7.4**.

The Dutch Docklands floating terminal design suggested for Botany Bay would cost the NSW government a substantial sum but would ultimately generate a good return on its investment.

This "indirect" harbour approach happens elsewhere.

Rome, Paris and London do not have direct harbour frontages so cruise ships berth on the coast or downstream and use high-speed trains to carry passengers to CBDs.

Ferries can be used with this floating dock design from Botany Bay .

## 5 Conclusions

There is no universal panacea or a single "magic bullet" solution to this historical problem.

But a combination of part-naval relocation, additional limited access to Garden Island, subject to an agreed Plan of Management, new cruise ship facilities in the harbour nearby and/or a floating terminal can - as a package - :

- incentivise the cruise ship industry providing that we call the Three Cs of good management, namely: clarity, consistency and certainty
- improve current residential amenity in Potts Point for long-suffering locals
- give the Navy a better long-term solution for its increasing maintenance requirements but maintain its historical presence at the northern end of Garden Island including the Captain Cook Graving Dock for major re-building projects



## 4.0 Noise issues

### 4.1 Acoustic report

Locals have suffered from increased noise generated by Garden Island Navy operations including:

Cars in Brougham Street, Woolloomooloo

44 motorbikes in McDonald Lane between 6:21am and 7:30am five days a week for over 18 months

Toxic clouds of carcinogenic diesel fumes entering residents' bedrooms

24/7 noise from dockside generators

Staff noise from ships' numerous on-deck functions until after 11:30pm and

Firing live ammunition

Residents have paid over \$12,000, substantial money, for their own independent acoustic report in the absence of any other forensic information or solution – see acoustic report attached.

Extracts: Akoustic Consultants report dated 14<sup>th</sup> November 2016, by Mr Tom Harper, acoustic engineer.

“The Navy wharves adjacent to Cowper Wharf Road, Woolloomooloo Bay called “Fleet Base East” are the home port for the Royal Australian Navy’s Eastern Fleet.

Large vessels docked there are the source of significant noise pollution to the residential housing in the Potts Point area.

**This report addresses the noise levels** affecting the heritage residences of Bomera and Tarana at the corner of Cowper Wharf Road and Wylde Street.

Measurements in this report are based on noise from the HMAS Canberra and HMAS Adelaide with one or both vessels docked at Fleet Base East.

Measured noise levels were assessed against NSW Environmental Protection Authority document “NSW Industrial Noise Policy” (INP). The Department of Defence is the Appropriate Regulatory Authority (ARA) to contact regarding noise pollution complaints.

Noise levels due to the HMAS Canberra alone were **measured on the 18th January 2016 at 68 dBA** on the veranda of the Bomera residence at 1 Wylde Street.

The noise level was continuous and dominant throughout the night period and audible above the local urban hum and traffic noise during the daytime. The residences at Tarana are further away from Fleet Base East but are still affected by noise levels calculated to be 64 dBA on the residential balcony of unit 1.” [ex: page 2 of 18]

“Based on the requirements of the NSW EPA industrial noise policy (INP), noise levels due to the Garden Island Operations **should not exceed 59 dBA, 53 dBA and 48 dBA** during the day, evening and night periods respectively.

For the evening period this represents a **required noise reduction of 20 dB** in the case of noise emissions from the HMAS Canberra measured on the veranda of the Bomera residence.

Other vessels or more than one vessel docked close to the residents would emit differing noise levels.

**The noise levels measured at the affected residences are intrusive and reduce the acoustic amenity of residents and the enjoyment of their property.”** [ex: page 5 of 18]

“Based on the above measurements and analysis the noise levels due to a single or multiple vessels docking at Fleet Base East **should be limited to 59 dBA, 53 dBA and 48 dBA** during the day, evening and night respectively when measured on the most affected veranda of the Bomera residence, assuming that **the main noise source is vessels docked at Fleet Base East** noise levels complying with criteria at Bomera will also comply at Tarana For the day, evening and night periods this represents a **required noise reduction of 9dB, 15dB and 20 dB** in the case of noise emissions from the HMAS Canberra as measured on the 18 January 2016. [ex: page 14 of 18]

Based on the noise measurements and calculations presented in this report a night-time average noise level of **68 dBA was measured** on the veranda of Bomera from the operations of the HMAS Canberra that was docked at Fleet Base East within the Garden Island Naval facility. **This exceeds the NSW EPA Industrial Noise Policy (INP) night-time criteria by 20 dB.** This is a significant exceedance and affects the subject residents living near the corner of Cowper Wharf Road and Wylde Street, reducing the enjoyment of their property and has a negative effect on their ability to rest and sleep in the habitable areas of their property and enjoy the gardens.” [ex: page 15 of 18]

#### 4.2 Log Book

In addition, one log book from one local resident recorded over a recent four-month period shows the type of on-going intrusive issues the Navy generates – see email below.

**From:** Marilyn Gardiner <marilyngardiner@icloud.com>

**Sent:** 19 June 2017 17:55

**To:** Andrew Woodhouse

**Subject:** Log of Navy Ship Noises

Andrew,

...

I also try and spend as little time as possible at home of a weekend because of the noise from the Navy's 24 hours seven day a week operation.

As you also are well aware, we have had HMAS Adelaide, HMAS Canberra and the third ship, of similar size, unable to go to sea, apart from on very few occasions, for almost two years now.

When both are on the wharf alongside residences, the non-stop running of the engines is intolerable, along with fumes, cranes and large vehicles with reversing alarms, metal bins being emptied at 5 a.m. throughout the Island, during the week and at weekends and workmen operating all hours. Vehicles and motor bikes start arriving at 5/5.30 a.m.

Visiting ships broadcast announcements throughout the day and night and ships, such as the last few foreign ships, have had automated bells ring at various hours.

When Canberra and Adelaide are alongside, apart from the never-ending noise of the engines, there are regularly people in charge who make all announcements on outside loud speakers, despite no workmen on decks. The noise is so loud that it is necessary to wait for announcements to finish before talking on phone or listening to radio. When I did ring the Base once or twice from inside, the person at the other end of the phone replied that they couldn't hear what I was saying, due to the background noise!!

We all live with windows and doors tightly closed to try and eliminate some of the noise.

With kind regards

Marilyn Gardiner

I have given some of the examples.

10th MARCH - ADDITIONAL ENGINES RUNNING - FUMES THROUGHOUT OUR RESIDENCES - ALL WINDOWS AND DOORS NEEDING TO BE CLOSED.

ANZAC DAY 25TH APRIL - WHITE TRUCK WENT THROUGH AT 3 AM, LOUD SMASH OF METAL BINS THROUGHOUT THE BASE - NOISE UNBELIEVABLE 24 HOUR WORK GOING ON INTER-ISLAND FERRY IN DRYDOCK WITH BEEPING MACHINES MOVING BACK AND FORTH AND LIGHTS FLASHING

FRIDAY 28TH 5 am - WOKEN BY LARGE VEHICLES GOING INTO BASE. THE LARGEST APPEAR TO ARRIVE AT THIS TIME AND SIT WITH ENGINES RUNNING UNTIL THEY HAVE ENTRY.

12.30 - HELICOPTER ON FRONT OF LO2 - DEAFENING - FOR EXTENDED PERIODS OF TIME

SUNDAY 30TH - 7 AM WORKERS TRUCKS, MOTOR BIKES, SHORT, VERY LOUD ANNOUNCEMENT FREQUENTLY FOR LONG PERIOD OF TIME - MALE AND FEMALE

MONDAY 1ST MAY - 10 to 11 HELICOPTER WARMING UP AND TAKING OFF OVER LONG PERIOD - NOISE DEAFENING, ANNOUNCEMENTS

TUESDAY 2ND MAY - ANNOUNCEMENTS EARLY EVENING. FROM SHIPS

WEDNESDAY 3RD MAY - 7.10 LOUD ANNOUNCEMENT FROM SHIP

FRIDAY 5TH MAY - LOUD ANNOUNCEMENTS - MALE AND FEMALE ALL DAY - WHISTLES AND ALARMS AT TIMES

PREVIOUS THURSDAY 3.20 TO 4 AM LOUD ANNOUNCEMENTS  
AW SENT EMAIL TO COMMANDER

FRIDAY 12TH MAY - LOUD ANNOUNCEMENTS ALL MORNING

JAPANESE SHIP



ELECTRONIC BELL ON THE HOUR  
SATURDAY CONTINUED UP TO 10 PM  
(I WAS OUT MOST OF THE DAY, BUT IT WAS NON-STOP WHEN WE WERE HOME)

#### HOLIDAY WEEKEND

ELECTRONIC BELL FROM 6.40 AM  
10 AM, 12 NOON FROM JAPANESE SHIP  
FRIGATE GOING OUT WITH CEREMONY - LOUD WHISTLES AND BELLS, LARGE  
REVERSING CRANE PARKING FOR EXTENDED PERIOD  
NON STOP NOISE THROUGHOUT DAY UNTIL SHIP LEFT  
LOUD NOISE OF A MOTOR? COMING FROM BUILDING NEXT TO TRAFFIC LIGHT  
ENTRY. FINALLY TURNED OFF AT 8.45 PM MONDAY NIGHT - THE SOUND TRAVELLED  
THROUGH RESIDENCES

TUESDAY 13TH JUNE - 5.10 AM LARGE TRUCK AIR BRAKES AND CARS LOUD ENOUGH  
TO WAKE ME. START OF THE MORNING QUEUE, WITH STREAM OF MOTOR BIKES  
MAKING HUGE NOISE  
5.15 AM MOTOR STARTED IN BUILDING NEAR TRAFFIC LIGHTS (LIT UP) -SOUNDED LIKE  
A STEAM TRAIN

FRIDAY 16TH JUNE - 5 AM WOKEN WITH THE CRASHING OF THE HUGE METAL BINS  
BEING EMPTIED THROUGHOUT THE ISLAND

#### **4.3 Summary**

Removal of some ships elsewhere for maintenance would help ameliorate noise concerns.

#### **5.0 Amenity issues and environmental pollution**

Between 6<sup>th</sup>-11<sup>th</sup> April 2017 toxic clouds of cancer-causing diesel fumes emanated from berths facing apartments and entered into locals' living rooms and bedrooms. Some became ill and nauseous. **See emails below to and from NSW EPA.**

---

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

Sent: 11 April 2017 16:27

To: heritageandconservation@hotmail.com

Subject: RE: Public safety hazard - Urgent- toxic clouds diesel fumes in Potts Point [ref:\_00D90ZANp.\_5006F1NdJCK:ref ]

Dear Andrew,

Please be advised that I have created an incident report for this issue, for investigation by our specialist staff. I expect you have received an automatic email with the reference number, but just in case it goes to your spam filter or similar, the number is C05848-2017.

Alice  
Senior Information Officer

Customer Experience Division - Office of Environment and Heritage NSW  
Ph 131555 info@environment.nsw.gov.au  
Ref: \_00D90ZANp.\_5006F1NdJCK:ref

----- Original Message -----

**From:** Andrew Woodhouse  
**Sent:** 11/04/2017 15:47  
**To:** info@environment.nsw.gov.au  
**Subject:** Public safety hazard - Urgent- toxic clouds diesel fumes in Potts Point

**URGENT**

Mr Barry Buffier  
Chair and Director  
NSW Environment Protection Authority  
Phone 131 555  
Email: info@environment.nsw.gov.au  
11th April 2017

Dear Sir

**RE TOXIC FUMES - Cowper Wharf Roadway, Woolloomooloo from Navy Ships - urgent**

Clouds of extremely obnoxious fumes are pouring into residents' and childrens' bedrooms, even when locked, from two large diesel powered ships berthed alongside at Woolloomooloo, ie., HMAS Adelaide and HMAS Canberra, known as LO1 and LO2. The fumes have been leaking 24 hours a day for about five days. There is a direct line of sight between the ships and fumes. Some residents are moving out.

The RAN refuses to move the ships to other berths - see email below from Commander Fraser - but is considering a move sometime "in the near future". This approach is incompatible with public safety obligations and legal requirements and offers no satisfactory assurance or guarantee when they might be moved, this year or next year. In the interim, local residents are suffering from acute symptoms.

Diesel poisoning is carcinogenic [cancer-causing] and retards mental growth, causes asthma and anti-social behavioural and psychiatric problems in children. In adults it is also debilitating. See [http://www.rightdiagnosis.com/c/chemical\\_poisoning\\_diesel\\_oil/intro.htm](http://www.rightdiagnosis.com/c/chemical_poisoning_diesel_oil/intro.htm)

Residents complain of nausea, headaches, dizziness, itchy eyes, throat irritation, mental depression and suffocation.

We request the EPA:

1 Undertake immediate testing. Access to residents' homes is available;

2 Demand the RAN move these ships in the interests of public health and safety.

Under NSW law it is the location of the source but the location where fumes are inhaled which is germane to any action, ie., in a highly built-up dense urban area, and

3 Take any necessary legal action including seeking an injunction.

See RAN contact details below

Please advise outcome.

Thank you

**Andrew Woodhouse**

President - Potts Point & Kings Cross Heritage & Residents' Society

*Saving our Past for our Future*

## 6.0 Navy mismanagement

Locals have tried to engage the local HMAS Kuttabul Commander, Andrew Fraser, to discuss these issues, but with no effect.

He has said locals "only crave attention", but that he is now pleased to meet any time. However, he has not agreed to any meeting date to discuss on-going issues since agreeing to do so in December 2016.

He closed the Navy facebook/blog site.

He refuses to provide the Navy's Noise Management Plan or his own scope of responsibilities or his jurisdiction. He says has no control over ship movements but issues occasional updates on proposed ship movements, some of which don't occur; self-contradictory.

He is aware his staff entered and trespassed a local residential premise without any authority, to attempt to make some measurements, apparently. The owner arrived home to find Navy personnel setting up equipment in their garden. This is a police matter.

He refuses to answer emails about a possible proposal for major building works on the eastern side of HMAS Kuttatubul on the tennis court site. Work men have been seen taking measurements

He refused to divulge what measures he would take to address noise issues in McDonald Lane from noisy motor bikes

His attitude seems to be to treat locals as mushrooms: to be kept in the dark and fed manure.

Many locals feel they are living in disturbia, not suburbia, and regard "Navy" as a four-letter word in their neighbourhood. They were aware of some benign activities from Garden Island when they purchased and appreciate viewing a working harbour, but noise has recently increased in the last few years to unacceptable levels. No relief is in sight.

Their situation is exacerbated by a complete disregard for their right to live in their chosen environment and a failure to provide any Navy Plan of Management to acknowledge and accommodate the Navy's duties and responsibilities. Locals are now exploring legal options.

They feel the Navy is ignorant, arrogant and negligent.

We would be pleased to provide emails and other correspondence to the Enquiry corroborating our claims.

## 6.1 Recommendation

This Enquiry's Terms of reference 1(g) include provision for consideration of "any other matter" relevant to a general solution related to its general Terms of Reference.

We recommend the Enquiry recommend the Navy appoint a specialist who has power to meet with locals, address issues comprehensively and find workable solutions.

## 7.0 Other possible sites for Navy

### 7.1 Port Kembla

We agree with the proposals prepared by RDA Illawarra on behalf of Illawarra Regional Stakeholders

The full report is found at :

<file:///C:/Users/User23/Downloads/Prepared%20by%20RDA%20Illawarra%20on%20behalf%20of%20Illawarra%20Regional%20Stakeholders.pdf>

Its conclusions are that:

1. The region's unique natural and built environments are powerful sources of attraction for businesses wanting to make long term investments in sustainable enterprises, and for an increasing number of visitors who want to enjoy the pleasures afforded by our beautiful beaches, rainforests and modern urban settings, and the rich cultural calendar.
2. Relocation of RAN facilities to Port Kembla is compatible with the Illawarra's diversifying economy and could represent a game changer for regional renewal.

3. There is capacity and willingness to further develop Port facilities to accommodate the needs of Fleet Base East and be welcomed by a skilled multicultural workforce and community.
4. The Illawarra Consortia believes it has demonstrated that Port Kembla is the optimal solution for the Department of Defence to address Fleet Base East's growing challenges through the relocation of all or part of existing Garden Island operations.
5. Port Kembla Harbour can provide a safe, secure and accessible environment for a permanent base and support facility at less recurrent cost than at Garden Island.
6. Here is an opportunity for State and Commonwealth Governments to co-operate to negotiate outcomes in regard to land acquisition and lease options and capitalise on economic opportunities, including cruise ship visitations, at Garden Island.
7. Changes to BlueScope Steel operations may provide further potential utilisation of land and buildings and sustainable jobs in Defence occupations.
8. Our region is an ideal location to support RAN requirements for logistics, engineering and operational needs.

9. It is strategically placed close to Sydney, Canberra and RAN's Jervis Bay operation.

We agree and request this Enquiry adopt this model.

## 7.2 Port Botany and the need for a balanced approach

Port Botany has been previously mooted as an alternative or additional cruise ship terminal site. Dr Allan Hawke, AO, in his Review notes at pages 72-3 of 165, sections 4.14 to 4.18:

### “4.14

It is difficult to make an economic argument for an additional dedicated/single purpose facility under these circumstances, particularly noting the income derived by the Port from cruise shipping is minimal by comparison with other commercial operations.

As noted by Royal Caribbean in its submission “... the demands of the (cruise) industry ... must be **balanced** against the resources available to develop the necessary infrastructure. This includes adopting a strategy of ensuring that all existing facilities are used to their maximum potential”.

### 4.15

Co-sharing of newly constructed container facilities in **Port Botany**, thereby leveraging existing commercial facilities and government investment to the fullest extent, **may represent at the least an interim solution.**

The Part B Report recommended further dialogue with key stakeholders at Port Botany with a view to achieving this aim over the long term.



Capacity of this Option to meet Cruise Ship Industry Requirements.

#### 4.16

This option has the capacity to meet the full long-term requirement for three berths east of the Sydney Harbour Bridge for large cruise ships. It makes full use of existing infrastructure, allows a staged approach to any additional investment and positions that infrastructure to leverage additional commercial requirements thereby improving its economic viability.

#### 4.17

The OPT and Athol Bay options were identified in the Part B Report and it is understood that SPC is pursuing the OPT enhancements. The Athol Bay dolphin berth was not recommended in the Part B Report as it did not meet the cruise ship industry's preference for fully capable shore berth/s and associated terminal facilities.

The Athol Bay dolphin solution, when used in conjunction with the OPT, would, however, be a relatively inexpensive solution providing two berths in Sydney Harbour, and meeting the cruise ship industry's location preferences. It would also provide a more capable solution than the existing mooring buoy, particularly if the NSW Government agreed its connection to transport options on the north shore.

It would also be a visually unobtrusive solution, noting its location within the World Heritage vista associated with the Sydney Opera House, which may trigger the requirement for an environmental impact assessment.

#### 4.18

Port Botany itself presents a number of medium-long term options for an additional large cruise ship berth. The City of Sydney's submission highlighted several options (see Figure 6) that may provide long-term solutions should the NSW Government decide that the cruise ship tourism industry warrants this level of long-term investment"

Source: Hawke

Review [http://www.defence.gov.au/Publications/Reviews/CruiseShipAccess/Docs/Review\\_Report.pdf](http://www.defence.gov.au/Publications/Reviews/CruiseShipAccess/Docs/Review_Report.pdf)

## 7.2 The Hawke Review considered this expanded berthage design proposal for Port Botany:



Source: Hawke Review page 54

[http://www.defence.gov.au/Publications/Reviews/CruiseShipAccess/Docs/Review\\_Report.pdf](http://www.defence.gov.au/Publications/Reviews/CruiseShipAccess/Docs/Review_Report.pdf)

## 7.3 Recommendations re: Port Botany

We recommend this state government Enquiry thoroughly investigate this previous proposal and our proposal for a floating terminal at Botany Bay (see section 7.4).

#### 7.4 Dutch Docklands Floating Terminal concept

Dutch Docklands has designed and engineered a sustainable floating cruise terminal. This terminal accommodates almost 300.000 m<sup>2</sup> of mixed-used development for the biggest cruise ships in the world.

Their floating cruise terminal is large enough to allow simultaneous mooring of three of world's largest cruise ships and is moveable, according to its architect, Ken Olthuis.

The lifted point of the triangular shape forms the entrance to an inner harbour for smaller ships and water-taxis to mainland. The solar cells on top provide the terminal with electricity. Inside, the passenger conveyor belts bring passengers to the top of the terminal where they can enjoy the spectacular views.

Dutch Docklands is a private company. It claims "Dutch Docklands is the global leader in floating developments, concepts and infrastructure. Our Intellectual Property (IP) is based on hundreds of years of experience in the battle against water in the Netherlands. Dutch Docklands is an independent private company with a solid shareholding structure."

Their floating terminal is being built in Dubai.

Source: <http://www.dutchdocklands.com/Development/Floating-Cruise-Terminal>

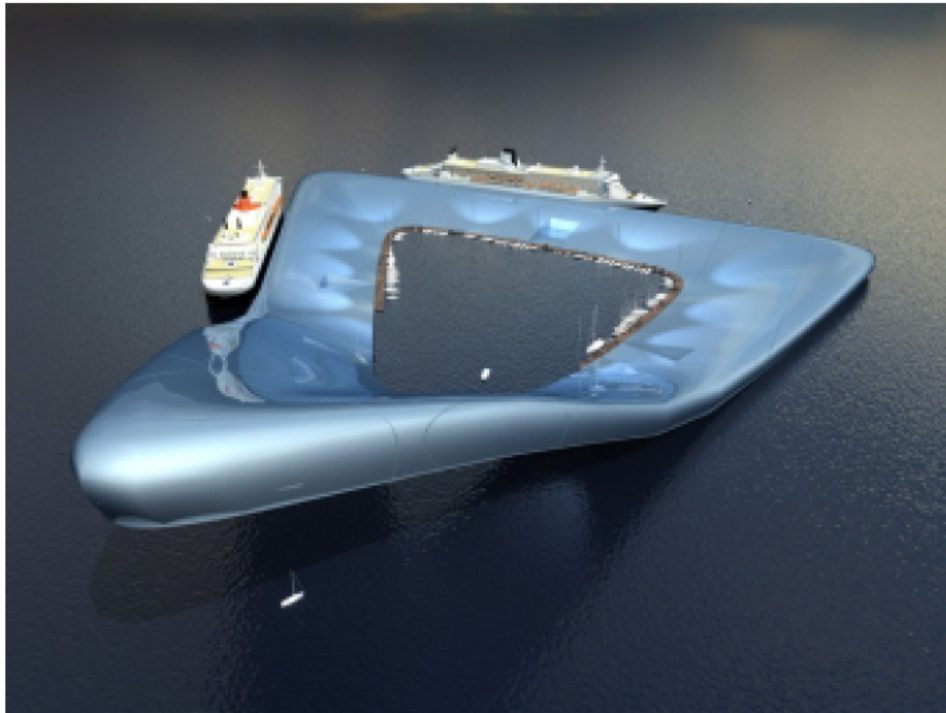
Three-dimensional 360 degree moving images can be seen on this one minute You-Tube clip.

Click on: <https://www.youtube.com/watch?v=GVxu8IN3Ck8>

#### Image gallery







## 8.0 General Conclusions – attendance at the Enquiry

This Enquiry has a number of options for increasing cruise ship access in NSW and in an around Sydney Harbour in particular.

Providing unlimited cruise ship access is necessarily curtailed because of limited overall capacity but the Navy's Garden Island operations, and particularly its post-1979 Cowper Wharf Roadway dock-side facilities, can be reduced by relocating some its operations elsewhere, eg to Port Kembla. This would free up wharfage for cruise ships. This would have a positive ripple effect which will reduce adverse amenity impacts on local residents - but only subject to an acceptable plan of management managing hours of use and noise and pollution emissions and construction of any proposed large terminal, which would also have to be factored into resident's livability equation".

That Garden Island zone could accommodate cruise ships subject to a Plan of Management.

We seek permission to attend the Enquiry to make further submission and provide further details and answer questions to assist.

Thank you

**Andrew Woodhouse**

President

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