



## Minutes

<b>Meeting:</b>	Newcastle Community Consultative Committee on the Environment (No 60)	<b>Date:</b>	Monday 16 August 2021
<b>Location:</b>	Online	<b>Time:</b>	5.30pm – 7:00pm
<b>Last Meeting</b>	Monday 17 May 2021	<b>Next Meeting:</b>	Monday 15 November 2021
<b>Present:</b>	John Tate – Chairperson Keith Craig – Community representative Rick Banyard – Community representative Trudie Larnach – Industry representative Nathan Robinson – Industry representative Leah Cook – Industry representative Peter McMurray – Council representative Steven Crick – Environmental representative Christopher Tola – Community representative Loredana Warren – DPIE Adam Gilligan – EPA Megan Whelan – EPA Bianca Morton – EPA Jamie Ferguson - EPA		
<b>Apologies:</b>	Gina Bradley - EPA		

### Agenda items:

#### 1. Introduction

##### 1.1. Acknowledgment of Country

The Chair acknowledged the Awabakal and Worimi people as the traditional owners of the land and paid respects to their Elders past, present and emerging.

##### 1.2. Present and apologies

The Chair welcomed the committee and noted the apologies.

#### 2. Previous Minutes and Outstanding Actions

##### 2.1. Review previous minutes

The minutes from the previous quarterly meeting were adopted with changes made by Trudie Larnach and Keith Craig.

## 2.2. Outstanding actions

Meeting 57, Action 1: EPA to organise a presentation from HCCDC in relation to long term remediation on Kooragang Island	Ongoing	Adam Gilligan will provide an update at the next meeting
Meeting No. 57, Action 2: Publish a media release detailing the reestablishment of the committee	Complete	Bianca Morton
Out of session meeting, Action 2: EPA to explore in more detail the complaint data presented - recirculate the presentation from the out of session meeting	Complete	Megan Whelan
Meeting No. 58, Action 1: Provide additional context to the “>95% removal efficiency relating to TSP/PM10/PM2.5 <5 mg/Nm <sup>3</sup> ” referenced in the presentation	Complete, Nathan provided clarification in his update.	Nathan Robinson

## 3. Air Quality Monitoring Network Seasonal Newsletter

### 3.1. Autumn 2021 Newsletter

Ms Warren presented on the Autumn 2021 newsletter.

- Air quality in the Newcastle region was predominately good during Autumn 2021
- Regional air quality levels continued to improve compared to recent bushfire and drought-impacted years
- Levels of fine particulate matter PM2.5, nitrogen dioxide, sulphur dioxide, and ammonia were good, all remaining below national benchmark and assessment goals.
- There were three days above the PM10 daily benchmark, all occurring at Stockton, which were due to sources in the area (as opposed to regional sources).

Mr Craig asked whether the local source on the 14<sup>th</sup> was from Kooragang Island and raised the point that the community could interpret “local sources” as coming from the Stockton.

Ms Warren agreed and said that the wording would be updated to better reflect the situation.

Mr Banyard asked whether it could be from the work they are doing at the substation, he said it was generated dust from the building works, and it could have an impact.

Mr Craig pointed out that that would be from a North East direction, not North West like the data suggests, so probably not from that source.

Ms Warren added that they haven’t done detailed analysis on why the levels would be higher, and they would need to do that before she could give any specifics for that particular day.

Mr Tate asked whether future burn offs could be analysed, and whether there could be some communication about that and the impacts to air quality.

Ms Warren said that these activities would definitely be picked up by the monitors, and that they had seen similar effects in the Hunter over the weekend due to the hazard reduction burns. She also said that they receive information from RFS about the planned activities and can use that the help interpret the data.

Mr Gilligan added that we are heading into active hazard reduction season. He said that modelling is done into the smoke impacts of those burns prior to it happening. For example, it was done for the Upper Hunter burns over the weekend and it indicated high levels for Sunday morning, but that no prolonged impacts would be seen. He also added that there is an opportunity to improve the communications on these events to the community.

Mr Tate added that it would be helpful to flag when we would expect an increase as a result of these burn offs, and a good opportunity to build a bit of good will in the community saying this is likely to happen.

Mr Tola asked whether there was contact with Mitchell Carter from NPWS when they do burn offs in the Hunter.

Mr Gilligan said that there are hazard reduction smoke protocols in place that bring the relevant people together, but that the EPA isn't directly involved in conversations with NPWS.

#### **4. EPA Update**

##### **4.1. Regulatory Operations Metropolitan North**

Ms Whelan provided an update of a few key items on interest for the group:

- There is a project looking at the quality of the Hunter River Estuary in relation to potential pollutants. Letters have been sent to industry in the area, and the initial focus is looking at NPI data. Ultimately the goal of the project is to improve water quality in the Hunter River estuary.
- There was an incident at Koppers in relation to some coal tar that spilled off the berth into the harbour. There has been significant clean up action since then, and the EPA has now also issued a Penalty Notice for the incident of \$15,000, and a media release will be issued shortly.

Mr Gilligan added two more items more broadly for the EPA. The first is the release of the EPA's new Strategic Plan, of which he shared a link.

<https://www.epa.nsw.gov.au/about-us/publications-and-reports/strategic-plan>

He showed the group the one-page summary with the new focus areas for development:

- Ecologically sustainable development
- Waste
- Water quality
- Legacy and emerging contaminants
- Climate change

He also shared a link with the Committee a link to the EPA Regulatory Strategy. He highlighted that the Strategic Plan is about our focus areas, whereas this document is about how we do that with the tools we have to regulate.

<https://www.epa.nsw.gov.au/publications/about/regulatory-strategy-2021-24>

He showed the Committee the figure of the EPA's regulatory approach, which includes 8 elements to show how we regulate and support our stakeholders. The 8 elements are:

- Influence
- Listen
- Educate
- Enable
- Act
- Enforce
- Monitor
- Require

#### **5. Industry Update**

##### **5.1. Port Waratah Coal Service (Port Waratah)**

Ms Larnach reported the following updates from Port Waratah:

Ms Larnach highlighted that they are still operating with appropriate COVID controls in place, and that she has a couple of project updates for the Committee:

- They have replaced their onsite air quality monitoring unit as it was at end of life.
- The Carrington tank work has seen some delays due to Covid and getting resources, however at this stage, they still expect to meet their PRP date. They will be in touch with the EPA if this changes.

Mr Tate asked whether they had seen any difference in the data with the new monitoring unit.

Ms Larnach said they have seen no difference.

## 5.2. Australian Rail Track Corporation (ARTC)

Ms Cook reported the following updates from ARTC:

- They have a major maintenance task going ahead which is replacing the signalling between Waratah and Sandgate. This will involve a major shutdown.
- The other major project is the expected significant increase in movements due to grain between October and March. They are loaded near Carrington.

Mr Tate asked how they were going with the mice problem.

Ms Cook said it was still an issue, not as bad as earlier in the year, however it is still definitely impacting areas. They had also seen a lot of damage from the mice to their network as well.

Mr McMurray asked whether they were involved in the submission for the Lower Hunter Freight Corridor project.

Ms Cook responded that ARTC is aware of the proposal, and that it would have some implications for some of their teams, but that it is being delivered by Transport for NSW.

Mr Gilligan provided a link to the Committee on the public consultation that is currently open for the rail corridor, which closes 13<sup>th</sup> September 2021. He added that the EPA would be providing a submission as part of the of the planning process, not part of the public consultation.

<https://www.transport.nsw.gov.au/projects/current-projects/lower-hunter-freight-corridor>

Ms Cook asked whether Mr McMurray had any concerns about the project, or whether he was supportive.

Mr McMurray said that Newcastle Council are putting in a submission, similar to the M1 bypass proposal which is happening at the same time. He added that they have picked up a few environmental issues particularly with the freight corridor.

Mr Banyard encouraged everyone to put a submission in. He added that this project is 30 years in the making, but that a lot of things within the plan are unacceptable and need to be looked at. He said there were an extra 200 trains per day, and it was unclear where the trains were coming from.

## 5.3. Orica

Mr Robinson presented an update on various projects across the site, including:

- NAP1 Stack replacement project is progressing with pile cap installed. Lattice structure erection will commence in second half of 2021, and will start to become visible from Stockton and ultimately Newcastle city centre. The old NAP 1 stack structure will be disassembled once the cutover to the new stack is complete, which is anticipated to be end of 2021.
- The RO (Reverse Osmosis) Concentrate Recovery Project has been commissioned and is anticipated to reduce nitrogen loads to the Hunter River by approximately 10-15% from current levels which typically range between 140-160tpa. Early indications are this expectation should be achieved at a minimum.
- Prill Tower Scrubber project is progressing in accordance with the timeline in the licence PRP, with a performance guarantee for across the normal range of operating conditions from the

technology vendor of 5mg/Nm<sup>3</sup> of Total Particulates, including PM<sub>2.5</sub> and will reduce current particulate loads by. The impact on effluent loads is currently being quantified in the design phase, but is also expected to be positive. The EA for this project has been lodged with DPIE as a modification to the existing consent. Construction is scheduled to commence 2022 with practical completion by end 2023.

- Fourth Street Stormwater improvement project has now been completed. Paving of existing gravel/hardstand areas has been completed to reduce suspended solids in stormwater runoff and airborne dust due to truck movements on site.
- The proposed Nitrates Effluent Tank has received development approval from DPIE and replaces an existing single lined pond used for management of effluent from the nitrates plant with a 400m<sup>3</sup> stainless steel bunded tank. The project reduces risk of loss of containment, and subject to receiving internal funding approval will commence construction in 2022. No change to the manufacturing process is associated with the project.
- A project scoping report has been submitted to DPIE to install a 30,000 tonne ammonia tank to provide additional flexibility for ammonia management at the site. The project is in the early stages of development, with consultation commencing with the relevant stakeholders over the next 6 months to inform the design and assessment process. Subject to satisfying the relevant planning requirements an EA and modification application for the proposal is anticipated to be submitted in 2022.

Mr Craig asked for a clarification around the 95% removal of PM<sub>2.5</sub> in relation to TSP.

Mr Robinson clarified that PM<sub>2.5</sub> is a subset of TSP, and that it is likely that the EPL will include limits specifically for PM<sub>2.5</sub>.

Mr Craig also raised the concern from community members about potential leakage of ammonia from the tank.

Mr Robinson responded that the tank will have state of the art technology for pollution control.

Mr Gilligan added that he recently received some analysis on air quality in the area showing a noticeable drop in SO<sub>2</sub> in the Stockton area, which is believed to be due to improvements in shipping fuel. There are similar drops around Carrington.

Mr Banyard highlighted that he understood ships with scrubbers are not producing results as seen with the new fuel.

## 6. Network Update

### 6.1. Information sharing and feedback from broader networks

#### Stockton Community Group (SCG)

Mr Craig provided the following updates:

- Highlighted that face to face has been difficult for the Stockton Community Group, and that the Executive have only been able to meet a handful of times.
- Beach erosion is a major issue for the community, as is the Cargill canola oil odour issues. He had spoken with the EPA and they had confirmed there are issues on site. He understood that Cargill were going to get an odour specialist up from Sydney but that Covid has delayed that.
- He highlighted that the community is concerned that Cargill are not proactive, and only respond to issues, and that he would like the EPA to look into this.
- He also raised the issue that they are seeing a lot of black dust when there are North Westerly winds.
- He raised the concern that a \$15,000 fine seems to be insufficient for large companies to actually change their practices, and raised the question of whether that could be increased.

Mr Tate asked whether that was something the committee could push for.

Mr Gilligan explained that although the value has been like that for a decade, it was a significant increase to the previous value, and that the EPA has various other tools and higher fines for more

significant environmental issues. This initial fine is to ensure a company takes notice of the issue, we wouldn't expect to see a company crippled by this amount. Another consideration is that we don't just regulate large companies, we also regulate smaller companies who may find this fine much more significant.

Mr Craig asked for an update on Cargill.

Mr Gilligan provided the following information to the meeting chat section. An update received from Cargill on the 13/8/21 regarding the biofilter refurbishments.

"We have the contractor performing the work booked for next week and the medium will be delivered either Thursday or Friday, depending on timing we may complete this work late next week or early the week after. Unfortunately the supplier of the medium has been struggling with supply due to supply chain issues caused by Covid with transport movements being more difficult. They have enough to supply us for the work outlined in below email as a top up requires less medium. We are also in discussions about supplying enough medium to completely replace the prep biofilter beds in the near future, but they currently do not have enough supply. I'll be in touch with further updates as we complete the current scheduled work and gain more information from the supplier about timing of the prep biofilter beds full refurbishment."

#### Correct Planning & Consultation for Mayfield Group (CPC)

Mr Banyard provided the following updates:

- A major concern for our community is the spills from freight trains, including grain trains.
- Another issue is the freight rail bypass which has already been discussed.
- He added that there are a lot of things in the pipeline that are of interest, improvements to the rail line, and upgrading to the double stacked rail line.
- They are also looking at water security and planning on a submission for that.
- They are also focussed on increasing their profile to get their numbers back up to 500. They are in the process of putting a monthly newsletter together, 3 editions have gone out already.
- He also highlighted that the Hunter Community Forum is trying to bring together other smaller groups to get them to work together and be unified in their work.

Mr Tola provided the following updates:

- He is involved in the groups working on the offshore drilling proposal from the Sydney basin to Newcastle. It hasn't been signed off yet by the Minister, and protests continue. He highlighted that it is intrusive and a dangerous undertaking.
- He said it is primarily coastal groups involved at the moment.

Mr Crick provided the following updates:

- He is involved in the Hunter Environmental Institute, which is a group that has been around for 32 years. Covid has seen some drop off in membership, but it is generally people working within the environmental industry that are involved.
- Some of the issues or concerns include the Kurri Kurri gas plant, and the container terminal.

## **7. Focus area**

### 7.1. Current focus area: Hunter River Estuary

This focus area was one of the key topics identified in the committee survey at the out of session meeting on 8 March 2021. At that meeting, Mr Gilligan asked the committee to consider what they saw as high-level issues and what they want to achieve as a committee in this area.

Mr Gilligan started the discussion by talking about the Hunter River Estuary project that is currently underway. He discussed the challenges with looking at point sources such as licenced premises vs looking at nutrient impacts from diffuse sources from urban and stormwater runoff, or agricultural land.

Mr Tate added that there was a desalination plant proposed at the bottom of the catchment. He also highlighted that there has been a significant amount of urban growth in the areas west of Maitland which will have impacts.

Mr Craig added that a study was undertaken a number of years ago looking at the river quality, but that it was high level and didn't go into detailed assessment of the river itself, with sampling etc.

Mr Banyard added that Hunter Water did some work fencing off areas of the Williams River to stop cattle from getting too close. They have also included in a strategic plan to reduce the number of dams to improve river health.

Mr Gilligan added in response to Mr Craig earlier point, that there was a study done, funded through Orica, in 2011 that gave a good baseline of data. Now the focus is on looking at data from industry, and the EPA will keep the group updated on that.

Mr Tola highlighted that one of the larger consulting companies is looking into flushing the Ramsar wetlands, and asked whether anyone can add to that. He understood that flushing can lead to heavy metals and contaminants being washed out.

Mr Gilligan said he had not heard about that particular project, but that any proposal would need to consider issues like blackwater, acid sulphate soils etc.

7.2. Next focus area:

The Chair invited the committee to select a focus area for the next meeting from a list of areas identified in the committee survey from the last out of session meeting:

- Water pollution
- Impact of ash dams in Newcastle LGA
- Transport pollutants

The Committee discussed the various topics, without a consensus on selecting a specific topic.

Mr Gilligan added that we could share the findings of the Upper House inquiry into ash dams and see whether that generates any interest or further discussion.

Ms Whelan added that the EPA could provide an update on water quality at the next meeting, and that perhaps the committee could have time to think about what issues they would like to focus on at the next meeting.

Mr Tate and the Committee agreed on that approach.

Action Item No	Action	Person Responsible
1	Mr Gilligan to provide details of the Upper House inquiry into ash dams	Adam Gilligan
2	Ms Whelan to provide an update on water quality at the next meeting	Megan Whelan
3	The committee members to come prepared with topics for potential discussion at next meeting	Committee members

## 8. Communications Strategy

### 8.1. Broader communication with local community

Ms Morton highlighted that as there was very little time left to go through this topic thoroughly. She added that Mr Craig had provided his community information via email prior to the meeting, and that that was very helpful.

She suggested that the rest of the members do the same, so that the EPA could use that information to further look at a communications approach for the next meeting.

Mr Craig suggested that this item should be moved further up the top so that it doesn't get missed again.

Mr Tate and the Committee agreed to this approach.

Action Item No	Action	Person Responsible
4	Community members to provide requested information to the EPA via email	Community members
5	Ms Bradley/Mr Ferguson to move this item higher in the agenda for the upcoming meeting	Gina Bradley/Jamie Ferguson

## 9. General Business

### 9.1. Other

Nil.

### 9.2. Next meeting date

The next meeting date was confirmed as 15 November 2021 at 5.30pm.