



## Minutes

<b>Meeting:</b>	Newcastle Community Consultative Committee on the Environment (out of session #3)	<b>Date:</b>	Thursday 28 April 2022
<b>Location:</b>	EPA office, 117 Bull Street, Newcastle West	<b>Time:</b>	5.30pm – 6.30pm
<b>Last Meeting:</b>	Thursday 7 April 2022	<b>Next Meeting:</b>	Monday 16 May 2021
<b>Present:</b>	John Tate – Chairperson Rick Banyard – Community representative David Clarke – Council delegate Paul McBain – observer Terry McCauley – observer Mary Busted – observer John Formosa – Public Works Advisory (PWA) Philippe Porigneaux – NSW Health Craig Dalton – NSW Health Karyn Davidson – SafeWork NSW Jason Wall – SafeWork NSW Gina Bradley – EPA Claire Miles – EPA		
<b>Apologies:</b>	Nathan Robinson – Industry representative Glen Cook – Industry delegate Trudie Larnach – Industry representative Steven Crick – Environmental representative Loredana Warren – DPE Lyn Kilby – observer Thomas Hudson – Regional NSW Christopher Tola – Community representative Keith Craig – Community representative Leah Cook – Industry representative		

### 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 and declaration of interests

The Chair welcomed the committee and noted the apologies.

### 1.3. Housekeeping and introduction

Ms Bradley outlined housekeeping procedures. The Chair outlined the purpose of the meeting and role of the group.

## 2. Previous Minutes and Outstanding Actions

### 2.1. Adoption of minutes from previous out of session meeting

In relation to the minutes of the meeting on 7 March:

- Mr Banyard continues not to accept these minutes as a true and accurate record of the meeting and again moved that the minutes should not be accepted, on the basis that they do not cover the full detail of the meeting, including the questions raised and answers provided.
- My Bradley confirmed that the minutes are not a verbatim record of what was said but are a summary of the key points of discussion.
- Mr Clarke and Ms Miles stated that it would not be appropriate to redraft the minutes from 7 March as it would be difficult to recall what was said.
- Mr Banyard did not agree to the Chair’s proposal to accept the minutes with an addendum attached to reflect his concerns.
- Ms Bradley offered to annotate the minutes so that the dot points reflect the relevant questions from Tab 1. This motion was seconded by Mr Banyard and Ms Miles.

In relation to the minutes of the meeting on 7 April:

- Ms Bradley circulated requested changes from Mr Banyard, Ms Cook, Mr Formosa and Mr Wall prior to the meeting. Those members agreed that the updated draft minutes reflected their changes.
- Mr Banyard moved that the updated draft minutes be adopted with all of the changes. No members present objected.
- The only issue raised in relation to this version of the draft minutes were the additional actions added by Mr Banyard.
- Following some discussion, the Chair moved the agenda forward by asking attendees to consider this issue and revisit any further issues at the end of the meeting.

Action Item No	Action	Person Responsible
1	Annotate the draft minutes from 7 March and recirculate to the committee	Ms Bradley

### 2.2. Outstanding actions from previous out of session meeting

There were no outstanding action items. Written answers to the 35 community questions were not provided. A further 5 complementary questions were tabled.

## 3. Wool Store Fire, Annie St, Wickham

### 3.1. Agency update

Ms Miles gave an update on behalf of the relevant NSW Government agencies. A copy of the presentation is attached to the minutes. A summary of the key points is as follows:

Status update

- The Local Recovery Committee continues to meet daily to continue the recovery effort.
- More than 350 private residential properties have been cleaned.
- The deadline for registering your property is Friday 13 May and the deadline for anyone who has registered but has not yet completed the deed of access must do so by Friday 3 June.
- Green bin collection resumed as normal in most locations, excluding most impacted streets such as Milford Street.

- Safe mowing and community sport resumed at Waratah Park and Islington Park following trials and test results all coming back clear.
- An update on Milford Street, including cleaning the remaining roof of the Wool Store building and changes to road closures, are provided on the City of Newcastle website. This update was also provided to strata contacts at The Avenue and Soque apartments.
- Any fragments found in public spaces should be reported to City of Newcastle by phone 02 4974 2000 or by emailing [wickhamfire@ncc.nsw.gov.au](mailto:wickhamfire@ncc.nsw.gov.au) so that the area can be listed for inspection and re-cleaning if necessary.
- Any fragments found on a private property should be reported to the EPA's Environment Line on 131 555.
- All airborne asbestos monitoring results to date continue to be less than the detection limit of 0.01 fibres/ml air.
- SafeWork NSW inspectors are undertaking site inspections on a regular basis where Class A (Friable) Asbestos removal licence holders are engaged to undertake clean-up of asbestos debris to ensure that licence holders are complying with legislative requirements and that safe work procedures are in place.
- SafeWork inspectors are also verifying the independent Licensed Asbestos Assessors are meeting their WHS obligations by correctly setting up air monitors and undertaking visual clearance inspections.
- Investigations into the responsible party and cause of the fire are ongoing.

#### Communication update

- The community factsheet was updated following feedback from the NCCCE and has now been published on [City of Newcastle website](#).
- Feedback on how to improve our communications with the community has been incorporated. The following communications have taken place since the last NCCCE meeting:
  - A bulk mailout that was emailed to our database of over 400 residents. This includes everyone who has registered and anyone who has contacted the Environment Line with a general enquiry about the fire response.
  - A letterbox drop took place on 13, 14 and 15 April in Islington, Maryville, Georgetown, Mayfield and Waratah, with approximately 3000 flyers distributed in total.
  - A community drop in took place on 13 April with 20 attendees.
  - The EPA interviewed with ABC radio on 13 April.
  - The City of Newcastle website has been kept up to date regularly, along with social media posts and information shared by Newcastle Voice.
  - Over 800 letters were sent to all property owners who are not residents, as well as emails to real estate agents (covering over 300 properties).
- A fourth drop in is being held at the Goodlife Church next week on Wednesday 4 May from 3pm-6.30pm. An add was placed in the Newcastle Weekly today to promote this. The community representatives were encouraged to promote the drop in through their own networks.
- Since the last NCCCE meeting, the number of community enquires has significantly reduced. The nature of the current enquiries largely relate to requests for a status update, information on timeframes or administrative matters. Most of these enquires have been relatively straightforward to resolve.
- There have been no media enquires since the last meeting.
- Updates on the clean-up response will continue to be communicated to keep the community informed.

Action Item No	Action	Person Responsible
1a	A copy of the presentation to be circulated with the draft minutes	Ms Bradley

### 3.2. Long term air monitoring

Ms Miles then presented on the long-term air monitoring as follows:

- In response to community concerns about long-term health impacts and the need for a long-term air monitoring plan, the Local Recovery Committee has formed a subcommittee to ensure differing environmental conditions are captured.
- Air monitoring has been occurring since 2 March and to date all results have been below background levels. Monitoring has taken place at residential properties and on the site, as required by SafeWork. Monitoring has also taken place at various locations in the community. The rain has helped reduce the chance of asbestos becoming airborne. This monitoring will continue until the clean-up process is complete.
- A long-term air monitoring plan is currently being scoped and will commence after the clean-up process is complete.
- This will be an event-based monitoring plan, in response to concerns about any impacts in dry conditions. There is no fixed timeline for the plan, it will depend on the weather conditions.
- Criteria will be developed in consultation with other agencies. These criteria will be used to trigger the deployment of air monitors in the community. An investigation will only take place if asbestos is detected, in which case sampling results will be sent off to a lab.
- The NCCCE will likely be invited to provide feedback and will be kept up to date as the plan progresses.
- There is still lots of work to do and the current focus continues to be on the clean-up works.

### 3.3. Community feedback

The following five questions were asked by Mr Banyard:

Qu 1 – Is it possible to extend the deadline to register for assessment, on the basis that a lot of the community is still unaware of the issue? What happens if someone reports after the deadline, will they be turned away?

- The deadline to register will not be extended. Several communication channels have been used to encourage people to register by the deadline, including email, social media, radio, letterbox drop, website and drop-in.
- Mr McBain identified three groups of people; those who are unaware because they are away from home, those who are not interested and those who are not willing to sign the deed of access. He asked if there will be any obligation for the clean-up to be completed under the Contaminated Land Management Act 1997. There is concern in the community that some have completed their clean-up whilst others have not, and that this could result in recontamination.
- In relation to those who have missed the deadline because they have been away from home, the unexpected finds protocol will apply. If someone has been away for months, it is possible that in that circumstance they will be offered a clean. However, there will not be another formal time period to register for a clean-up after the existing deadline has passed.
- In relation to those who are not interested in the clean-up, the EPA and City of Newcastle have tools that can require clean-up if necessary, but the focus at the moment is on encouraging the community to voluntarily register. Tools to require clean-up might be considered after the voluntary program has been completed.
- In relation to those who are not willing to sign the deed of access, only around 25 of the 400 registered have declined a clean-up. Some of these are because they have removed the asbestos from their property themselves.
- Mr McBain also asked questions in relation to the four levels used to assess properties.
- The majority of properties identified as level 1 and level 2 have already been cleaned. Falling debris has not been uniform. Sometimes only one or two properties on a street are impacted. It is not true that if one property is impacted the entire street has been impacted. The risk with asbestos is when it becomes airborne, and asbestos air monitoring to date had shown readings were within background levels.

- Some properties may have minor fragments present but not enough to trigger a risk to environment or human health. Clearance certificates are being issued for all properties that have received a clean-up. A visual inspection of the roof is included in the Visual Clearance Certificate.

Qu 2 – Is the coroner still going to be investigating the fire? Will there be an opportunity to provide input?

- Ms Miles' understanding is that this will be investigated by the coroner. This is outside of scope for the Local Recovery Committee and not something the NCCCE is able to influence.
- Mr Banyard noted that he is aware of groups of people who are considering class actions against the owner and against FRNSW.

Qu 3 – How many people have registered for a clean-up in total to date?

- More than 350 private properties have been cleaned and cleared to date. There are approximately 100 remaining that have registered. These should progress quickly as some of them will be less impacted and not all of them will receive a clean-up.
- The clean-up is already beginning to wind down. Sydney contractors are finishing work this Friday 29 April and the remaining work will be completed by local contractors.
- This count does not include commercial properties.

Qu 4 – Can the location for the drop in next week be changed to somewhere west of the rail line? This was requested on the basis that the community west of the rail line have not been effectively engaged. Can the format be changed to a public meeting?

- Changing the location will not necessarily improve engagement with that community. The GoodLife Church venue has been used consistently and is a familiar place for the community.
- Letterbox drops have taken place on the west side of the rail line if effort to engage with that community.
- It is possible that people on the west side of the rail line have been engaged with but are not interested or have already received a clean-up.
- Drop in attendees provide their name and email address on entry. It was suggested that attendees' addresses are also collected as part of the registration process. This would demonstrate whether anyone west of the rail line has attended.
- The drop-in format is more effective for resolving individual issues than a public meeting.
- It was agreed that the drop-in location and format would not change, but that different days of the week would be considered for future drop ins, as the past two have been held on a Wednesday.

Qu 5 – The community has been reassured that monitoring for asbestos has been below the limit of detection, but what about the site itself? Has asbestos been identified on site? If yes, is it being monitored as the clean-up progresses?

- Asbestos material has been identified at the site. Air monitoring is being carried out at the site and will continue until the works are complete. Air monitoring results continue to show all asbestos fibres are below the limit of detection.
- Mr Banyard was concerned that asbestos has been detected on site and the community have not been made aware.
- There was some confusion between asbestos material and asbestos fibres. It was confirmed that the asbestos material on site came from the collapsed roof material and has been mixed in with rubble. This material is being safely removed by asbestos removalists and disposed of as asbestos waste. The Local Recovery Committee is not responsible for clean-up on the site.
- Mr Wall explained that a friable licence holder, a demolition licence holder and an independent licenced assessor are all on site completing assessments. SafeWork also attend the site regularly in line with their standard practices. Mr Banyard asked if an update could be provided on the status of the site at the next NCCCE meeting.
- Air monitoring on site is testing for asbestos fibres in the air, whilst the asbestos waste is being removed. The monitoring results on site continue to be clear. If the monitoring does detect elevated asbestos levels in the air it will trigger a notification to Safework.



- Mr McBain questioned the terminology being used to describe the air monitoring results. He explained that it is possible for the monitors to get a 'detection', but that the detection may be 'below the limit' or standard. A detection may also be triggered for other fibres that are not asbestos. It is therefore not accurate to describe the results as 'all clear' or 'no detection'. The term 'below background levels' has also been used interchangeably. This would be a more accurate term to use and should be used consistently.
- The Local Recovery Committee agreed to update the terminology to reflect this.

The Chair invited any further feedback or questions from the community.

Mr McBain added that it has been very positive to hear about the air monitoring. Mr McBain and Ms Busted commended the Local Recovery Committee for their work and added that there has been good feedback in the community.

Mr McBain asked about an issue with the roofs on commercial properties. Ms Miles is aware of the community member this issue relates to. She spoke with them at the drop-in and this issue has now been resolved.

Ms Busted raised an issue in relation to the cleaning of the roof at her own property. She fears that neighbouring children may be exposed to asbestos debris if it blows off her roof. Her husband has not signed the deed of access as the scope of work has not been agreed. The Chair acknowledged that Ms Busted is not alone with this issue and that it should be addressed. Mr Formosa explained the process under the EAMP for clean-up of roofs. Contractors are bound by the scope of works set out by Public Works Advisory. However, in most cases where a visible assessment has shown asbestos on the roof, the contractors have been able to clean this using equipment such as pool extensions and ladders to reach the roof. Mr Formosa advised Ms Busted that the contractor should come to her property and add more detail to the scope of work about how the roof will be accessed. He agreed to assist Ms Busted with this in more detail outside of the meeting.

Mr Banyard asked about the standard for the visual assessment and suggested that the clearance certificates should require the property to be put back in the original condition. Mr Wall confirmed that it would not be practical to do this as it is not possible to know what condition the external property was in before the fire.

The Chair closed the discussion.

Action Item No	Action	Person Responsible
2	Update the terminology used to describe air monitoring results	Local Recovery Committee
3	Provide an update on the status of the site	SafeWork

#### 4. General Business

##### 4.1. Other

Mr McBain asked about the checks in place for monitors being used whilst undertaking clean-up works vs separate clearance monitors. People in the community are reporting that the monitors are being left on for extended periods of time, including overnight. Mr Wall explained that all monitors are NATA accredited. Licence holders work to standards that involve running pumps to a certain number of litres per minute. Information is reported back to the lab, for example "turned on at X, turned off at Y, total time Z minutes". Mr Clarke added that the reports received for the monitoring undertaken for the mowing trails reflect this information.

Mr Banyard asked if there will be a long-term study carried out by an epidemiologist to measure any long-term impacts. Dr Dalton offered to talk to Mr Banyard about this offline and the Chair asked for any relevant information to be reported back at the next meeting.

Mr Banyard asked if the roof material from the site could be checked. Based on the date the site was built, he believes the roof material is Fibrolite, not SuperSix. If true, this would impact the risk and provide reassurance to the community as Fibrolite is made from predominately white asbestos. The community update references SuperSix as the roof material. Mr Formosa explained that the regulation does not make a distinction between the types of asbestos.

#### 4.2. Evaluation

Ms Bradley provided a copy of a short evaluation survey, inviting meeting attendees to provide feedback on the format and effectiveness of the meeting.

#### 4.3. Next meeting date

The next meeting will be the quarterly meeting on Monday 16 May at the EPA office. The first part of the meeting will cover the Wickham fire response and recovery and the remainder of the meeting will continue with ordinary business. The meeting closed at 7.15pm.

Action Item No	Action	Person Responsible
4	Advice on whether or not a long-term study will be carried out	Craig Dalton