

## MEETING No. 10

### Newcastle Community Consultative Committee on the Environment (NCCCE)

#### MEETING MINUTES

**Date:** 11 July 2012                      **Time:** 5:30 pm

**File:** FIL11/10927

**Location:** EPA, 117 Bull Street, Newcastle West

**In attendance:** John Tate (Chair); Keith Craig (Community); Adam Gilligan (Newcastle City Council); Nick Godfrey-Smith (Industry); Paul McBain (Minister's Nominee); Zoe Rogers (Environment); Graham Woods (Industry)

Environment Protection Authority (EPA): Mark Hartwell (Head Regional Operations); Leanne Graham (Project Officer)

**Apologies** Paul Thomas (Industry); Kate Johnson (Community)

#### Meeting Record

Agenda Item	Meeting Details
<b>Item 1.</b>	<p><b>Welcome from the Chair</b></p> <p>The Chair welcomed Committee Members and EPA staff.</p>
<b>Item 2.</b>	<p><b>Apologies</b></p> <p>Paul Thomas (Industry); Kate Johnson (Community)</p>
<b>Item 3</b>	<p><b>Minutes from Previous Meeting</b></p> <p>Meeting No. 9 Minutes adopted as a true and accurate record, incorporating an amendment requested by Keith Craig.</p>
<b>Item 4</b>	<p><b>Actions Arising from Previous Meeting</b></p> <p>Action 1: Paul McBain circulated a sample communication that could support a motion asking the EPA to improve regular public communications during non-emergency environmental incidents. PMcB and Adam Gilligan will work together to prepare a draft communication for the NCCCE to consider at the next meeting.</p> <p>Action 2: Adam Gilligan advised that he will provide an update on the development approval and regulation of Metso operations by Newcastle City Council at the next meeting.</p> <p>Action 3: Zoe Rogers presented a draft letter to the Director General of the Department of Planning and Infrastructure, requesting that the NCCCE receive advice regarding the appointment of a Planning Assessment Commission (PAC) for the Port Waratah Coal Services T4 Proposal. The NCCCE discussed the letter and the PAC procedure, and resolved that Chair John Tate will review the letter and send on behalf of NCCCE.</p> <p>Action 4: By the next meeting, Chair JT will provide NCCCE with information on drilling for coal seam gas at Fullerton Cove, as presented to Newcastle City Council by Dart Energy.</p>

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Item 5	<p><b>Review of Outstanding Actions</b> Refer to attached Action Item Log.</p>
Item 6	<p><b>Progress Report – Newcastle Monitoring Network</b> Mark Hartwell advised that the EPA expects to receive the NSW Ministry for Health's Air Pollution Expert Advisory Committee's review of the OEH / EPA findings on meteorology and air quality monitoring before the next NCCCE meeting.</p>
Item 7	<p><b>Community Forum 21 June – Feedback and Future Planning</b></p> <p>Leanne Graham summarised proceedings and feedback from the Community Forum on Environmental Regulation and Licensing of Industry, hosted by NCCCE, held on 21 June 2012, from 5:30 pm to 8:00 pm, at the John Gebhardt Centre, Ethnic Communities Council.</p> <p>Approximately 46 people attended the Forum, including approximately 30 community members, nine Committee members; two specialists in policy and technical assessment from the Department of Planning and Infrastructure (DPI); and five senior managers and staff from the EPA.</p> <p>The Forum opened with a statement by Keith Craig (NCCCE), summarising local community concerns about the regulation of industry. Presentations from representatives of the Department of Planning and Infrastructure (DPI), the EPA, Newcastle City Council and industry outlined the respective regulatory responsibilities and actions. Speakers and agency staff then joined with the community in round table discussions, facilitated by NCCCE members. The three focus issues (coal dust and industrial emissions; storage and handling of chemicals; and cumulative impacts of industrial development) reflected concerns raised by the community at earlier meetings with NCCCE. Presentations from the Forum will be posted on the NCCCE website.</p> <p>Chair John Tate commended Forum Facilitator Paul McBain (NCCCE), speakers and agency representatives, especially noting those who travelled to attend the Forum.</p> <p><b>Summary of key issues raised by the community:</b></p> <ol style="list-style-type: none"> <li><b>1. Dust and other industrial emissions:</b> <ol style="list-style-type: none"> <li>(i) Concern with dust impacts from the transport and loading of bulk materials, particularly coal and grain, as well as the dust and health impacts of diesel emissions..</li> <li>(ii) Covering loaded coal rail wagons..</li> <li>(iii) Better explanation of the technical aspects of air quality monitoring, e.g. averaging periods and allowable exceedences.</li> </ol> </li> <li><b>2. Storage and Handling of Chemicals</b> <ol style="list-style-type: none"> <li>(i) Better explanation of:           <ol style="list-style-type: none"> <li>a. Risk management associated with the storage of ammonium nitrate close to the community..</li> <li>b. Emergency Response Plans for Kooragang Island.</li> </ol> </li> </ol> </li> <li><b>3. Cumulative Impacts of Industrial Development</b> <ol style="list-style-type: none"> <li>(i) Concern about the adequacy of cumulative impact assessment of industrial development around the Port.</li> <li>(ii) Development of a Newcastle Port Plan.</li> <li>(iii) Better explanation of:           <ol style="list-style-type: none"> <li>a. Cumulative impact assessment and post-approval follow-up,</li> <li>b. Government responsibility for Newcastle infrastructure planning</li> </ol> </li> </ol> </li> </ol>

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	<p>Approximately 50% of participants completed a Feedback Sheet. Of those, approximately 60% agreed that the presentations provided adequate information about regulation of industry by the appropriate regulatory authority.</p> <p>Suggestions for planning of future forums included:</p> <ul style="list-style-type: none"> <li>• Fewer and shorter presentations; more time for round table discussions.</li> <li>• A plenary session for the whole group to ask questions and hear answers.</li> <li>• A program which commences with and prioritises community concerns and questions.</li> </ul> <p>NCCCE reviewed transcripts from the round table discussions.</p> <p><b>ACTION 1: Leanne Graham (EPA) to identify key messages from the Forum for discussion and action at next meeting.</b></p> <p><b>Future Planning – Community Forum on Air Quality and Health in the Lower Hunter</b></p> <p>NCCCE discussed potential dates and ideas for a program for the third Community Forum on Health and Air Quality in Newcastle. The range of dates excludes sitting dates for the NSW Parliament, maximising the opportunity for the Minister to attend.</p> <p><b>ACTION 2: Leanne Graham (EPA), in liaison with Chair John Tate and the NSW Ministry of Health, negotiate a tentative date, draft program and speakers for the third Community Forum on Health and Air Quality in Newcastle.</b></p>
<p><b>8.1</b></p>	<p><b>8.1 Environmental concerns with existing industries</b></p> <p><b>8.1.1 Odour Issue at Kooragang Island and Stockton</b></p> <p>Keith Craig outlined recent community concern regarding ongoing offensive odour detected near the roundabout on Kooragang Island, as well as near Stockton Bridge and in Stockton. Residents identified a definite canola-type odour and at other times a different offensive odour. KC acknowledged the progress of the installation of a biofilter system at Cargill Australia Ltd to reduce odour from oilseed processing. Meanwhile, odour complaints continue and the Stockton community requests a response from the EPA.</p> <p>KC proposed the following recommendations:</p> <ol style="list-style-type: none"> <li>1. EPA to prepare an action plan to find out the source of the non-canola oil odour.</li> <li>2. EPA to provide an update on the biofilter installation and an expected date for completion of the biofilter; and to initiate discussions with Cargill regarding early completion of this project and report back to the next NCCCE meeting.</li> <li>3. EPA to provide an overview of the method to assess the success of the biofilter, and an action plan if the biofilter operation is not successful in eliminating the odours from Cargill.</li> </ol> <p>Mark Hartwell (EPA) confirmed Cargill's large capital investment in a biofilter system, designed to reduce odour by 98%, to be installed by August 2012. MH noted that Cargill's Environment Protection Licence includes a Pollution Reduction Program to mitigate odour. Within 30 days of commissioning the works, Cargill must engage a suitably qualified person to test the effectiveness of the biofilter. Cargill must report to EPA, by 31 December 2012, providing an overview of the works and results of the post commissioning performance assessment. The licence is available on the EPA</p>

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	<p>Public Register  <a href="http://www.environment.nsw.gov.au/prpoeoapp/ViewPOEOLicence.aspx?DOCID=30789&amp;SYSUID=1&amp;LICID=5810">http://www.environment.nsw.gov.au/prpoeoapp/ViewPOEOLicence.aspx?DOCID=30789&amp;SYSUID=1&amp;LICID=5810</a></p> <p>MH explained that there was no value in further EPA investigation of oilseed odour complaints before commissioning and testing of the biofilter system.</p> <p><b>ACTION 3: EPA to report to NCCCE on odour management by Cargill Australia Ltd, providing updates at each meeting.</b></p> <p><b>8.1.2 Koppers Naphthalene Odour Incident Update</b></p> <p>Mark Hartwell advised that Koppers' Final Incident Report to the EPA confirmed that the naphthalene odour release, on 14 February 2012, resulted from a one-off incident. Naphthalene bubbled out of tank during procedures to clear a pipe blockage. The EPA's investigation is ongoing.</p>
8.2	<p><b>8.2 Environmental concerns with proposed industries</b></p> <p>No Discussion:</p>
8.3	<p><b>8.3 Environmental planning matters</b></p> <p>No Discussion:</p>
8.4	<p><b>8.4 Environmental monitoring and regulation</b></p> <p><b>8.4.1 Monthly Ambient Air Monitoring Data</b></p> <p>Keith Craig conveyed a request from community groups for a process to enable air quality information in the Newcastle area to be provided to community groups on a monthly basis, while awaiting installation of the EPA's air quality monitoring stations. KC advised that discussion between community groups and Conjoint Professor Howard Bridgman, at the University of Newcastle, recently explored the potential for a student to undertake the work.</p> <p>KC recommended:</p> <ol style="list-style-type: none"> <li>1. A proposal be requested from the University of Newcastle, through Conjoint Professor Howard Bridgman, for the preparation of a monthly air quality report for the NCCCE and Community Groups, using available data.</li> <li>2. This proposal be submitted to the Minister for the Environment for approval and funding.</li> </ol> <p>NCCCE discussed the implications of the proposal and alternative options, noting the following points:</p> <ul style="list-style-type: none"> <li>• Data from OEH sites is available currently for viewing and/or download from the OEH websites in table or graphical form.</li> <li>• Other available data from industry or Council-operated sites may be invalid for NEPM comparison, depending on instrumentation and whether the monitoring sites are accredited by the National Association of Testing Authorities (NATA).</li> <li>• Identification of data trends typically requires analysis of a 12 month data set.</li> <li>• The timeframe for proposed work needs to be considered in comparison with the timeframe for commissioning of EPA/OEH air quality monitoring network.</li> <li>• The process inadvertently may hinder a core function of NCCCE, to build good relationships between industry and NCCCE.</li> </ul>

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	<p>Chair John Tate questioned whether the process fell within the NCCCE Terms of Reference and the implications for development of the industry funded network.</p> <p><b>ACTION 4. Keith Craig, in consultation with NCCCE, to draft a letter and send to Chair for consideration, requesting that Conjoint Professor Howard Bridgman, University of Newcastle, provides a proposal and costing for the preparation of monthly air quality reports to NCCCE for the 12 month period to 30 June 2013.</b></p> <p><b>8.4.2 Nitrous Oxide and Catalytic Reduction Technology</b></p> <p>Zoe Rogers, on behalf of community groups, enquired about the use of nitrous oxide (N<sub>2</sub>O) abatement technologies, especially selective catalytic reduction, in ammonium nitrate (AN) production by the Orica and Incitec plants on Kooragang Island.</p> <p>ZR referred to a discussion paper entitled “Carbon Bloating”, by the Australia Institute (November 2011), which noted:</p> <ul style="list-style-type: none"> <li>• N<sub>2</sub>O constitutes about 85% of emissions from AN production,</li> <li>• N<sub>2</sub>O is a greenhouse gas, 310 times more potent than carbon dioxide in terms of trapping heat in the atmosphere,</li> <li>• Catalytic converters are used in AN production facilities overseas to abate up to 80% of N<sub>2</sub>O emission at relatively low cost, although not used in Australia.</li> </ul> <p>ZR recommended that:</p> <ol style="list-style-type: none"> <li>1. Industry and / or the EPA respond to the following: <ol style="list-style-type: none"> <li>i. Confirm whether operators in the Australian ammonium industry use catalytic converters to reduce N<sub>2</sub>O emissions.</li> <li>ii. Are there plans for voluntary or mandatory installation of catalytic converters or other technologies to significantly reduce greenhouse gases?</li> <li>iii. If not, why not?</li> </ol> </li> <li>2. Local Industry installs catalytic converters and adopts other available greenhouse-reducing technologies.</li> </ol> <p>Graham Woods (Industry) confirmed that Incitec’s Queensland plant operates N<sub>2</sub>O reduction technology. Typically, reduction technology operates on new plants rather than existing plants. However, the carbon tax now provides a financial incentive to investigate retrofitting of abatement technology on older plants, on a case-by-case basis.</p> <p>Mark Hartwell noted that the Federal Government, rather than the EPA, is responsible for actions to reduce greenhouse gas emissions.</p> <p>Chair John Tate resolved that, for the purposes of the NCCCE, the discussion adequately addressed the recommendations and questions raised by ZR.</p>
8.5	<p><b>8.5 Environmental management issues, including health impacts</b></p> <p>No Discussion</p>

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<p><b>Item 7</b></p>	<p><b>General Business</b></p> <p><b>Zoe Rogers</b> (Environment) presented a draft letter addressed to the Department of Premier and Cabinet, which requested community access to minutes of the Dust, Noise and Vibration Forum, held on 4 November 2010, and minutes of subsequent meetings (Refer to Item 6.4.1, NCCCE Minutes Meeting No.9, 13 June).</p> <p>NCCCE members commented on aspects of the letter. Chair John Tate recommended that:</p> <ul style="list-style-type: none"> <li>• ZR writes to Mr Tim Owen, MP for Newcastle, on behalf of community groups requesting he obtain the minutes of the meetings for the community; and that</li> <li>• ZR drafts a letter of support from NCCCE to Mr Owen.</li> </ul> <p><b>ACTION 5. Zoe Rogers to draft a letter on behalf of NCCCE Chair, addressed to Mr Tim Owen, MP for Newcastle, and expressing NCCCE support for community access to the minutes of meetings associated with the Dust, Noise and Vibration Forum, held on 4 November, 2010.</b></p> <p><b>Nick Godfrey-Smith</b> (Industry) informed NCCCE that Port Waratah Coal Services (PWCS) recently appointed him to work on the T4 Proposal (forth coal loader). NCCCE members welcomed the news and congratulated Mr Godfrey-Smith.</p> <p><b>Paul McBain</b> (Ministers Appointee) suggested that NCCCE work to increase attendance at the third Community Forum by advertising more widely, for example, by media releases, radio interviews and contact with community groups as well as individual community members.</p> <p><b>ACTION 6: NCCCE consider methods to advertise the third Community Forum more widely, for discussion at next meeting.</b></p> <p><b>Paul McBain</b> (Ministers Appointee) questioned how NCCCE might improve the relationship between the community and industry and how NCCCE and might better engage with industry to hear industries' views on relevant issues. Adam Gilligan noted that the Orica Community Reference Group expressed interest in engaging in discussion with other industries on Kooragang Island. Nick Godfrey-Smith noted that the Environmental Assessment for the PWCS T4 Proposal proposed a Kooragang 2030 plan to link with the Newcastle City Council's Strategic Plan and to build relationships between industries on Kooragang Island. Chair John Tate suggested a coordinated effort by industry and the community to beautify Cormorant Road, Kooragang Island, as the gateway to the city from the airport. NCCCE resolved no further action at this stage.</p>
<p><b>Item 8</b></p>	<p><b>Next Meeting</b></p> <p><b>Date:</b> Wednesday 8 August 2012</p> <p><b>Location:</b> EPA Conference Room, Ground Floor, 117 Bull Street, Newcastle West</p> <p><b>Time:</b> 5:30 pm to 7:30 pm</p>
<p><b>Meeting ended 20:10</b></p>	

## ACTION ITEM LOG

DATE SET	ACTION ITEM DESCRIPTION	DUE DATE	STATUS/ COMMENTS	RESP
<b>Meeting No. 10, 11 July 2012</b>				
<b>ACTION 1</b>	Leanne Graham (EPA) to identify key messages from the Forum for discussion and action at next meeting.	8 Aug		LG
<b>ACTION 2</b>	Leanne Graham (EPA), in liaison with Chair John Tate and the NSW Ministry of Health, negotiate a tentative date, draft program and speakers for the third Community Forum on Health and Air Quality in Newcastle.	8 Aug		LG
<b>ACTION 3</b>	EPA to report to NCCCE on odour management by Cargill Australia Ltd, providing updates at each meeting.	8 Aug		MH
<b>ACTION 4</b>	Keith Craig, in consultation with NCCCE, to draft a letter and send to Chair for consideration, requesting that Conjoint Professor Howard Bridgman, University of Newcastle, provides a proposal and costing for the preparation of monthly air quality reports to NCCCE for the 12 month period to 30 June 2013.	8 Aug		KC
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<b>ACTION 6</b>	NCCCE consider methods to advertise the third Community Forum more widely, for discussion at next meeting.	8 Aug		NCCCE