

MEETING No. 12

Newcastle Community Consultative Committee on the Environment (NCCCE)

MEETING MINUTES

Date: 10 October 2012 **Time:** 5:30 pm

File: FIL11/10927

Location: EPA Conference Room, Ground Floor, 117 Bull Street, Newcastle West

In attendance: John Tate (Chair), Keith Craig (Community), Adam Gilligan (Newcastle City Council), Kate Johnson (Community), Paul McBain (Minister’s Nominee); Paul Thomas (Industry), Zoe Rogers (Environment).

Environment Protection Authority (EPA), Mark Hartwell (Unit Head Regional Operations), Leanne Graham (Project Officer).

Guest Speaker: Frank Garofalow (EPA, Manager Infrastructure and Biodiversity Regulation).

Apologies Nick Godfrey-Smith (Industry), Graham Woods (Industry).

Meeting Record

Agenda Item	Meeting Details
Item 1.	Welcome from the Chair The Chair welcomed Committee Members and OEH and EPA staff.
Item 2	Apologies Nick Godfrey-Smith, Graham Woods.
Item 3	Minutes from Previous Meeting Minutes of Meeting No.11 were adopted as a true and accurate record.
Item 4	<p>Actions Arising from Previous Meeting</p> <p><u>Meeting No.11 (10 Sept 12) Action 1:</u> Completed. The EPA confirmed the following:</p> <ul style="list-style-type: none"> - Conjoint Associate Professor H. Bridgman received the letter from NCCCE formalising the request for a proposal to provide to NCCCE monthly reports on air quality in the Lower Hunter. - A/Prof Bridgman’s proposal was circulated to NCCCE members via email. - The EPA’s procurement policy requires that at least three fee proposals be considered to engage a contractor for the provision of monthly air quality summary reports. <p>NCCCE confirmed support for the provision of monthly reports on air quality in the Lower Hunter.</p> <p>RECOMMENDATION 1: That EPA supports the provision of monthly reports to the NCCCE, summarising air quality in the Lower Hunter, for a ten-month period from September 2012 to June 2013.</p>

Agenda Item	Meeting Details
	<p><u>Meeting No.11 (10 Sept 12) Action 2:</u> Completed. The EPA confirmed that the <i>Briefing Paper: Options Proposed for Newcastle Industry Air Quality Monitoring Sites</i> was distributed to NCCCE, for circulation to members' interest groups. (For further detail refer to Item 6 below).</p> <p>NCCCE discussed outstanding items in the Action Item Log from previous meetings, as follows:</p> <p><u>Meeting No.10 (11 Jul 12) Action 1:</u> Completed. Key messages were identified from the second community forum, 21 June 2012, and incorporated into the draft program for the third community forum, planned for 8 November 2012. (For further detail, refer to Item 7 below).</p> <p><u>Meeting No.10 (11 Jul 12) Action 2:</u> In progress. EPA contacted NSW Ministry of Health on tentative dates, draft program and speakers for the Community Forum on Health and Air Quality in Newcastle. (For further detail, refer to Item 7 below).</p> <p><u>Meeting No.10 (11 Jul 12) Action 3:</u> In progress. The EPA provided an update on the Pollution Reduction Program (PRP) that requires Cargill Australia Ltd, Kooragang Island, to install a biofilter for odour management by 31 December 2012. Currently, Cargill is commissioning the biofilter, three months ahead of schedule. The PRP requires an odour assessment, post-commissioning.</p> <p>RECOMMENDATION 2: That EPA updates NCCCE in 2013 on the odour assessment and testing of the new biofilter at Cargill Australia Ltd.</p> <p><u>Meeting No.10 (11 Jul 12) Action 5:</u> In progress. Chair asked EPA for an update on correspondence to Mr Tim Owen, AM, MP for Newcastle, regarding minutes of the Dust and Vibration Forum held in December 2010. The EPA advised that no further information had been received to date.</p> <p><u>Meeting No. 10 (11 Jul 12) Action 6:</u> In progress. NCCCE identified methods to advertise more widely the proposed Community Forum on Health and Air Quality scheduled for 8 November 2012. (For further detail, refer to Item 7 below).</p> <p><u>Meeting No.9 (13 June 12) Action 1:</u> In progress. NCCCE discussed examples of communications to support a motion recommending that the EPA improves regular public communications during non-emergency environmental incidents.</p> <p>ACTION 1: That NCCCE invites relevant EPA staff, including Public Affairs, to attend a meeting of the NCCCE to discuss options for improving EPA's regular public communications during non-emergency environmental incidents and EPA's use of social media.</p> <p><u>Meeting No.9 (13 June 12) Action 2:</u> Completed. Adam Gilligan (Newcastle City Council) reported on the development approval and regulation of Metso operations by Council, in response to a community request for information via Paul McBain.</p> <p><u>Issue:</u> The air impact assessment accompanying Metso's development application predicted the possibility for some exceedences in ground level odour concentrations of xylene. Why did Council approve the Development Application (DA)? How can Council / EPA be confident the emissions do not exceed the predictive modelling in the future?</p>

Agenda Item	Meeting Details
	<p><u>Response:</u> Council's Compliance Service Unit (CSU) noted that the modelling predicted a worst case xylene concentration of 0.20 mg/m³. Compared with the guideline value of 0.19 mg/ m³, Council concluded that an exceedence by 0.01 mg/ m³ was negligible.</p> <p>All other emissions (toluene, butanol, butyl acetate, naptha, methyl propenol, acetate and methyl ethyl ketone) were predicted to be well below the odour guideline thresholds.</p> <p>Council noted that potential health impacts occur at concentrations many orders of magnitude higher than the odour guidelines.</p> <p>There is always a level of uncertainty when assessing the potential future impacts of developments. Council's CSU concluded that the applicant provided sufficient modelling data and information and that the proposal was unlikely to generate offensive or unreasonable odours and that any adverse health impacts are extremely unlikely. On this basis, the proposal was approved.</p> <p><u>Meeting No.8 (9 May 12) Action 7:</u> In progress. NCCCE discussed methods to invite the Minister to attend NCCCE meetings.</p> <p>ACTION 2: That the NCCCE Chair, in consultation with EPA, write to the Minister for the Environment extending an open invitation to attend meetings of the NCCCE.</p> <p><u>Meeting No.7 (16 April 12) Action 4:</u> In progress. Draft motion asking EPA to improve public communications during non-emergency environmental incidents. (Refer to Meeting No.9 (13 June 12) Action 1. above).</p> <p><u>Meeting No.6 (14 March 12) Action 1:</u> In progress. Draft motion to lobby WorkCover NSW to notify neighbours of asbestos demolition. Update at next meeting.</p> <p><u>Meeting No.6 (14 March 12) Action 3:</u> In progress. EPA preparing draft frequently asked questions and answers on environmental regulation for Committee website. Update at next meeting.</p> <p><u>Meeting No.6 (14 March 12) Actions 4 and 6:</u> In progress. The Chair tabled a letter from EPA Director North, Gary Davey, dated 7 August 2012, advising that these actions raise issues that are broader than the NCCCE's terms of reference and are not part of the EPA's regulatory responsibility nor are they within the Minister for the Environment's portfolio.</p> <p>NCCCE members did not support the Chair's recommendation to remove these items from the Action Log. NCCCE members emphasised that issues of transport planning and port development raise wide community concern; and that the NCCCE, on behalf of the community, requests information and clarity on future planning.</p> <p>The EPA emphasised that the resources necessary to facilitate briefings by speakers outside of the EPA limited the resources available to respond to other actions arising from meetings.</p> <p>ACTION 3. That the NCCCE members to draft letters, for the Chair's consideration, requesting briefings from the relevant authorities on future transport planning and port development.</p>

Agenda Item	Meeting Details
<p>Item 5</p>	<p>Progress Report – Newcastle Air Quality Monitoring Network</p> <p>Mark Hartwell (EPA) reported that the EPA held a consultation meeting with industry on 20 September 2012 to discuss the operation and funding of the proposed network. The EPA is preparing a discussion paper for industry, as was requested at this meeting, explaining funding options for the network.</p> <p>Mr Hartwell explained that industry requested one month to consider the options. The EPA will consider industry’s submissions regarding management and operation of the network, including funding models. The EPA will report back to the NCCCE and the Minister on the outcomes of these discussions.</p> <p>Mr Hartwell confirmed that Orica expected that its new air quality monitoring station at Stockton (AQMS) to commence operation in October.</p> <p>The Chair confirmed his intention to speak, as Chair, at the public event to launch the Orica AQMS on Saturday 13 October 2012.</p>
<p>Item 6</p>	<p>Locations for Air Quality Monitoring Stations</p> <p>The EPA agreed to NCCCE circulating to the community the Briefing Paper <i>Options Proposed For Newcastle Industry Air Quality Monitoring Sites</i>.</p> <p>ACTION 4: That members of NCCCE provide any feedback to the next NCCCE meeting (5 Nov 12) on the site locations under consideration with final recommendations to the EPA no later than the NCCCE meeting in December 2012.</p>
<p>Item 7</p>	<p>Future Planning- Community Forum on Health and Air Quality</p> <p><u>Date:</u> The EPA advised of the Minister’s availability. The NCCCE discussed the advantages and disadvantages of alternative venues and dates and confirmed its preference for Thursday 8 November 2012, 5:30 pm to 7:30 pm at the John Gebhardt Centre, Ethnic Communities Council, 2A Platt St, Waratah.</p> <p>RECOMMENDATION 3: That the EPA advises the Minister for the Environment that NCCCE proposes to hold the Community Forum on Health and Air Quality, on Thursday, 8 November, 5:30 pm to 7:30 pm, at the John Gebhardt Centre, Ethnic Communities Council, 2A Platt St, Waratah.</p> <p><u>Draft Program:</u> The NCCCE suggested amendments to the Draft Program for the forum.</p> <p>RECOMMENDATION 4: That the EPA supports the inclusion of the independent speaker on air quality, A/Prof Howard Bridgman, at the Community Forum on Health and Air Quality, to speak briefly on the history of air quality in Newcastle.</p> <p>ACTION 5: That the EPA Project Officer, in consultation with recommended speakers and the EPA, updates the Draft Program for the Community Forum on Health and Air Quality, and circulates to the NCCCE as soon as possible.</p> <p><u>Advertising and Promotion:</u> The NCCCE discussed ways to increase attendance and promote the forum more widely.</p> <p>RECOMMENDATION 5: That the EPA advertises the Community Forum on Health and Air Quality in the free local newspapers, such as the Star and the Post, as well as the Newcastle Herald.</p>

Agenda Item	Meeting Details
	<p>ACTION 6: That the Chair, in consultation with the EPA, prepares and circulates to NCCCE, a draft flyer promoting the Community Forum, for email distribution by NCCCE members to wider community networks, as soon as possible.</p>
<p>Item 8</p>	<p>8.1. Environmental Concerns with Existing Industry 8.1.1 Industrial Noise Levels in Stockton The Chair deferred this item for discussion after General Business</p>
<p>8.4</p>	<p>8.4. Environmental Monitoring and Regulation 8.4.1. ARTC Study: Particulate Monitoring in Rail Corridor. Mr Frank Garofalow (EPA) outlined the Australian Rail Track Corporation (ARTC) study of particulate emissions from coal trains. ARTC undertook the study as a Pollution Reduction Program associated with its Environment Protection Licence. The study used light scattering devices to measure airborne concentrations of total suspended particulates (TSP) and PM₁₀ and PM_{2.5}. Monitoring devices measured continuously, logging information at intervals of 30 to 60 seconds at Mayfield and Metford during mid February to mid March 2012. The study found that movements of all train types increased airborne concentrations of particulate matter. At Mayfield, all train movements increased TSP and PM₁₀ concentrations and only freight and passenger trains increased PM_{2.5}. Movements of loaded coal trains did not increase airborne concentrations, compared to other train types. At Metford, movements of all trains increased concentrations of TSP, PM₁₀ and PM_{2.5}. Maximum concentrations coincided with movements of passenger trains. Average concentrations of PM₁₀ were higher for loaded and unloaded coal trains compared to passenger trains. There was no difference in concentrations coinciding with loaded coal trains compared to unloaded coal trains. The study noted limitations in the monitoring methodology and the information available on train movements and recommended these be addressed in any further monitoring study. Overall the measured concentrations were very low compared to background concentrations at regional air quality monitoring stations in the Lower Hunter. In October, the EPA required the ARTC to undertake further air quality monitoring along the rail. Again, this is required via a PRP on ARTC's environment protection licence. Mr Garofalow offered to present the findings of the second study to the NCCCE in 2013. Particles were not characterised to determine their source due the relatively low concentrations recorded in the first study and the high cost of analysis. The Chair thanked Mr Garofalow for his presentation.</p>
<p>Item 9</p>	<p>General Business Regarding the proposed agenda item on Port Waratah Coal Services' Health Study, Kate Johnson recommended that NCCCE invite a speaker associated with the study to address the next NCCCE meeting. NCCCE supported this recommendation. Zoe Rogers suggested that the NCCCE also invite an independent speaker, for example, an epidemiologist from the University of Newcastle, to comment on the study.</p>

Agenda Item	Meeting Details
	<p>RECOMMENDATION 6: That the EPA supports the NCCCE’s inviting relevant speakers to the next NCCCE meeting to provide a briefing and to comment on the Port Waratah Coal Services’ Health Study.</p>
<p>Deferred Item 8.1.1</p>	<p>8.1.1 Industrial Noise Levels in Stockton</p> <p>Keith Craig outlined concerns and current problems with industrial noise levels experienced in Stockton (from industrial related activities on Kooragang Island and the port facilities) and emphasised the need for urgent action. Many complaints have been made to Stockton Community Action Group (SCAG), the EPA and Newcastle Port Corporation, especially from residents closest to the western side of Stockton. Specifically, there is concern with sleep disturbance due to reversing alarm noises coming from the docks in the Port, likely to be associated with crane movements.</p> <p>Mr Craig recommended that:</p> <ul style="list-style-type: none"> • EPA investigates noise problems experienced by Stockton residents; • EPA investigates options for industry to reduce noise to acceptable levels in the suburban environment and to address the high pitched noise associated with port operations; and • EPA to raise the issue of industrial noise as a major issue in any future projects on Kooragang Island. <p>The EPA explained that Work Health and Safety Regulations require “movement warning alarms” that emit noises to accompany the movement of reversing vehicles and mobile equipment. Industry trials at some sites indicated that alternative types of alarms may provide a lesser level of safety warnings to workers. The EPA will discuss with WorkCover NSW any updated requirements regarding workplace safety warning devices. The EPA advised that it had negotiated a Pollution Reduction Program with Orica to fit a silencer to a stack believed to be a source of noise from the Ammonia Plant.</p> <p>The EPA emphasised the importance of residents reporting the details of complaints by calling the EPA Environment Line 131 555.</p> <p>RECOMMENDATION 7: That the EPA provides a briefing to the next NCCCE meeting on actions to manage industrial noise in the port area.</p>
<p>Item 10</p>	<p>Next Meeting</p> <p>Date: Monday 5 November 2012</p> <p>Location: EPA Conference Room, Ground Floor, 117 Bull Street, Newcastle West</p> <p>Time: 5:30 pm to 7:30 pm</p>
<p>Meeting ended at 20:30</p>	

ACTION ITEM LOG

MEETING NO. 12, 10 OCTOBER 2012	ACTION ITEM DESCRIPTION/ RECOMMENDATION	DUE DATE	RESP
RECOMMENDATION 1	That the EPA supports the provision of monthly reports to the NCCCE, summarising air quality in the Lower Hunter, for a ten-month period from September 2012 to June 2013.	ASAP	EPA
RECOMMENDATION 2	That the EPA updates NCCCE, in 2013, on the odour assessment and testing of the new biofilter at Cargill Australia Ltd.	2013	EPA
RECOMMENDATION 3	That the EPA advises the Minister for the Environment that NCCCE proposes to hold the Community Forum on Health and Air Quality, on Thursday, 8 November, 5:30 pm to 7:30 pm, at the John Gebhardt Centre, Ethnic Communities Council, 2A Platt St, Waratah.	Oct	EPA
RECOMMENDATION 4	That the EPA supports the inclusion of independent speaker on air quality, A/Prof Howard Bridgman, at the Community Forum on Health and Air Quality, to speak briefly on the history of air quality in Newcastle.	Oct	EPA
RECOMMENDATION 5	That the EPA advertises the Community Forum on Health and Air Quality in the free local newspapers, such as the Star and the Post, as well as the Newcastle Herald.	Oct	EPA
RECOMMENDATION 6	That the EPA supports the NCCCE's inviting relevant speakers, to the next NCCCE meeting, to provide a briefing and to comment on the Port Waratah Coal Services' Health Study.	Oct	EPA
RECOMMENDATION 7	That the EPA provides a briefing to the next NCCCE meeting on actions to manage industrial noise in the port area.	Nov	EPA
ACTION 1	That NCCCE invites relevant EPA staff, including Public Affairs, to attend a meeting of the NCCCE to discuss options for improving EPA's regular public communications during non-emergency environmental incidents and EPA's use of social media.	5 Nov, Dec	NCCCE
ACTION 2	That the NCCCE Chair, in consultation with EPA, to send a letter of open invitation to the Minister for the Environment, Hon Robyn Parker MP, to attend meetings of the NCCCE.	ASAP	Chair, EPA

MEETING NO. 12, 10 OCTOBER 2012	ACTION ITEM DESCRIPTION/ RECOMMENDATION	DUE DATE	RESP
ACTION 3	That the NCCCE members draft letters, for the Chair's consideration, requesting briefings from the relevant authorities on future transport planning and port development.	5 Nov	AG, Chair
ACTION 4	That the NCCCE provides feedback to the next NCCCE meeting (5 Nov 12) on recommended sites for locating air quality monitoring stations and makes final recommendations to the EPA no later than the NCCCE meeting in December 2012.	5 Nov, Dec	NCCCE
ACTION 5	That the EPA Project Officer, in consultation with recommended speakers and the EPA, updates the Draft Program for the Community Forum on Health and Air Quality, and circulates to the NCCCE as soon as possible.	Oct	EPA
ACTION 6	That the Chair, in consultation with EPA, circulates to NCCCE, a draft flyer promoting the Community Forum, for email distribution by NCCCE members to wider community networks, as soon as possible.	Oct	LG, Chair, NCCCE