

MEETING No. 22
Newcastle Community Consultative Committee on the Environment
(NCCCE)

MEETING MINUTES

Date: 16 October 2013 **Time:** 5:30 pm

File: EF13/8723

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

In attendance: John Tate (Chair), Keith Craig (Community), Adam Gilligan (Newcastle City Council), Nick Godfrey-Smith (Industry), Kate Johnson (Community), Paul McBain (Minister’s Nominee), Paul Thomas (Industry), Zoe Rogers (Environment), Graham Woods (Industry), Gary Davey (EPA Director North), Sylvia Bell (EPA Director Stakeholder Engagement and Governance) Peter Jamieson (EPA Acting Manager Hunter Region) Roger Bluett (EPA Acting Manager Air Policy), Catharina Boer (EPA Senior Public Affairs Officer, Stakeholder Engagement and Governance), Leanne Graham (EPA Project Officer)

Guest Speaker Terry Tynan, General Manager, Port Waratah Coal Services

Meeting Record

Agenda Item	Meeting Details
Item 1	Welcome and Introductions The Chair welcomed Committee Members and EPA staff.
Item 2	Apologies No apologies.
Item 3	Minutes from Previous Meeting Mr Paul McBain requested an amendment to the draft minutes. <i>Item 7: EPA Response to Outcomes of Workshop on Air, Science, Policy and Communication, held on 12 April 2013</i> Additional text: <i>NCCCE committee members expressed disappointment that the EPA was not taking up any of the options specifically recommended by the NCCCE.</i> Minutes of Meeting No.21 (16 September 2013), incorporating the above amendment, were adopted as a true and accurate record.

Agenda Item	Meeting Details
<p>Item 4</p>	<p>Actions Arising from Previous Meetings</p> <p><u>Meeting No.21 (16Sep13) Recommendation 1:</u> In progress. EPA provided more detail to NCCCE on the scoping stage of the Community Based Participatory Research Project. See below, Item 10, Update on EPA Lower Hunter Air Quality Programs.</p> <p><u>Meeting No.21 (16Sep13) Action 1:</u> In progress. A major outcome of the EPA state-wide stakeholder engagement survey conducted in 2013 will be a charter for stakeholder engagement. EPA will keep NCCCE informed on the progress of the development of the charter. See below Item 13.</p> <p><u>Meeting No.21 (16Sep13) Action 2:</u> In progress. See below Item 13, NCCCE discussion of the principles and protocols for community engagement tabled at the last meeting.</p>
	<p>With the support all attendees, the Chair re-ordered the agenda items to meet the time constraints and commitments of speakers and NCCCE members.</p>
<p>Item 5</p>	<p>Update on EPA Lower Hunter Air Quality Programs (Part 1)</p> <p>Mr Gary Davey introduced a revised set of options for air quality projects for NCCCE to consider. The EPA proposed the options in response to the NCCCE’s view that the major issues of community concern regarding air quality have been identified at EPA workshops and community forums during 2012-13 and, therefore, further extensive community based research to identify issues may be unwarranted.</p> <p>The EPA proposed four projects. The Lower Hunter rail corridor dust deposition study and the NSW Air Quality App are discussed below; the Lower Particle Characterisation Study and Lower Hunter Air Quality Community Research Project are discussed in Items 9 and 10 below.</p> <ul style="list-style-type: none"> • Lower Hunter rail corridor dust deposition study <p>Mr Roger Bluett proposed a project to sample and analyse deposited dust, to address community concerns about the levels, composition and likely sources of dust from the rail corridor. The study would aim to identify dust particles using mineral based electron microscopy, in contrast to the ion beam analysis proposed in the Lower Hunter particle characterisation study, which will identify chemical elements in finer particles.</p> <p>Mr Bluett outlined the scope of the proposal and clarified that the study was not intended to be a health study of PM₁₀ and PM_{2.5} (that is, not a study of inhalable particles with sizes less than 10 and 2.5 micrometres diameter).</p> <p>Proposed research questions included:</p> <ol style="list-style-type: none"> 1. Is there an association between proximity to the rail corridor and rate of dust deposition? 2. What is the level of dust deposition that is representative of community impact? 3. How do measured dust deposition rates compare with international best practice dust deposition criteria, including NSW criteria? 4. What is the composition of deposited dust? 5. What are the likely sources of deposited dust?

Agenda Item	Meeting Details
<p>Item 5 (Cont)</p>	<p>Update on EPA Lower Hunter Air Quality Programs (Part 1) (Cont)</p> <ul style="list-style-type: none"> • Lower Hunter rail corridor dust deposition study (Cont) <p>Aspects of the study design yet to be defined include:</p> <ul style="list-style-type: none"> - the width of the rail corridor and the network of sampling sites to represent community exposure; - the sampling regime, for example, sampling frequency may vary depending on local wind conditions; - engagement with educational institutions along the rail corridor; - the location of background sampling sites to allow comparison of results; - gathering of information on train movements and weather conditions; - peer review to ensure the design has the power to yield meaningful results; and - the procedure for engaging an external research group to undertake the study. <p>NCCCE members requested that the study includes sampling in the vicinity of coal stockpiles and swipe-sampling of black grime on household exterior surfaces.</p> <p>In response to questions from NCCCE, the EPA clarified the following points:</p> <ul style="list-style-type: none"> - Sampling equipment would be bird proof and tamper proof and include a collection bottle and funnel to trap particles up to 50 microns approximately. - The results of the study would inform decision making on managing dust from the industrial sector including the rail corridor. - The project would give a clear message that results were not intended to be compared with air quality monitoring studies conducted in the rail corridor by the Australian Rail and Track Corporation or the Hunter community. - Cost estimates for the study ranged, depending on the cost of mineralogy analysis techniques such as QEMSCAN™ (Quantitative Evaluation of Minerals by SCANning electron microscopy). <p>NCCCE members expressed support for the project and appreciation for the EPA's listening to the community. Mr Paul McBain, NCCCE Minister's Nominee, suggested that interested community groups have input on the study design.</p> <p>EPA agreed to incorporate feedback from the discussion into a draft project briefing document to be circulated to NCCCE for comment.</p> <p>ACTION 1: EPA to draft a briefing document for the study design and governance of a Lower Hunter deposited dust study and circulate to NCCCE for comment.</p> <ul style="list-style-type: none"> • NSW Air Quality App <p>Mr Davey confirmed that the EPA will develop an application for smart 'phones to provide real time information on air quality monitoring results, air pollution alerts and other information on air quality.</p> <p>Mr Davey concluded that the next steps would include seeking further advice from the NCCCE to refine the project briefs. When the briefs are finalised, then EPA will go to tender, as needed, for delivery for the project.</p> <p>The Chair noted the information and thanked the speakers.</p>

Agenda Item	Meeting Details
Item 6	<p>Presentation from Port Waratah Coal Services regarding T4 Update</p> <p>Mr Terry Tynan, General Manager, Port Waratah Coal Services (PWCS) summarised the background to the proposal for a fourth coal terminal (T4) and outlined the revised proposal in the recent Preferred Project Report.</p> <ul style="list-style-type: none"> - The revised proposal, the Preferred Project Report (PPR) is on public exhibition for a period extended to 10 weeks, to 22 November 2013. - Main changes to T4 in the PPR, compared to the original proposal include: <ul style="list-style-type: none"> o Application reduced from 120 million tonnes per annum (mtpa) to 70 mtpa o No infrastructure on the south bank of the Hunter River o Deferred construction, based on demand and staged o Eight departure and arrival tracks and two dump stations reduced to four tracks and two dump stations o Seven stockpiles reduced to four, with area available for an additional two o Traffic lights replacing roundabout at Cormorant Road intersection o 800 hectare of designated land for environmental offset, including lands two kilometres north at Tomago, lands at Ellalong lagoon and lands to the south. Some of these lands would be subject to restoration and conservation of saltmarsh, mangrove and freshwater wetland. The offsets would provide habitat for a range of threatened species, including migratory shorebirds and eastern grass owl. - The PPR included reassessment of impacts from a project of 70 mtpa capacity on groundwater, surface water, ecology, noise, air quality, greenhouse gases, traffic and visual impact, social, economic and heritage. - The PRP concluded that impacts from a 70 mtpa project would be consistent generally with the original 120 mtpa proposal, except for reduced economic benefit due to reduced throughput. <p>In response to questions from NCCCE Mr Tynan clarified the following issues.</p> <ul style="list-style-type: none"> - Dust mitigation commitments include automated water spraying linked to weather monitoring; enclosure of conveyors, transfer houses, soft shutes; bunding walls. - PWCS will consider shutting down operations in severe weather conditions such as high winds. - PWCS's rehabilitation of contaminated land and degraded habitat is conditional on T4's approval. <p>In conclusion, Mr Tynan provided copies of community updates and noted that further copies and information is available on the PWCS T4 webpage: Refer to http://www.pwcs.com.au/pages/projects/t4.php.</p> <p>The Chair thanked Mr Tynan and noted the importance of understanding the T4 proposal in its broadest context.</p>

Agenda Item	Meeting Details
Item 7	<p>Progress Report – Newcastle Air Quality Monitoring Network</p> <p>Mr Peter Jamieson advised that the EPA is undertaking the first stage of the formal consultation for the introduction of a Regulation under the <i>Protection of the Environment Operations Act</i>, for the Office of Environment and Heritage (OEH) to establish and operate an industry-funded air quality monitoring network for the inner city and port area.</p> <p>EPA will write to relevant industries and provide a discussion paper and a request for a formal response.</p> <p>NCCCE industry representatives welcomed the approach and requested six weeks to respond, given it is the first formal consultation. Mr Davey advised that EPA will consider this request.</p> <p>ACTION 2: EPA to consider the request of NCCCE industry representatives to allow industries six weeks to respond formally to the proposed arrangements for the industry-funded air quality monitoring network.</p> <p>Mr Jamieson responded to questions on the industry-funded air quality monitoring network, submitted by Zoe Rogers in advance of the meeting.</p> <p>Regarding the NCCCE's role in the project, Mr Jamieson clarified that the advisory role requires the functions generally set out in the NCCCE's <i>Terms of Reference</i>:</p> <ul style="list-style-type: none"> - To advise the Minister on the effectiveness of measures and actions required to monitor environmental impacts from industries in Newcastle - To contribute to the implementation of the environmental monitoring systems in the Newcastle area - To inform the community and industry of any actions to be undertaken by EPA in response to matters raised. <p>(For further details refer to NCCCE Meeting Minutes, September to December 2012.)</p> <p>Regarding whether the data from the new monitors will be able to be compared to the national standards in the National Environment Protection (Ambient Air Quality) Measure (NEPM), Mr Jamieson confirmed OEH's advice, that is:</p> <ul style="list-style-type: none"> - Like OEH's Lower Hunter NEPM sites, the new monitors will meet site requirements of Australian standard <i>AS_NZS 3580.1.1 2007 Ambient Air Sampling</i> (for example, criteria for distance to buildings, vegetation, clear sky angle) - The three new monitoring sites approved for the industry-funded network technically will be non-NEPM sites, due to the proximity of industrial activity. However, data will be reported in the same manner as the 11 non-NEPM sites in the Upper Hunter, that is: <ul style="list-style-type: none"> o For non-NEPM sites, although direct comparison against the national standards in the NEPM is not recommended, OEH provides a discussion of monitoring results against the NEPM standards to indicate performance for the interest of the community. o Levels above a national standard, such as PM₁₀ 24-hour standard, will trigger an air pollution alert to subscribers via email or SMS. - Instrumentation at the new site at Stockton meets accreditation requirements of the National Association of Testing Authorities (NATA). Proximity to industry and the coast would exclude the site from meeting requirements for a NEPM site. - The additional two new sites will meet NATA accreditation. <p>The Chair noted the information and thanked Mr Jamieson.</p>

Agenda Item	Meeting Details
<p>Item 8</p>	<p>Monthly Air Quality Monitoring Reports</p> <p>Mr Davey confirmed that the EPA will continue the Lower Hunter monthly air quality monitoring reports, at least to June 2014.</p> <p>NCCCE welcomed Mr Davey's advice. In discussion, NCCCE members agreed to recommend the following.</p> <p>RECOMMENDATION 1: EPA to provide support beyond June 2014 for the Lower Hunter monthly air quality monitoring reports, eventually incorporating data from the industry funded air quality monitoring network.</p> <p>RECOMMENDATION 2: EPA to deliver the monthly reports more promptly.</p> <p>The Chair noted the information and thanked Mr Davey.</p>
<p>Item 9</p>	<p>Update on Lower Hunter Particle Characterisation Study</p> <p>Mr Davey provided the following update.</p> <ul style="list-style-type: none"> - The project will be referred to as the Lower Hunter Particle Characterisation Study (LHPCS), for consistency with the names of the Lower Hunter ambient air quality monitoring network configuration and the Upper Hunter Particle Characterisation Study. - OEH will undertake the study as a collaborative project with researchers, to maximise opportunities for co-investment. - The LHPCS Project Team will comprise staff from OEH Climate and Atmospheric Sciences Branch and research partners. - A proposed LHPCS Project Management Team will oversee the study and will comprise representatives from OEH, EPA, the community representative nominated by the NCCCE (Mr Keith Craig) and the principal research collaborator from the Project Team. - OEH intends to hold the initial Project Management Team meeting in early November 2013. - Monitoring will comprise PM_{2.5} and PM₁₀ as a minimum, sampling at two sites over the period of one year, to commence in summer 2013-2014. <p>The Chair noted the information and thanked Mr Davey.</p>
<p>Item 10</p>	<p>Update on EPA Lower Hunter Air Quality Programs (Part 2)</p> <p>Lower Hunter Community Based Participatory Research Project</p> <p>Ms Sylvia Bell confirmed that the study, to be known as the Lower Hunter Air Quality Community Research Project, will engage with the lower Hunter community through the NCCCE and other key community representatives, including school children and families, to identify issues concerning air quality.</p> <p>The project will recommend actions to improve community awareness of and access to information about air quality.</p> <p>EPA seeks an external research institution to undertake the project and has held initial discussions with Macquarie University, the University of Technology, Sydney and the University of Newcastle.</p>

Agenda Item	Meeting Details
<p>Item 10 (Cont)</p>	<p>NCCCE members recommended that an outcome of the project be the establishment of a facility or mechanism for ongoing communication with the wider community. For example, an initiative of Newcastle City Council known as the Newcastle Voice offers a model for communicating regularly with a statistically significant sample of the city's population, using a variety of media to inform and obtain feedback.</p> <p>Ms Catharina Boer noted that Macquarie University has established a participatory approach to research in education. The methodology uses the role of AREs (Action Research Enablers) to build a relevant research tool box for engaging participants.</p> <p>ACTION 3: EPA continues to involve NCCCE in the development and implementation of the Lower Hunter Air Quality Community Research Project.</p> <p>The Chair noted the information and thanked Ms Bell and Ms Boer.</p>
<p>Item 11 Item 12</p>	<p>Committee's Achievements and Priorities for Action Committee's Role in Improving Communication Between Industry and the Community</p> <p>NCCCE agreed to defer these items, to be high priorities on next meeting's agenda.</p>
<p>Item 13</p>	<p>NCCCE Principles and Protocols for Community Engagement</p> <p>NCCCE members and EPA staff discussed the set of principles and protocols for community engagement, tabled by the Chair at the previous meeting, at the request of Ms Fee Moseley, member of the Coal Terminal Action Group (CTAG).</p> <p>Ms Bell noted that the tabled set of principles and protocols articulated the new direction in which the EPA's principles for community engagement are evolving, under the EPA Branch for Stakeholder Engagement and Governance (EPA SEG), directed by Ms Bell.</p> <p>Ms Bell referred to the strategies for effective stakeholder engagement in the <i>Environment Protection Authority Strategic Plan 2013-16</i> (EPA, 2013: 5) http://www.epa.nsw.gov.au/resources/epa/130550stratplan.pdf .</p> <p>Goals include:</p> <ul style="list-style-type: none"> - increasing government transparency by increasing access to government information, and - involving the community in decision-making on government policy, services and projects. <p>The EPA will review the outcomes of the <i>Strategic Plan</i> annually.</p> <p>Ms Bell advised that the EPA SEG intends to publish, by the end of 2013, the findings of the state-wide Stakeholder Engagement Survey conducted earlier in 2013, which included interviews with NCCCE and CTAG.</p> <p>In response to the Survey findings, the EPA intends to publish a charter for stakeholder engagement which could be adapted or modified for matters relevant to the EPA's engagement with the NCCCE and any stakeholder engagement by NCCCE with the wider community.</p> <p>Ms Bell noted that EPA will invite the NCCCE to provide feedback on the forthcoming EPA charter for stakeholder engagement.</p>

Agenda Item	Meeting Details
<p>Item 13 (Cont)</p>	<p>NCCCE Principles and Protocols for Community Engagement (Cont)</p> <p>The Chair suggested that the procedures in the <i>Strategic Plan</i> and the NCCCE's main governance document, namely, the <i>Terms of Reference</i> and the <i>NCCCE Committee Procedures</i>, presented no real conflict with the tabled principles and protocols.</p> <p>Mr McBain, Minister's nominee, re-iterated that the EPA charter for stakeholder engagement may have implications on how the NCCCE works.</p> <p>Ms Kate Johnson, community representative, noted the potential value in NCCCE having a clear set of principles that describes how the NCCCE intends to engage with community stakeholders.</p> <p>Mr Adam Gilligan, Newcastle City Council representative, referred to NCCCE's role as a conduit to the wider community, requiring committee members to consult within their own networks, according established protocols beyond the NCCCE. Mr Gilligan noted that such interaction involved a third layer of protocols for community engagement.</p> <p>Mr McBain posed the view that Ms Moseley's request for NCCCE to consider the tabled principles and protocols may reflect CTAG's perception that NCCCE's methods of community engagement were inadequate.</p> <p>In response to questions, Mr Davey confirmed that the while the EPA is bound by its own principles and protocols for community engagement, the committee members could decide on a set of principles and protocols relevant to the NCCCE.</p> <p>The Chair noted that such a decision by NCCCE implied resolution of any issues arising in conflict with NCCCE's <i>Terms of Reference</i>.</p> <p>In further discussion, the Chair questioned what might be lacking or different in the NCCCE's community engagement compared to the tabled principles and protocols.</p> <p>The EPA noted that the tabled principles and protocols were adopted from the National Toxics Network and reflected the needs of an organisation focused on the distribution of technical information and advice to a wide community of stakeholders.</p> <p>Ms Zoe Rogers, environment representative, suggested that the NCCCE needs to articulate its responsibilities as a conduit to the wider community, including a means of evaluating its success as an effective conduit.</p> <p>The Chair suggested that NCCCE seeks further information on the background to Ms Mozeley's request that NCCCE considers the tabled principles and protocols and seeks clarification of any recommended actions. NCCCE supported the suggestion.</p> <p>ACTION 4: EPA to circulate to NCCCE the web link to the <i>Environment Protection Authority Strategic Plan 2013-16</i>.</p> <p>ACTION 5: EPA to present the outcomes of the Stakeholder Engagement Survey 2013 to NCCCE at the next meeting.</p> <p>ACTION 6: NCCCE to seek further information on the background to the request from Ms Fee Mozeley for NCCCE to consider the tabled principles and protocols for community engagement and seek clarification of any recommended actions.</p> <p>The Chair thanked NCCCE members and EPA staff for the discussion.</p>

Agenda Item	Meeting Details
<p>Item 14</p>	<p>General Business</p> <p>Mr Jamieson advised that Park Petroleum is remediating the site and the former gas storage tanks on Greenleaf Road, Kooragang Island. The works may generate noise impacts in Stockton. Park Petroleum intends to store marine fuel and biodiesel in the remediated tanks. Ms Johnson, NCCCE community representative, confirmed that Park Petroleum plans to address the Stockton Community Action Group next week.</p> <p>Ms Boer advised that the EPA's short video <i>Air Quality in NSW</i> is available on the EPA website (http://www.epa.nsw.gov.au/air/) and includes Ms Johnson, NCCCE member, speaking on behalf of the community. The video provides an overview of air quality with information on emissions sources, air quality monitoring, particulate matter and its effects on health and well-being.</p> <p>Ms Boer informed NCCCE of the EPA's sponsorship of the Garage Sale Trail, including the garage sale at NSW Parliament House on Thursday 17 November 2013. The national initiative encourages residents to recycle and reuse household items (Refer to http://www.epa.nsw.gov.au/resources/MinMedia/EPAMin13101701.pdf and http://www.epa.nsw.gov.au/warr/publicrecycling.htm).</p> <p>ACTION 7: EPA to circulate to NCCCE the web links to the EPA's recent initiatives, the video <i>Air Quality in NSW</i> and public place recycling and events.</p> <p>The Chair, on behalf of the NCCCE, and Mr Davey, on behalf of EPA, thanked retiring committee member, Ms Johnson, for her valued and constructive contribution as community representative since the inception of NCCCE.</p> <p>ACTION 8: EPA to place a public advertisement calling for nominees to fill the position of NCCCE community representative.</p> <p>In conclusion, the Chair thanked all participants and expressed keen support for the proposed air quality initiatives.</p>
<p>Item 15</p>	<p>Next Meeting</p> <p>Date: Wednesday, 13 November 2013</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 7:55 pm</p>	

ACTION ITEM LOG

ACTION / RECOMMENDATION		STATUS	RESP
MEETING NO. 22, 16 October 2013			
RECOMMENDATIONS			
1	EPA to provide support beyond June 2014 for the Lower Hunter monthly air quality monitoring reports, eventually incorporating data from the industry funded air quality monitoring network.		EPA
2	EPA to deliver the monthly reports more promptly.		EPA
ACTIONS			
1	EPA to draft a briefing document on the study design and governance of a Lower Hunter deposited dust study and circulate to NCCCE for comment.	ASAP	EPA
2	EPA to consider the request of NCCCE industry representatives to allow industries six weeks to respond formally to the proposed arrangements for the industry-funded air quality monitoring network.	ASAP	EPA
3	EPA continues to involve NCCCE in the development and implementation of the Lower Hunter Air Quality Community Research Project.	On going	EPA
4	EPA to circulate to NCCCE the web link to the <i>Environment Protection Authority Strategic Plan 2013-16</i> .	ASAP	EPA
5	EPA to present the outcomes of the Stakeholder Engagement Survey 2013 to NCCCE at the next meeting.	13 November 2013	EPA
6	NCCCE to seek further information on the background to the request from Ms Fee Mozeley for NCCCE to consider the tabled principles and protocols for community engagement and seek clarification of any recommended actions.	13 November 2013	ZR
7	EPA to circulate to NCCCE the web links to the EPA's recent initiatives, the video <i>Air Quality in NSW</i> and public place recycling and events.	ASAP	EPA
8	EPA to place a public advertisement calling for nominees to fill the position of NCCCE community representative.	ASAP	EPA