

MEETING No. 36
Newcastle Community Consultative Committee on the Environment
(NCCCE)

MEETING MINUTES

Date: 20 May 2015 **Time:** 5.30 pm

File: EF13/8273

Location: Conference Room, Ground Floor, State Government Offices Building
 117 Bull Street, Newcastle

In attendance: John Tate (Chair), Rick Banyard (Community), Nick Godfrey-Smith (Industry), Paul McBain (Minister’s Nominee), Sherree Woodroffe (Industry).
 Mathew Riley (OEH Director, Climate and Atmospheric Science)
 Karen Marler (EPA A/Manager Hunter Region),
 Adam Gilligan (EPA A/Director, North Branch),
 Rebecca Akhurst (EPA Operations Officer).

Apologies: Paul Thomas (Industry), Keith Craig (Community), John Mackenzie (Environment - alternate), Andrew Baxter (City of Newcastle).

Meeting Record

Agenda Item	Meeting Details
Item 1	Welcome Chair welcomed attendees
Item 2	Apologies As above.
Item 3	Minutes from Previous Meeting (18 March 2015) Minutes of the previous meeting were adopted as a true and accurate record following minor amendment at item 9.
Item 4	Actions Arising from Previous Meetings <u>Meeting No.34 (18 Feb 2015) Action 6:</u> Postponed to 17/06/15. NCCCE’s Industry Representative, Mr Thomas, to brief the NCCCE on the wire rope making activities at Mayfield and associated noise and vibration impacts. <u>Meeting No.34 (18 Feb 2015) Action 8:</u> Completed 20/05/15 (see Agenda item 6). EPA to brief the NCCCE on the EPA’s review of lead exposure management in north Lake Macquarie and the regulatory framework for contaminated sites. <u>Meeting No.34 (18Feb2015) Recommendation 3:</u> Progressing. EPA to facilitate a briefing to NCCCE on latest National Pollution Inventory report following publication.

Agenda Item	Meeting Details
<p>Item 4 (Cont)</p>	<p>EPA noted the NPI provides access to emissions data via its website but does not produce a report. Data can be easily misinterpreted. EPA recommends the Committee view the NPI website and provide input to the EPA on a presentation scope.</p> <p>ACTION 1: EPA to circulate a link to the National Pollutant Inventory (NPI) website and seek input from the Committee to define the scope of a presentation to be delivered by the EPA to the NCCCE.</p> <p><u>Meeting No.35 (18 Mar 2015) Action 1:</u> Ongoing. EPA to circulate, at NCCCE meetings, summary information from the EPA Environment Line, including the timing and nature of the complaints.</p> <p>A number of odour complaints in Tighes Hill were noted. In response to questions, EPA advised that data trends can be assessed where needed and calls are to be actioned within 24-48 hours from being received. Community members can receive feedback on a complaint by calling the EPA’s Environment Line in the days following the initial complaint.</p> <p>Mr Banyard noted dissatisfaction with EPA follow up on complaints relating to emissions from ships in Newcastle harbour and lack of clarity as to the appropriate regulatory authority (ARA). The EPA advised it is seeking clarification on the regulation of shipping activities among regulatory authorities and will report back to the NCCCE.</p> <p><u>Meeting No.35 (18 Mar 2015) Action 2:</u> Completed 20/05/15. EPA to confirm the timeline for industries holding Environment Protection Licences to achieve a 25% diesel emission reduction across the licensee’s existing fleet of non-road diesel plant and equipment. EPA advised pollution reduction programs (PRP) for coal mine non-road diesel emission reduction are to be negotiated by June 2015. Timeframes for completion of PRPs will vary between sites.</p> <p>ACTION 2: EPA to provide a summary of diesel emission reduction Pollution Reduction Programs (PRPs) including the number of PRPs and due dates (i.e. x% of PRPs completed by Dec 2015) at the NCCCE on 17/06/15.</p> <p><u>Meeting No.35 (18 Mar 2015) Action 3:</u> EPA to respond 17/06/15. EPA to brief NCCCE on roles and responsibilities of authorities involved in the regulation of shipping activity including emissions.</p> <p>The EPA advised it is seeking clarification on the regulation of shipping activities among regulatory authorities and will report back to the NCCCE.</p> <p>Mr Banyard noted it was important for the community to know which regulatory authority is responsible for shipping activities and where to direct complaints. It is equally important that the ARA is clear on its responsibilities.</p> <p><u>Meeting No.35 (18 Mar 2015) Action 4:</u> Progressing (see agenda item 8a). EPA to re-draft the NCCCE Terms of Reference, articulating the roles and responsibilities of the Minister, the EPA Chair and CEO, and committee members, for discussion at the next meeting.</p> <p><u>Meeting No.35 (18 Mar 2015) Action 5:</u> Progressing (see agenda item 8b). NCCCE to discuss at the next meeting how the EPA can improve communication with the wider community on environmental issues.</p>

Agenda Item	Meeting Details
<p>Item 4 (Cont)</p>	<p><u>Meeting No.35 (18 Mar 2015) Action 6:</u> Completed. Emailed 23/03/15. EPA to circulate to NCCCE a copy of the EPA's presentation to the City of Newcastle, on 17 March 2015, about the EPA's key priorities for air quality.</p> <p><u>Meeting No.35 (18 Mar 2015) Action 7:</u> Completed 20/05/15. EPA to confirm the detail of the proximity principle in Hunter Water Corporation's Trade Waste Agreement and its application in the case of coal seam gas wastewater disposal from Gloucester. EPA advised the proximity principle applies to waste produced in NSW that is transported by road to a disposal site (e.g. a landfill). Coal seam gas wastewater from Gloucester was sent to a licensed treatment facility for treatment and therefore the proximity principle does not apply.</p>
<p>Item 5</p>	<p>Air Quality Monitoring Network Seasonal Report: Summer 2014-15</p> <p>Mr Riley presented the draft quarterly report, the <i>Newcastle Air Quality Monitoring Network Seasonal Report: Summer 2014-15</i> (the Report).</p> <p>The Report described the network performance and pollutant levels recorded for summer 2014-215 (1 December 2014 to 28 February 2015), at air quality monitoring stations (AQMS) located at Newcastle, Wallsend, Beresfield, Carrington, Mayfield and Stockton.</p> <p>Key points included:</p> <ul style="list-style-type: none"> • Pollutant levels were lower than benchmark concentrations for PM_{2.5}, NO₂, SO₂ and NH₃. • PM₁₀ levels above the benchmark of 50 µg/m³ were recorded on 30 days across the network. Stockton recorded PM₁₀ levels above the benchmark on all of these days, Carrington on one day and Mayfield on two days. • Analysis of elevated PM₁₀ levels and associated wind directions suggested that sea salt spray is likely to have contributed to elevated particle levels at Stockton. • A dust storm in 17 December 2014, originating inland from the Victorian Mallee region may have contributed to elevated PM₁₀ levels in the Hunter Region on that day. <p>Mr Riley thanked Orica for data that was provided for inclusion in the report.</p> <p>Mr Riley noted it had been a warm summer with some periods of below average rainfall. The summer period also experienced a higher than average frequency of east coast lows that brought strong east and north easterly winds to the region. High PM₁₀ levels at Stockton coincided with these east coast lows and it is likely that elevated particle levels were the result of sea salt spray associated with these onshore winds. Mr Riley also noted that PM₁₀ levels decrease rapidly away from the coast.</p> <p>The Report included a section on particle levels at Stockton, due to the higher number of days above the PM₁₀ benchmark, compared to other sites in the region. The analysis examined daily and hourly average PM₁₀ and PM_{2.5} data recorded at Stockton, since Orica established the AQMS in October 2012.</p>

Agenda Item	Meeting Details
<p>Item 5 (Cont)</p>	<p>Mr Riley noted that the Lower Hunter Particle Characterisation Study (LHPCS) would provide a more detailed analysis and information on source characterisation. Mr Riley noted the OEHL is currently undertaking a project on east coast lows.</p> <p>Mr Banyard circulated his analysis of PM₁₀ levels, benchmark exceedances and wind direction at Stockton. Mr Banyard suggested that the analysis of the Stockton monitoring results also include hourly PM₁₀ data under north to north westerly winds as these wind directions indicate the potential influence of industry on PM₁₀ levels.</p> <p>In response to questions Mr Riley noted:</p> <ul style="list-style-type: none"> • When finalised, the LHPCS will provide further context and explanation of results as well as source characterisation, seasonal variation and detailed analysis of selected high concentration days. This information can then support the seasonal reports. • OEHL will consider whether analysis of one hour average PM₁₀ levels, as recommended by Mr Banyard, will assist with explaining particulate concentrations at Stockton. • The LHPCS will provide analysis and context to nitrate levels in Stockton as raised by Keith Craig in an email to the EPA.
<p>Item 6</p>	<p>EPA's Management of Lead Contamination in North Lake Macquarie</p> <p>Mr Gilligan provided an overview of the EPA's management of lead contamination in North Lake Macquarie.</p> <p>Key points included:</p> <ul style="list-style-type: none"> • Pasmenco smelter operated for over 100 years with significant lead emissions. • High blood lead levels identified in residents and levels have decreased following closure of the smelter and interventions. • Remediation of the former smelter site is almost complete and achieved good on-site remediation. Groundwater interception and treatment is required in perpetuity. • A lead abatement strategy (LAS) was used to address off-site lead impacts. 1200 of approximately 4700 properties participated in the LAS. • EPA has established a Lead Expert Working Group to determine the effectiveness of the LAS, review the results of further blood lead testing conducted by NSW Health, consider exposure pathways and report back to Government. • EPA is undertaking a literature review of smelter remediation practices in order to establish best practice standards and procedures in the context of the North Lake Macquarie area. • EPA is working on options to further assist disposal of lead contaminated soil, such as adjusting the waste levy and identifying a suitable disposal site. • A Community Reference Group has been established to provide a conduit to inform the community of ongoing work in relation to this issue, provide a voice for the community and facilitate ongoing communication between industries and the local community.

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<p>Item 7</p>	<p>Regulatory Framework for Contaminated Land Management Mr Gilligan provided an overview of the regulatory framework for contaminated land management in NSW</p> <p>Key points included:</p> <ul style="list-style-type: none"> • EPA manages significantly contaminated sites posing a risk of harm, under the <i>Contaminated Land Management Act</i> (CLM Act). The Department of Planning and Environment and Councils manage less significantly contaminated sites through land use planning processes under the <i>Environmental Planning and Assessment Act</i> (EP&A Act) and <i>State Environmental Planning Policy (SEPP) 55</i>. • SEPP 55 provides a state-wide planning approach to remediation of contaminated land by specifying when consent for remediation is required, what to consider and establishing remediation standards and notification requirements. • EPA aims to identify, assess and regulate significantly contaminated sites to ensure that they are remediated for re-use and redevelopment. • EPA developed and manages the Site Auditor scheme. <p>In response to questions Mr Gilligan advised that the EPA has been involved in preliminary discussions regarding proposed remediation of the former Gasworks at Hamilton North. An EIS is being prepared for the site and the standard of remediation required will depend on the proposed final land use.</p> <p>ACTION 3: EPA to circulate a PowerPoint presentation of Mr Gilligan’s overview of the regulatory framework for contaminated land management in NSW.</p>
<p>Item 8a</p>	<p>Discussion on the Future of NCCCE after November 2015 – review of NCCCE Terms of Reference</p> <p>Following a brief discussion it was agreed that the EPA would circulate the finalised and amended Terms of Reference (ToR) to the committee and prepare a letter to the Minister recommending continuation of the NCCCE and including an attachment of the NCCCE’s achievements. A draft is to be circulated to the committee for discussion at the 17 June 2015 meeting. It will be signed by the NCCCE Chair.</p> <p>ACTION 4: EPA to circulate draft amended NCCCE Terms of Reference ACTION 5: EPA to prepare and circulate a draft Ministerial briefing note (recommending continuation of the NCCCE and attaching the NCCCE’s achievements) for discussion at the 17/06/15 NCCCE meeting and signature by the Chair.</p>
<p>Item 8b</p>	<p>Improving communication with the wider community on environmental issues EPA noted feedback had been received from some committee members on the draft Communication Matrix.</p>

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<p>Item 8b (Cont)</p>	<p>ACTION 6: EPA to collate and circulate feedback on the NCCCE draft communication matrix for NCCCE to discuss at the 17/06/15 meeting.</p> <p>The Committee is eager to progress the priority actions that were identified in the NCCCE Planning Session held in January 2015 and subsequent meetings. A community “drop-in” day is considered a priority.</p> <p>ACTION 7: NCCCE to organise and schedule a community drop-in day for July 2015, at the next meeting on 17/06/15.</p>
<p>Item 9</p>	<p>Update on EPA Lower Hunter Air Quality Projects <u>Lower Hunter Particle Characterisation Study</u></p> <ul style="list-style-type: none"> • The final report will include case studies of samplings days that recorded elevated particle levels, including analyses of meteorological conditions. • The sampling period concluded in February 2015. Analysis is underway and the final report is due in early 2016. • The fourth and final progress report for the summer season was posted on the study website during the last week of April and is available for download. (http://www.environment.nsw.gov.au/resources/aqms/LHPCS-progress-report04.pdf). • OEH received NCCCE’s recommendation to provide results as soon as practicable. • EPA funding will continue the ANSTO PM_{2.5} air sampling program at Mayfield and Stockton, with six-month reporting. <p><u>Lake Macquarie-Wyong Air Quality Monthly Reports</u></p> <ul style="list-style-type: none"> • Final Reports have been received for September 2013 to December 2014. • The EPA is awaiting final reports for period up to June 2015. When these are received, all reports will be published together on a dedicated webpage. <p><u>Lower Hunter Dust Deposition Study</u></p> <ul style="list-style-type: none"> • Six months of data have been collected as planned. • The EPA is waiting for the March 2015 monitoring report to enable preparation of a six monthly progress report. <p><u>Environmental Service Orders</u></p> <ul style="list-style-type: none"> • EPA provided an update on the Environmental Service Orders (ESOs) that Orica is responsible for funding as a result of its prosecutions. The National Parks and Wildlife Service (NPWS) has offered to attend an NCCCE meeting and provide a presentation on ESOs managed by NPWS. <p>ACTION 8: EPA to circulate the Environmental Service Orders (ESOs) update via email to NCCCE Committee members</p> <p>ACTION 9: EPA to arrange a National Parks and Wildlife Service (NPWS) presentation to NCCCE on ESOs.</p>

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<p>Item 10</p>	<p>General Business</p> <p>The EPA noted an email from Mr Banyard with items to be raised during general business discussion. It was agreed the EPA would circulate the questions and the EPA's responses to committee members as soon as possible.</p> <p>ACTION 10: EPA to circulate questions and answers raised in general business to NCCCE Committee members</p> <p>In response to questions about BTEX in the media, Mr Gilligan advised that EPA's investigation into the presence of BTEX in AGL's coal seam gas flow back water has found it occurs naturally in the environment and there is no evidence of environmental harm or migration outside of the coal seam. From this investigation the EPA has determined there is room to strengthen AGL's environment protection licence and new conditions regarding the monitoring and reporting of BTEX chemicals are being added as a result.</p> <p>ACTION 11: EPA to circulate a link to the coal seam gas page on the EPA's website to the NCCCE</p> <p>Mr Tate noted being contacted by Mr Peter Burgess in regard to diesel emission testing technology for locomotives and advised him that it is not appropriate for the Committee Chair to provide support for particular businesses.</p> <p>The Chair deferred further discussion of general business to the next meeting, due to time constraints.</p> <p>The Chair thanked attendees for their participation.</p>
<p>Item 11</p>	<p>Next Meetings</p> <p>As per previous meeting minutes, future meetings are to include:</p> <ul style="list-style-type: none"> 17 Jun Planning NCCCE post-November 2015 (continued), 22 Jul Autumn Air Quality Report and Seasonal Analysis, 21 Oct Winter Air Quality Report and Seasonal Analysis.
<p>Meeting ended at 7.50 pm</p>	

ACTION ITEM LOG NCCCE MEETING NO. 36, 20 May 2015	DUE	RESP
ACTION 1: EPA to circulate a link to the National Pollution Inventory (NPI) website and seek input from the Committee to define the scope of a presentation to be delivered by the EPA to the NCCCE.	17/06/15	EPA
ACTION 2: EPA to provide a summary of diesel emission Pollution Reduction Programs (PRPs), including the number of PRPs and due dates, to the NCCCE.	17/06/15	EPA
ACTION 3: EPA to circulate a PowerPoint presentation of Mr Gilligan's overview of the regulatory framework for contaminated land management in NSW.	17/06/15	EPA
ACTION 4: EPA to circulate draft amended NCCCE Terms of Reference.	17/06/15	EPA
ACTION 5: EPA to prepare and circulate a draft Ministerial briefing note (recommending continuation of the NCCCE and attaching the NCCCE's achievements) for discussion at its next meeting and signature by the Chair.	17/06/15	EPA
ACTION 6: EPA to collate and circulate feedback on the NCCCE draft communication matrix for NCCCE to discuss at its next meeting.	17/06/15	EPA
ACTION 7: NCCCE to organise and schedule a community drop-in day for July 2015, at its next meeting.	17/06/15	EPA
ACTION 8: EPA to circulate the Environmental Service Orders (ESOs) update via email to NCCCE Committee members.	17/06/15	EPA
ACTION 9: EPA to arrange a National Parks and Wildlife Service (NPWS) presentation to NCCCE on implementation of Environmental Service Orders (ESOs).	17/06/15	EPA
ACTION 10: EPA to circulate questions and answers raised in general business to NCCCE Committee members.	17/06/15	EPA
ACTION 11: EPA to circulate a link to the coal seam gas page on the EPA's website to the NCCCE.	17/06/15	EPA