

## MEETING No. 8

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

#### MEETING MINUTES

**Date:** 9 May 2012                      **Time:** 5:30 pm

**File:** FIL11/10927

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

**In attendance:** John Tate (Chair); Zoe Rogers (Environment); Graham Woods (Industry); Nick Godfrey-Smith (Industry); Paul Thomas (Industry); Kate Johnson (Community); Adam Gilligan (Newcastle City Council)  
Environment Protection Authority (EPA): Mark Hartwell (Head Regional Operations) Jackie Teal (Regional Administration Officer), Leanne Graham (Project Officer)

**Apologies** Keith Craig (Community); Paul McBain (Minister's Nominee)

#### Meeting Record

Agenda Item	Meeting Details
<b>Item 1.</b>	<b>Welcome from the Chair</b> The Chair welcomed Committee Members and EPA staff.
<b>Item 2.</b>	<b>Apologies</b> Keith Craig (Community); Paul McBain (Minister's Nominee)
<b>Item 3</b>	<b>Minutes from Previous Meeting</b> Meeting Minutes No. 7 adopted as a true and accurate record.  Graham Woods clarified that the issue in Port Adelaide concerned the storage of calcium ammonium nitrate (CAN) rather than ammonium nitrate. CAN is not classified as a dangerous good for transport. Ammonium nitrate is not stored at Port Adelaide. (Refer to Minutes Meeting No.7, Item 8. General Business).
<b>Item 4</b>	<b>Actions Arising from Previous Meeting</b>  Action 1. The EPA prepared a Draft Project Plan, including a critical path and time frames for the establishment of an industry-funded local air quality monitoring network in the Newcastle local government area (Refer to Item 5 below).  Action 2. The Committee noted that, two days after the previous NCCCE meeting, the Minister for Planning and Infrastructure extended the exhibition period for the Port Waratah Coal Services (PWCS) T4 Project for two weeks.  Action 3. Nick Godfrey-Smith confirmed that he emailed to NCCCE members the PWCS T4 Project information brochure. The email included a link to the webpage for the T4 Project on the website of the Department of Planning and Infrastructure.

Agenda Item	Meeting Details
	<p>Action 4. No discussion</p> <p>Action 5. Adam Gilligan reported on the status of monitoring requirements for Pacific Carbon and provided a brief history of regulation of the premises by Council. AG advised that the Pacific Carbon website reports monitoring results. The briefing noted:</p> <ul style="list-style-type: none"> <li>• Pacific Carbon Pty Ltd has been operating at 240 Cormorant Road, Kooragang, since 2002.</li> <li>• Pacific Carbon is a coal devolatilisation plant, which takes special grades of coal and processes them in devolatilisation retorts to produce Char for the use in the steel manufacturing and alloy industries along with tar treatment for timber industries.</li> <li>• The activities at the premises were under the threshold for designated development and therefore did not require the preparation of an EIS. The activity is also under the threshold for licensing by EPA, so Council is the appropriate regulatory authority for both compliance with consent conditions and environmental matters.</li> <li>• A review of the summary reports submitted by Pacific Carbon from 2007 to 2011 showed that air monitoring results fell well within the maximum concentration levels as specified in regulatory standards.</li> <li>• Council has scheduled a joint inspection of the premises with the EPA. The inspection will investigate Pacific Carbon's operations and compare these against all relevant approved consent conditions and environmental legislation. The inspection is scheduled to take place in early June 2012.</li> </ul> <p><b>ACTION 1. Adam Gilligan to report back on a joint audit of Pacific Carbon by Council and the EPA, scheduled for June 2012.</b></p>
Item 5	<p><b>Presentation – Timeline for Newcastle Air Quality Monitoring Network</b></p> <p>Mark Hartwell presented the draft timeline, explaining the schedule of stages and critical tasks (Refer to <b>Attachment 1</b>). The timeline noted a proposed completion date of November 2013.</p> <p>MH explained that time delays in critical tasks may consequently create delays in the overall process and the commissioning date. MH also explained that the proposed timelines allowed for the incorporation of the conclusions from the EPA assessment report.</p> <p>The Committee discussed the process, including opportunities for stakeholder input, funding options, operational responsibility.</p> <p>The Chair noted the important role of the NCCCE as a focal point for stakeholder feedback on the development of the network and encouraged members to inform their respective interest groups of the progress of the network development. The EPA requested that the NCCCE members encourage their respective interest groups to forward feedback to the Committee for discussion, via the NCCCE website's feedback facility.</p>

Agenda Item	Meeting Details
	<p>Committee requested clarification of the status of the upgrade to the Orica monitoring site at Stockton.</p> <p>The Committee resolved to accept the briefing.</p> <p><b>ACTION 2: EPA to report on the operational status of Orica’s air quality monitoring site at Stockton, including the commissioning date.</b></p> <p><b>ACTION 3: EPA to provide regular updates to NCCCE on progress towards the development of the Newcastle local air quality monitoring network.</b></p>
<p><b>Item 6</b></p>	<p><b>Safe Storage of Ammonium Nitrate</b></p> <p>Mark Hartwell explained that the storage of ammonium nitrate is regulated through EPA licensing of industrial premises and the consents of other regulatory authorities.</p> <p>The briefing noted that:</p> <ol style="list-style-type: none"> <li>1. WorkCover regulates the safety of storage on premises in NSW.</li> <li>2. The EPA regulates the storage of ammonium nitrate (over 2000 tonnes) on industrial premises by issuing Environment Protection Licences (EPL) under the <i>Protection of the Environment Operations Act 1997</i> (POEO Act).</li> <li>3. The Newcastle Port Corporation holds an EPL for loading and unloading of bulk materials, such as ammonium nitrate, at the shipping berth. The EPL does not cover the vessel, only the berth and loading/unloading.</li> <li>4. The Australian Maritime Safety Authority (AMSA) regulates shipping in Australian waters.</li> <li>5. Newcastle Port Corporation is the control authority and also the combat agency for the port.</li> <li>6. The land transport of ammonium nitrate is regulated by the Australian Dangerous Goods Code (ADG7) which provides consistent technical requirements for the land transport of dangerous goods across Australia.</li> <li>7. In NSW, WorkCover manages the ADG7 requirements for premises-based activities, such as storage, loading/ unloading, packaging, approvals, labelling and classification.</li> </ol> <p>The Committee enquired about interagency co-operation in the handling of ammonium nitrate. It was noted that the NSW Department of Planning and Infrastructure (DPI) includes specialists in the management of major hazard facilities, who consider relevant risks in premises classified as major hazard facilities, including those which store ammonium nitrate. DPI considers hazard risk as part of its assessment of project proposals.</p> <p>The Committee resolved to accept the briefing.</p>

Agenda Item	Meeting Details
<b>Item 7</b>	<b>Committee Workplan</b>
7.1	<p><b>7.1 Environmental concerns with existing industries</b></p> <p>Kate Johnson conveyed concerns on behalf of Keith Craig regarding Pacific Carbon and the storage and transport of ammonium nitrate.</p> <p>The Chair noted that Agenda Items 4 and 6 (above) addressed KC's concerns.</p>
7.2	<p><b>7.2 Environmental concerns with proposed industries</b></p> <p><b>Port Waratah Coal Service's (PWCS) proposed fourth coal export terminal in Newcastle (T4 Project)</b></p> <p>Zoe Rogers outlined the main points in submissions to the Department of Planning and Infrastructure from concerned medical professionals (Doctors for the Environment) and academics (University of Newcastle). The submissions detailed environmental and health concerns regarding the impacts of the T4 project.</p> <p><b>ACTION 4: Zoe Rogers to provide NCCCE with a detailed summary of the environmental and health concerns presented in submissions to the Department Planning and Infrastructure, regarding the PWCS proposed T4 Project.</b></p>
7.3	<p><b>7.3 Environmental planning matters</b></p> <p>Kate Johnson expressed concern about planning regulations which fail to regulate the storage of potentially explosive ammonium nitrate on ships.</p> <p>KJ also reported the concerns of the Stockton Community Action Group (SCAG), regarding the effectiveness of the authorities which manage the following issues in the area of the port and Kooragang Island:</p> <ul style="list-style-type: none"> <li>• Regulation of the range of industrial activities in order to protect the environment and human health.</li> <li>• Overall coordination of the various authorities responsible for planning, development and approval, regulation and environmental management.</li> <li>• Consideration of cumulative impacts on the environment and human health.</li> </ul> <p>The Committee discussed options for informed community discussion of the issues and identified the need to improve communication between technical and non-technical stakeholders, elected representatives, and the wider community.</p> <p>The Committee resolved to explore these issues further, via the second Community Forum, scheduled for 21 June 2012.</p>

Agenda Item	Meeting Details
7.4	<p><b>7.4 Environmental management issues, including health impacts</b></p> <p>No further discussion.</p>
7.5	<p><b>7.5 Environmental monitoring and regulation</b></p> <p>The Committee discussed plans for the second Community Forum, scheduled for 21 June 2012, to focus on aspects of the environmental regulation of industry and raising community awareness.</p> <p>Jackie Teal confirmed that the EPA would cover the cost of the venue, catering, advertising in the Newcastle Herald, and assistance in securing speakers.</p> <p><b>ACTION 5: NCCCE Subcommittee to draft a community flyer for the Community Forum, planned for 21 June 2012, for review by NCCCE and EPA.</b></p>
Item 8	<p><b>General Business</b></p> <p><b>Committee Procedures</b></p> <p>The Chair referred the Committee to the draft <i>Committee Procedures</i> document. The Chair specifically referred the Committee to procedures for forwarding agenda items to the EPA as secretariat for the Chair's consideration.</p> <p>Adam Gilligan noted that the document, included in the NCCCE members' information pack, had not been discussed formally within meeting times, to date.</p> <p><b>ACTION 6: Committee to review the draft <i>Committee Procedures</i> document with a view to adoption.</b></p> <p><b>Invitation to the Minister for the Environment, Hon Robyn Parker, MP</b></p> <p>The Chair recommended that the Committee extend an invitation to the Minister to attend a meeting of the NCCCE.</p> <p><b>ACTION 7: The NCCCE invite the Minister for the Environment, Hon Robyn Parker, MP to attend a meeting of the NCCCE.</b></p>
Item 9	<p><b>Next Meeting</b></p> <p><b>Date:</b> Wednesday 13 June 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 19:35</b></p>	

## SUMMARY OF ACTIONS

Action Item Reference	Action Item Description	Due Date	Responsibility
<b>ACTION 1</b>	Adam Gilligan to report back on a joint audit of Pacific Carbon by Council and the EPA, scheduled for June 2012.	13 June	AG
<b>ACTION 2</b>	EPA to report on the operational status of Orica's air quality monitoring site at Stockton, including the commissioning date.	13 June	MH
<b>ACTION 3</b>	EPA to provide regular updates to NCCCE on progress towards the development of the Newcastle local air quality monitoring network	NCCCE Meetings	EPA
<b>ACTION 4</b>	Zoe Rogers to provide NCCCE with a summary of the environmental and health concerns of medical professionals and academics, as presented in submissions to the Department Planning and Infrastructure regarding the PWCS proposed T4 Project.	ASAP	ZR
<b>ACTION 5</b>	NCCCE Subcommittee to draft a community flyer for the Community Forum, planned for 21 June 2012, for review by NCCCE and EPA.	ASAP	NCCCE Subcommittee
<b>ACTION 6</b>	Committee to review the draft <i>Committee Procedures</i> document with a view to adoption.	12 June	NCCCE
<b>ACTION 7</b>	The NCCCE invite the Minister for the Environment, Hon Robyn Parker, MP to attend a meeting of the NCCCE.	ASAP	EPA to draft invitation on behalf of Chair