

Meeting notes: Brooklyn Community Reference Group Dust Meeting

5:30 – 8:30pm, 16 September 2009

Brooklyn Community Centre, Cypress Avenue Brooklyn

Chair: Jen Lilburn

Attendees

Adrian Masterman-Smith	Altona North Resident	Marc Hewitt	Sims Metal Management
Bert Boere	BRAG	Mark Globan	Sita
Bill Cole	Resident	Michael Raffoul (Cr)	Hobsons Bay CC
Brian Long	BRAG	Nadia Verga	TWM Landfills
Bruce Light	On The Nose	Neale House	Swift Australia
Carey Patterson	Brimbank City Council	Noel Ryan	Huntsman Chemical
Cath Williams	Yooralla	Richard Wheeler	TWM Landfills
Craig Palmer	Australian Tallow	Rohan Barron	City West Water
Geoff Mitchelmore	Altona North Resident	Sue O'Halloran	CMI Forge
George Smetona	Altona North Resident	Tom Buxton	Recovery & Recycling Industries Pty Ltd
Greg Hughes	Sims Metal Management		
James Fraser	On The Nose	Dan Schmidt	EPA
Jen Lilburn	BCRG Chair	Susan Walkerden	Resident
Kate McAuliffe	Aust Tallow Producers	Rhys Anderson	EPA
Kerry Murphy	EPA Victoria	Jan Cole	Resident
Laurie Bell	BRAG/Brooklyn Ratepayers	Kevin Annia	Swift Australia
		Anthony ___?	
Liz Franzmann			
Lowen Clarke	Altona North Resident		

Apologies

Cr Tony Atanasovski – Brimbank City Council
 Cr Michael Clarke – Maribyrnong City Council
 Cr Peter Hemphill – Hobsons Bay City Council
 Foti Beratis – Maribyrnong City Council
 Gilbert Martin – Brooklyn Ratepayers Committee
 Gary Chalmers – Chalmers Container Yards
 Gary Hobbs – Hanson Construction Materials
 Helen McCullough – Yooralla
 Herb Horrell – Brimbank City Council
 Malcolm Ramsay – Hobsons Bay City Council
 Marie Long – BRAG
 Matt Vincent - EPA
 Michael O'Keefe – Sita
 Nick Morgan – Cargill

BROOKLYN COMMUNITY REFERENCE GROUP

DUST SUB-GROUP MEETING

Date: 16 September 2009

Time: 5:30 – 8:30pm

Where: Brooklyn Community Centre, Cypress Avenue Brooklyn

AGENDA

Meeting Purpose:

- To inform community members on dust issues
- To provide opportunities for feedback and discussion about dust issues
- To progress actions relating to dust

5:30	1. Informal Industry Information Session (emphasis on dust) (industries stationed around the room)
6:15	2. Australian Tallow Producers
6:30	3 Welcome, apologies Confirm meeting purpose and agenda Confirm last meeting's minutes Introductions
6:40	4. Update on EPA dust monitoring program (Kerry Murphy, Manager Community and Stakeholder Engagement, EPA)
6:50	5. Building knowledge and capacity: Dust (Kerry Murphy, Manager Community and Stakeholder Engagement, EPA)
7:05	6. Update on Mayors/MPs/EPA Forum
7:20	7. Brimbank Industrial Land Use Strategy: Update (Carey Patterson, Manager Building Services, Brimbank City Council)
7:40	8. Progress of priority actions: tbc
8:00	9. For consideration: Where to for BCRG: some suggestions by EPA for discussion Format for next meeting Recognition of good performance
8:30	10. Close

Refer to Rolling Action List for a full description of actions.

Please note that the minutes from this meeting will be posted on EPA Victoria's website and will be available to the general public. Meeting participants should advise Jen Lilburn if they would like their name removed from the public minutes.

BCRG 15 July 2009 DRAFT Odour Meeting Notes

Meeting notes to be read in conjunction with rolling action list.

Item 1. Informal Industry Information Sessions

Another opportunity for discussion and learning involving volunteer industries was undertaken: SIMS Metal Management, TPI (TWM Landfills) Recovery & Recycling Industries and SITA stationed themselves around the room for small group discussions and information exchange with community members. City West Water also provided information on their activities relevant to the group.

Around a dozen community members took part, with residents and the Chair recognising and commending the willingness of participating industries to make themselves available for this activity.

Item 2. Australian Tallow Producers

Representatives from Australian Tallow (Environmental Officer, Kate McAuliffe and Craig Palmer, CEO) apologised for the recent fire and subsequent odour incident at the company site. Kate explained that the company was implementing internal procedures and continuing to work with the EPA to develop better odour management procedures. Plans to ensure that odours are managed include:

- Testing the efficiency of the existing Biofilter
- Getting the new northern Biofilter operational as a matter of urgency
- Improving the ventilation in the existing processing area (which is part of the current plant upgrade)
- Developing an Environmental Management System, to ensure all key environmental issues are adequately managed
- Development of an Environmental Improvement Plan to summarise key actions and ensure continual improvement in performance.

Community members were given an opportunity to raise questions and concerns. Questions included:

1. What processes have been put in place for an immediate shutdown if another incident occurs at the site? Depends on the incident. If it is a major incident, staff have been instructed to immediately call Craig or Kate's mobile for instructions on how to address the incident to avoid creating further problems.
2. Does the company have a process for identifying the source of odours? Craig responded that Australian Tallow would check their own site and processes when alerted of an odour complaint. Action to identify odour sources beyond this was not within the resources of the company.
3. What are the company hours of operation and is there a different odour management process at night (odours seem worse at night)? There is one process for odour management applied consistently throughout company operating hours (24 hours). Also, air extraction to the biofilters has been increased throughout operating hours.
4. Are some materials accepted by the company worse than others? Materials are received in large container loads. Sometimes rotten meats are received in the bottom of the trailer loads which are difficult to separate and dispose of. The company makes every effort to dispose of these odour sources appropriately.

Item 3. Welcome

Jen Lilburn, Chair BCRG officially welcomed all present. Meeting participants quickly introduced themselves.

Jen advised the agenda would be a slightly changed to allow for a brief update regarding the imminent closure of the Huntsman Chemicals plant.

Noel Ryan (Huntsman Chemicals) outlined the steps for closing the West Footscray site (by early 2010) and returning the land to a productive site:

- shutdown and removal of chemicals
- machinery demolished and removed
- ongoing cleanup of the site to remove a range of contaminant chemicals

Noel stated any community members with concerns or questions were welcome to contact him through Jen to discuss. Residents expressed thanks to the company for keeping the group informed about the closure.

The minutes from the 15 July odour meeting were confirmed.

Dan Schmidt introduced himself as EPA's new Pollution Response Manager and confirmed a commitment to understanding and addressing the group's concerns.

Item 4. Update on the EPA dust monitoring program

Kerry Murphy, EPA Manager Community and Stakeholder Engagement, and Dave Gooding, EPA Air Scientist, outlined a new 10 month scientific dust monitoring program to be commenced in the area in September, 2009. (See attached presentation and information bulletin – attachments 1 & 2)

Dave explained the primary purpose of the monitoring program was to establish whether air in the area was safe to breathe. A secondary aim was to measure the levels of 'nuisance' dust (larger than 10microns) at a suburb level. Dave highlighted that the monitoring equipment would not be able to identify the dust content or individual sources of nuisance dust. Community members were given an opportunity to ask questions including:

1. What happens if the dust exceeds acceptable levels for human health? The EPA was formulating a plan of response should the data proved this to be the case.
2. Do residents have to wait till the end of the program to find out results – this is too long to wait? Dave explained that data was assessed in real time so there would only be a 6-8 week wait to get a valid dataset.
3. How will results be communicated to the community and what will be done? Rhys Anderson suggested that the data could be published online. Kerry stated that any EPA actions would have to be in response to monitoring results.
4. What about the dust you can already see coming from the unsealed roads and container yards? The monitoring program is only about measuring air quality at a suburb level (Brooklyn and Yarraville).

Kerry highlighted that the program was just one action being undertaken by the EPA in response to this issue. She also suggested the establishment of the monitoring program would result in companies being more likely to actively enforce their own internal dust management processes.

Action 3.12 : Kerry to investigate publishing data from the dust monitoring program via the EPA website and communicate back to the group via Jen before the next meeting.

Item 5. Building knowledge and capacity: Dust

Kerry Murphy presented an overview of the provisions governing dust under the EPA Act (s. 40 and s. 41). (See attached presentation and information bulletin – attachments 1 & 3). She observed that the legislation process was slow and cumbersome, suggesting that agreed community and industry outcomes would lead to quicker results. She then took questions from the floor:

1. Is it possible to place the monitoring machines on the boundaries of suspect sites after the 10 month program has been completed? Yes, but the approach will be governed by the findings from the monitoring program.
2. What are the limits on nuisance dust? Apart from internal industry management processes council permits can impose a 7 metre limit on the size of stockpiles. Carey Patterson (Brimbank City Council) noted that some industries have existing use rights placing them beyond council permit control.
3. Are there similar dust issues elsewhere in Victoria? Dave responded that dust issues were affecting other areas on the fringes of Melbourne and were a rising concern in other states such as South Australia.
4. What was the material in the mound near the quarry? James Fraser responded that the mound was a stockpile of gypsum that would soon be under Tom Buxton's control. James stated that Tom would be addressing dust issues regarding the pile in coming months.
5. Are EPA's client managers addressing rising issues in the Altona area?
Subsequent note: This question will not be answered as it is not clear, and no one in the December meeting could provide clarity or context.
6. What about the container yards and unsealed roads around Chalmers? Jen Lilburn read out an email response from Chalmers stating that the company was in the process of laying a significant area of concrete in response to community dust concerns.

Action 2.13: Carey Patterson to check on City Circle stockpiles and report back to the group at the November meeting.

Item 6. Update on the Mayors/MPs/EPA Forum

As no members of the forum were present, Kerry Murphy relayed updated the group on progress of the meetings:

- The forum has not met since the last BCRG meeting
- Next meeting to be held in early October 2009
- General feeling from forum members that things are moving and more effort could be focussed on recognising industry for positive steps to address issues

A question was raised about the recent sacking of Brimbank City Council – how would this impact on the effectiveness of the Forum? Another resident suggested the incoming council Administrator be informed of the Forum and invited to participate as an interim representative for Brimbank.

Action 2.14: Carey to speak to the Administrator about the potential for involvement in the Forum

Item 7. Brimbank Industrial Land Use Strategy: Update

Carey Patterson updated the group on the current status of the strategy:

- The sacking of Brimbank City Council is not envisaged to affect the progress of the strategy's development
- A number of council staff changes had occurred which had slowed progress on the strategy but the draft report was now in the process of being compiled by the external consultant
- The draft strategy due to be published late October 2009 and will be presented at the November BCRG meeting.
- Given that the number of councils affected by the strategy there may be a need for State and/or Federal Government involvement to execute strategy recommendations
- The strategy will not analyse individual property usage
- The strategy will not be an appropriate mechanism for analysing and enforcing permit conditions on dust, odour and noise issues
- Industrial use will continue under the strategy (but perhaps scope to shift the type of industrial use away from problematic industries to more general industrial uses) and will be directed by the strategy rather than under the Brimbank Planning Scheme.

Action 2.15: Jen to follow up with Carey on council processes for enforcing permit conditions and report back to the group

Item 8. Progress of Priority Actions

Jen noted that many of the priority actions that had been indicated by BCRG participants had been addressed earlier in the agenda.

Additional actions which had been raised included:

- Need for a more detailed report from Councils re progress: Jen suggested the group refer to the Carey's detailed update on Action 2.1 documented in the rolling action list.
- Enforceable Undertakings: Rhys Anderson updated the group that there was currently one EU in progress but not relating to the Brooklyn area. He explained the difference between an EU and traditional fines/penalties – an EU is essentially a court order for an industry to carry out a specified task by a defined date, if the industry fails to do so a penalty would then be imposed.

Item 9. For consideration

Kerry Murphy led a presentation on suggested changes to the structure and function of the BCRG to enable more tangible results. She outlined her observations of the group, a number of suggested solutions and an alternative model to improve on information and communication functions (see attachment 4). The model detailed a mix of group meetings to serve more specific functions such as:

- Residents Forum – larger, drop in style format
- Industry network – encouraging sharing of best practice information
- Strategy Group – smaller, focussed on specific tasks
- Patrons group – e.g. MPs using influence at a bigger picture level and to publicly reward positive industry changes

Kerry sought input and questions and led a general discussion about the proposal with the group. Comments from residents included:

- we need to see heads of all councils meeting on these issues and more good news stories
- changing to the proposed model may produce disconnected/disenfranchised groups
- the current format is good but there is potential to deliver more good and bad news stories (name and shame?)
- forum is good but we need to get more industries around the table
- maybe change the format further down the track e.g. after the dust monitoring report results have been delivered
- group is quite representative we just need support to become more strategic
- actions are getting lost, good to have larger but we need smaller forums to get things done

The group agreed to maintain the current format for the next meeting in November.

Kerry posed a question to industry – how can we work with industry to place pressure on their peers? Neale House stated Swift would not want to tell peers how to manage their operations. However his company was involved in industry associations and would be willing to direct other industries to best practice support and resources available through these associations.

Kerry ended the discussion asking industry representatives to think about the type of forum they would like to specifically address industry concerns.

Mark Globan informed the group that SITA was in the process of appointing a community engagement officer for their Victorian operations. Mark suggested SITA would be happy to lead a forum just on issues surrounding SITA's operations. Marc Hewitt, Sims Metal Management, affirmed that a forum hearing from other industries was useful to gain information and ideas to take back and influence change in his own company.

A number of additional questions by community members were captured during this discussion (for later response):

1. What about funding industries to make necessary changes?
2. Can council force industries to stockpile and process materials under cover?
3. If air quality is found to be ok for health, what happens then?

Meeting closed at 8.40pm

Notes taken and written by Liz Franzmann and reviewed by Jennifer Lilburn