

# New Chum Community Reference Group

## Meeting Minutes

**Title:** New Chum Community Reference Group

**Date:** Monday 19 May 2014

**Time:** 6.00 – 8.00 pm

**Facilitator:** Dr. Georgina Davis

**Venue:** Ipswich City Council Administration Building, 50 South Street, Ipswich

## In Attendance

### Attendance

Georgina Davis – Independent Facilitator	Duchense Broad – Riverview Community	Ben Sawley – General Manager, TPI
Jo Pocock – Development Planning Manager, ICC	Jim Dodrill – President, IRATE	Paul Tutin – Member, IRATE
Scott Blanchard – Regional Manager, DEHP	Bob Crotty – Operational Manager for New Chum, TPI (Transitioning)	Olga Ghiri, Stakeholder and Community Liaison Officer, TPI
Eric LeProvost – Interim TPI Operations Manager for New Chum	Doug Hughes – State Manager, TPI	

### Apologies

Neil Randall – Principal, Riverview State School	Bruce Morton, Manager Environmental Health, WMHHS	Diarmuid O’Riordan – Principal, St Peter Claver College
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## Notes & Actions

Item	Minutes	Action/Decision
1. Welcome	<p>BS provided an introduction to the new TPI State Manager, Doug Hughes.</p> <p>Discussion followed on the handover from Bob Crotty, (current Operations Manager) to interim site Operations Manager Eric LeProvost.</p>	<p>BS to advise the Group of the recruitment outcomes &amp; name of the new manager when available.</p>

	BS confirmed that TPI were currently seeking a permanent replacement for the role and would advise the Group when the new appointment is made.	
<b>2. Review of Minutes</b>	<p>Chair went through the action items from the minutes from Monday 10 February 2013. It was noted by the Chair that the 'TCLP testing methodology was still required for upload to the web page'.</p> <p>BC confirmed that he had sought further advice and meetings with QFS and that the local Inspector had not returned his calls. However, TPI was pursuing the implementation of their Fire Management Plan on site, including 'out of hours' access to information about the waste contained in the Cells, call lists and contacts.</p> <p>ELP noted that MSDS sheets alone add little value to 'firefighting activities' as the waste (by its nature) is heterogeneous but that notes have been prepared on the generic characteristics of the C&amp;I and C&amp;D waste accepted, and also on any specialised wastes.</p> <p>BS confirmed the status of the insurances held by TPI for the site. These included cover for environmental impairment and liabilities including, but not limited to on-site and off-site clean-up, property damage and injury. However, BS could not provide information pertaining to the value of these policies/indemnities for commercial reasons.</p> <p>BS discussed the withdrawal of 3735/2010/MCU [Development Application for Development Permit for Material Change of Use for Special Industry and Service/Trades Use (Extension to Landfill Activities), and Material Change of Use for Environmentally Relevant Activities 60(1d) over land located at Lot 268 Chum Street &amp; 20 Rhondda Road, New Chum (described as Lots 268 &amp; 227 on SP103913)] on 24 March 2014. This had been a difficult decision by the Company who could have pursued the application but chose not to due to community concerns.</p> <p>JD noted that the email reply address from the Chair was no longer attached to 'sent emails', making it difficult to respond.</p> <p>Minutes were confirmed.</p>	<p>Chair to chase TCLP methodology for web page.</p> <p>BC/ELP to continue to liaise with QFS regarding a response to their air monitoring protocols during a fire.</p> <p>Chair to add the Agenda and confirmed Minutes from 10 February 2014 to the web page.</p> <p>Chair to investigate and reinstate the 'reply-to' field on emails.</p>
<b>3. Correspondence to Chair</b>	<p>The Chair tabled two letters received from IRATE</p> <ol style="list-style-type: none"> <li>1. Request for a Formation of a Sub-Group, dated 21 February</li> <li>2. TPI New Chum CRG Meeting Protocols, dated 21 February</li> </ol> <p>With regards to Letter 1 – the formation of a Sub-Group was discussed. JP and SB highlighted concerns that this process required further voluntary commitment from the Administering</p>	<p>Chair to ensure that the Agenda for any special meetings/sub-group meetings clearly states if attendance is</p>

	<p>Authorities which is limited due to commitments to other facilities and Community Reference Groups. SB specified that EHP must give equal consideration to all sites and facilities.</p> <p>Discussions highlighted the importance of seeking closure to the outstanding items/queries, many of which are more technical and the value in doing this outside the regular Group meeting process is so as not to take time away from the high-level discussion items. JD also noted that not all members of the current Group had a specific interest in these technical matters.</p> <p>DB queried why the request had indicated that only the attendance of one member from the community (outside IRATE's participation) was specified. Clarity was provided that any other members of the Group or any other suitably interested community member identified by the Group were welcome to attend. DB identified an additional member of the community who could provide review and comment on the items identified in Letter 1. The Group decided to pursue a sub-committee meeting to seek closure to the outstanding technical queries on 10 June 2014. At this stage only this single meeting of the sub-group is envisioned. PT noted that some of the questions in Letter 1 are no longer current given the withdrawal of 3735/2010/MCU (the putrescible application).</p> <p>JD noted that to date, insufficient feedback had been provided to many of the questions posed at these meetings. An example was provided with regards to the aerial survey of the facility undertaken in January 2014. Additionally, the limitations of the Golders report have not been articulated or actioned. Given the agreement of a sub-committee meeting on 10 June, the outstanding and relevant items in Letter 1 were carried over to that meeting.</p> <p>JD raised a question with regards to a recent Right to Information (RTI) request made by IRATE with regards to New Chum and if TPI could block, or if BS was aware of TPI blocking the outcomes from that RTI?</p> <p>BS noted that the requester of an RTI is never identified and therefore is unaware of who may be seeking an RTI, and could only clarify that TPI lawyers utilise a standard approach where only commercially sensitive data can be kept confidential under the regulation but that there is some debate around 'commercially sensitive'. SB clarified that under RTI, the applicant is unknown and that an application cannot simply be blocked or ignored.</p> <p>With regards to Letter 2 – the Chair confirmed that a 'confirmation of minutes' action would be added to all agendas but that it was imperative that all members of the Group speak out if there is a point of clarity or outstanding matter as the minutes and action items are addressed in the meeting.</p> <p>With regards to read receipts on emails, the Chair noted that their</p>	<p>required by the Administering Authorities and with clear linkage to the specific Agenda items.</p> <p>Chair to finalise and distribute an Agenda for a sub-committee meeting on 10 June.</p> <p>PT/JD to provide an updated list of outstanding items to the Chair for discussion on 10 June.</p> <p>Chair to contact the community member (as identified by DB) regarding their possible attendance at the sub-committee meeting on 10 June.</p> <p>Confirmation of minutes action to be added to the Agenda.</p> <p>Chair to add a 'read receipt' function on all emails sent to the Group.</p> <p>Chair to distribute a copy of the current Terms of Reference clearly marked with</p>
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	<p>use is limited as individual recipients may choose not to send a 'read receipt'.</p> <p>The Chair provided advice that information once posted to the internet exists perpetuity and by adding the documentation to the web site; all interested parties may download those documents for their own records. The Chair asked JD to provide further clarification on this point in terms of a preferred approach to data storage of the New Chum Community Reference Group documents, perhaps mirroring the current approach used for IRATE's web-site?</p> <p>With regards to the attendance of Leanne Burleigh on 16 October the Chair confirmed that she had provided permission for Leanne to attend. The Chair also noted that Robert Kijak (on 10 December 2013) and Dr Kari Jarvinen (on 10 February 2014) had also attended Group meetings with the Chair's permission. All three individuals were not permanent members of the Group but that their experience and input has been valuable. In particular, Leanne and her equivalent at St Peter Claver College may provide valuable input into the development of curriculum opportunities as the on-site educational facilities progress.</p> <p>The Chair further noted that the inclusion of Guests to participate in Group meetings required clarification in the Terms of Reference.</p> <p>Letter 2 further sought clarification to the Term of Reference with regards to the 'Quorum'.</p> <p>The Chair presented (on screen) a copy of the Terms of Reference which outlined some minor changes as suggested in Letter 2 and to meet actual operating conditions of the Group.</p>	<p>'Tracked Changes' to the Group for discussion/agreement at the next Meeting.</p>
<p><b>4. Site Open Day 31 May 2014</b></p>	<p>OG provided an overview of the proposed Open Day activities for 31 May, including provision of a bus for guided tours and the Rotary Club to provide an onsite BBQ.</p> <p>OG outlined the advertisement processes for the Open Day, including personal invitations, mail-outs to the local schools for inclusion into their newsletters and advertisements in the local papers.</p> <p>DB noted that the New Chum area falls outside the current distribution of the local newspapers. DB offered to advertise the event at the forthcoming Neighbourhood Watch meeting. DB provided her contact details directly to OG.</p> <p>A site-specific newsletter will be distributed on the day. The Group also suggested the utilisation of local radio station 94.9 for advertising the Open Day.</p> <p>TPI personnel, including OG and BS, will be available on the day</p>	<p>OG to forward advertisement and Open Day invitation to DB for the Neighbourhood Watch meeting and to follow-up with Riverview State School.</p> <p>OG to investigate opportunities with the local radio station.</p>

	<p>to answer questions. Confirmation was provided to EHP that the invitation to the Open Day was seeking attendance in a 'non-professional capacity'.</p> <p>The on-site 'information/education hut' will also be manned for the Open Day. PT asked if this facility (the information hut) would be available for other opportunities for the general public and local residents to visit. OG clarified that it is TPIs aim to have this facility available longer-term for events, particularly for school visits and other open days but it would be at the discretion of having the available staff. PT clarified that a 'upon request' or 'by appointment' opportunity would be of great benefit.</p> <p>DB further stated that this would be useful also from TPIs perspective and highlighted a current odour issue in the area which is being incorrectly attributed to the landfill. The current change on weather and low cloud cover is resulting in a notable temperature inversion. The odour may be from a local fertiliser manufacturer but many of the community are only aware of the landfill facility and therefore believe that this is the source of the odour.</p> <p>BS clarified that the landfill is not taking any putrescible wastes and nothing with the odour being described, which is currently negatively impacting the amenity of the area. EHP and ICC are investigating the source of the odour.</p>	
<b>5. Community Fund</b>	<p>BS provided an overview of several Community Fund Models including the model utilised by Veolia at Swanbank and by TPI sites across Australia and New Zealand. BS stated a preference for a model operated in New Zealand by TPI which utilised a Trust Fund (to be set up specifically for the New Chum Community) with an annual payment to be made directly by TPI into that Trust. The Trustees in Auckland were comprised of both the community and senior TPI personnel. These Trustees were voted in annually with nominations being decided by the community group.</p> <p>The terms of the fund would need to be developed and agreed. In particular with regards to the target area for the fund and its proximity to the facility – the area would need to be defined using the natural boundaries (such as the highway) associated with the site where available. Also rules for a transparent decision making process for assessment of applications and subsequent allocation of funds would need development.</p> <p>TPI would make an annual payment of \$50,000 regardless of the balance of the Trust. The first payment has been committed for July 2014.</p> <p>The money could only be disbursed under the terms of the fund and would have to deliver 'community benefit'. This could include school programs, community activities, youth facilities etc. OG discussed an example from Melbourne where a TPI fund had</p>	<p>TPI Legal Dept to formulate a draft agreement for the Group to discuss at the next Group meeting.</p>

	<p>assisted local schools to build music programs, including the purchase of musical instruments.</p> <p>The Group confirmed that the New Chum area has three State Schools, 1 Local School and a number of community centres. Any determination of 'area' must take consideration of these facilities. BS clarified that the Community Fund is independent of the commitment made by TPI to the Greening Australia program and other revegetation projects.</p> <p>JP and SB confirmed that these discussions would be outside the scope of their role within the Group and therefore requested not to be included in the distribution of correspondence and meetings to discuss the Community Fund.</p>	
<b>6. Other Business</b>	<p>The following five questions were provided for answer/comment:</p> <ol style="list-style-type: none"> <li>1. What is the current height of the landfill? and</li> <li>2. If the current height exceeds the maximum height of 70 metres AHD permitted under Town Planning Consent 192/98, what is being done to remedy the breach of Condition 35?</li> </ol> <p>BS confirmed that the current maximum height of the landform had been filled within the approved height of the 1998 Consent. JP further confirmed that she had reviewed the results of the aerial survey.</p> <p>BS stated that the final landform in the 1998 Consent was not appropriate – it did not meet best practice engineering for landfill capping and that TPI was considering a phytocap which would permit the landform to be revegetated with trees and native plants (rather than simply grasses).</p> <p>3. Given that MCU3735/10 has been withdrawn, we assume TPI will require Operational Works approvals to construct and operate in Cells 3 &amp; 4. Are there plans to submit OW applications for Cells 3 and 4? What is the current operational status of Cells 3 and 4?</p> <p>BS confirmed that there will be Operational Works Applications for Cells 3 and 4 but that those Cells are not planned at present as Cell 5 still has operational capacity for approximately three years at current fill rates.</p> <p>JP noted that approvals have limited validity and, as such, it would not be advisable to make an application at this stage. JD queried if there were any approved earthworks in Cells 3 and 4 as it appears that there is activity within that area.</p> <p>BS confirmed that earthworks were only occurring in Cell 5 but some storage and access may 'spill over'.</p> <p>JD questioned ICC if they were aware of the nature of the earthworks.</p> <p>JP confirmed that ICC had recently conducted a compliance</p>	<p>BS to present TPIs final landform preferences at the sub-committee meeting on 10 June.</p> <p>JP to confirm outcome of the ICC compliance audit with regards to earthworks in Cell 3 and 4</p> <p><u>Completed</u> - JP has confirmed that with regards to earthworks in Cells 3 and 4, the approved</p>



	<p>inspection of the site which included the earthworks but that she was unable to comment as she cannot be involved in the audit process directly so to maintain independence in her role in the New Chum Community Reference Group and as assessment officer.</p> <p>BS confirmed that no concerns had been raised with TPI during or subsequently to the ICC audit.</p> <p>ELP confirmed that the earthworks team on site are highly experienced and would be working to the approved plans.</p> <p>4. Stage 5 of Cell 5 was approved in August 2013. When does TPI expect to completely fill this cell to its maximum approved height of 70 metres AHD?</p> <p>BS confirmed that this was expected to take not more than five years.</p> <p>5. Given the max. height of 70 metres and the tonnage per annum (&gt;200,000tpa), what is TPI's revised closure date for the landfill?</p> <p>The closure date for the landfill facility is expected to be under 15 years at present fill rates and based on the current approved final landform. The facility did accept lower volumes this financial year over last year (under 700,000 tonnes).</p> <p>JD asked TPI to confirm if it had specific plans for operational use of the facility upon its closure?</p> <p>JP clarified that any operational works or use on site would require a MCU / planning application to be made (subject to the nature of the activity). She also confirmed that the area is zoned for future industry and falls within the current Enterprise Zone. SB further commented that some waste companies do try to value-add so to maximise input and limit impacts and infrastructure costs. This may include operations to rehabilitate the site.</p> <p>BS stated there are no plans at this stage for the site other than the remediation and maintenance as a grassed and treed open space. Whilst these considerations are early in the process, these opportunities must be considered now as it will impact the final landform design and gradient.</p> <p>JP noted that these requirements are part of the progressive rehabilitation of the site and maintains the general intent of the approval, further reminding the Group that the approval is attached to the land and not the operator.</p> <p>JD sought verification from TPI if the facility was currently accepting asbestos. ELP confirmed that the facility had not accepted asbestos since December 2013 given the current Cell</p>	<p>Concept Design Report which forms part of the operational works approval for Cell 5 (1962/11/OW) states that the use of stockpiled material which is located on Cells 3 &amp; 4 onsite is to be used for various layers in Cell 5.</p>
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(approved to accept asbestos) has reached capacity. However, TPI are looking to recommence the acceptance of asbestos at some point in the future in line with its licence conditions.

PT expressed concern regarding the acceptance of floc given its inherent risk, with particular regard to fire. BS confirmed that the facility is not currently accepting floc but may do so in the future. SB confirmed that EHP had sent a compliance notice to TPI with regards to the fire on site last year and the management of floc. ELP noted that the handling and management of floc is complex but any fire risks are mitigated by the mixing of floc with other wastes streams and ensuring that the cover is sufficient to exclude air. This is how it is successfully landfilled in many other landfills around Australia.

PT stated that he was more confident that the new management at the site had the appropriate expertise to management the waste streams being received and the overall site operation. As such, he was considering his future participation in the Group as the putrescible application had also been withdrawn.

BS outlined that significance and magnitude of TPIs decision to withdraw the application to move to a putrescible landfill.

#### Other Business:

JD enquired as to TPIs plans for the adjacent property it owns – notably 'the hill'. The property is storing a significant quantity of overburden removed during the original mining activity/excavation. As such, the landform is clearly unnatural and is also higher than the natural surrounding area. As such it is visually obtrusive. JD commented that the former Department of Mines and Energy had advised residents that the material would be removed and returned to the hole upon cessation of the mining activity.

BS and ELP provided comment on the future use of this material and confirmed that it is currently being used for day cover and will be further utilised for landfill restoration – it is part of the 'soil balance' for the site. However, it is unlikely to be used 'as is' for the capping materials as it is not of sufficient quality for a growth media. Any remaining material from the 'hill' is likely to be removed – EHP and TPI noting that this material has a strong market value and is in demand.

JD noted that it would be the community preference to reduce the hill and its visual impact.

EHP advised the Group of a recent prosecution of a landfill facility in the Swanbank, Ipswich area. EHP has pursued the landfill owner for 96 separate offences. The Court levied a fine of \$80,000. EHP reassured the Group that it will endeavour to ensure compliance and best practice of all of the facilities it manages.



<b>7. Purpose of Sub-Committee Meeting</b>	<p>To discuss the outstanding questions itemised in IRATE correspondence "Request for a Formation of a Sub-Group, dated 21 February".</p> <p>PT noted that some of the questions dated 21 February were no longer relevant given the withdrawal of 3735/2010/MCU.</p> <p>The Group discussed a possible venue for any subsequent sub-committee meetings. Where ICC will not be in attendance and therefore cannot guarantee access to ICC meeting rooms out of hours, the meetings must be conducted at a 'neutral venue'. Chair provided clarification that this will be the case and suggested the purchase of a suitable commercial space if required – BS agreed.</p>	<p>PT/JD to provide an updated list of outstanding questions for discussion on 10 June.</p>
<b>8. Closing of meeting</b>	<p>8.00pm</p>	
<b>9. Next Meeting</b>	<p>Date of First Sub-Committee Meeting – Tuesday 10 June 2014 Venue – Ipswich City Council Administration Building, 50 South Street, Ipswich Time: 6 – 8.00 pm</p> <p>Date of Next New Chum Community Reference Meeting – Monday 21 July. Venue – Ipswich City Council Administration Building, 50 South Street, Ipswich Time: 6 – 8.00 pm</p>	<p>GD to circulate Minutes from New Chum Group Meeting and proposed revision to the Terms of Reference.</p> <p>GD to circulate an additional agenda for the Sub-Committee Meeting on 10 June and for the next Group Meeting on 21 July.</p>