

## Meeting minutes

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| <b>Meeting purpose:</b> | Gore Bay Terminal GCA Engagement Forum  |                     |
| <b>Date:</b>            | 04 June 2018  | <b>Time:</b> 6:00pm |
| <b>Location:</b>        | The Terrace Room, Lane Cove Community Centre,<br>1 Pottery Lane, Lane Cove  |                     |
| <b>Attendees:</b>       | <p>Michele Stromquist (MSt) (SafeWork NSW);<br/>         Andrew Batty (AB) (SafeWork NSW);<br/>         Stuart Warden (SW) (Greenwich Community Association);<br/>         Merri Southwood (MSo) (Greenwich Community Association);<br/>         Tom Lawson (TL) (Greenwich Resident);<br/>         Dr. Michael Staff (Dr. MS) (A/Director – North Sydney Local Health District (NSLHD));<br/>         Geoffrey Prendergast (GP) (Environmental Health Manager &amp; Senior Environmental Health Officer – NSLHD)<br/>         James Goodwin (JG) (Director Sydney Industry, NSW EPA);<br/>         Christine Mitchell (CM) (NSW EPA)<br/>         David Wilson (DWI) (Lane Cove Council);<br/>         Niamh Hynes (NH) (Lane Cove Council);<br/>         Stephen Bowly (SB) (AECOM);<br/>         Julie Seymour (JS) (Viva Energy);<br/>         James Crowden (JC) (Viva Energy);<br/>         Matt Hodgkinson (MH) (Viva Energy)<br/>         Claudene Sharpe;(CS) (Viva Energy);<br/>         Adam Speers (AS) (Viva Energy);<br/>         Poppy Papadopoulos (PP) (Viva Energy)</p> |                     |
| <b>Apologies:</b>       | Janine Drummond (JD) (General Manager, Operations & Deputy Harbour Master – Sydney, Port Authority of NSW)  |                     |
| <b>Chairperson:</b>     | Michele Stromquist  |                     |
| <b>Minute taker:</b>    | Poppy Papadopoulos  |                     |

### Brief summary

| Item |                       | Outcome   | Resp. |
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| 1.   | Welcome and Apologies | Welcome and apologies noted.<br>Acknowledgement of Country<br>MSt thanked Lane Cove Council for providing a venue for the series of meetings. | MSt   |

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| 2. | Confirmation of previous minutes  | <p>The purpose of these meetings is to better facilitate meaningful and timely communication in relation to issues raised by the GCA with relevant regulators/ agencies and Viva Energy.</p> <p>Draft minutes from the previous meeting had been circulated and were to be accepted and placed on Lane Cove Council's website.</p> <p>GCA and SafeWork thanked PP for taking minutes. MSt advised this is the second last meeting. MSt requested GCA send through questions in relation to the remaining topics for discussion in the next meeting.</p> <p>Questions from GCA (attached) for this meeting were received ahead of the meeting in relation to possible health risks from emissions or other contamination associated with Gore Bay Terminal Operations.</p>  | MSt<br><br>DW<br><br>GCA |
| 3. | General Inquiry   | <p>MSo asked about the media interest in the prospective public float of Viva Energy and whether the Gore Bay Facility would be included in the float. PP responded that whilst we acknowledge there is media interest, we are not able to discuss or provide information in relation to the media speculation.</p>  | PP                       |
| 4. | Areas of Concern regarding impacts to the community from emissions from the Gore Bay facility | <p><u>GCA's Areas of concern</u></p> <p>GCA summarised their concerns outlined in the submission provided ahead of the meeting as:</p> <ul style="list-style-type: none"> <li>• There is no boundary air monitoring and reporting on the perimeter of the Gore Bay facility. According to the Health Study undertaken by Dr. Driscoll in 2009, boundary monitoring was recommended;</li> <li>• GCA have made representations to NSW EPA, NSW Health about their concerns and have no assurance on whether there is a cause for concern. GCA noted that the community look to them to provide assurance.</li> </ul> <p>When the fuel oil leak occurred in late 2016, GCA asked the NSW EPA and NSW Health whether the odours were harmful and were redirected between these agencies and not provided with any assurance.</p> |                          |

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| 5. | Air and Emissions Monitoring | <p><u>Boundary Air Monitoring and Emissions Monitoring</u></p> <p>MSo asked NSLHD to clarify whether the recommendations made to undertake boundary monitoring in Dr Driscoll's report in 2009 (when large volumes of crude oil were stored) and also in 2015 by NSLHD should still apply.</p> <p>Dr. MS responded that Health has an advisory role and that the recommendations put forward by NSLHD in 2015 were one suggested way of measuring and monitoring emissions and not a requirement for Viva Energy to do so.</p> <p>MSo asked NSW EPA why emissions are monitored at White Bay and not at Gore Bay, given that shipping activities are undertaken at both facilities. The White Bay development went through the planning pathway of a State Significant Development (SSD) so is it only via consent conditions that emissions monitoring is undertaken even when it may be a matter of public interest.</p> <p>JG clarified that questions about emissions monitoring at White Bay should be directed to Port Authority of NSW as this is not mandated by NSW EPA. JG also pointed out that the licensed premises at Gore Bay was only for activities conducted on the land side of the terminal.</p> <p>In terms of emissions monitoring at facilities, the standard practice for environmental assessments is for modelling to be undertaken to assess whether emissions are within relevant criteria and it is the outcome of this modelling that usually forms the basis of whether monitoring is warranted.</p> <p>Over the last 10 years, there has been a change in the types of products stored at Gore Bay Terminal, from Crude Oil to Diesel and Fuel Oil , which do not have the same volatile components that crude oil did. The NSW EPA have reviewed data from the Leak Detection And Repair (LDAR) program, monitoring of the Vapour Emissions Control System (VECS) and previous air modelling and ambient air monitoring studies. On this basis, the EPA have not identified there is a concern at the licensed premises that requires further assessment or that there is a requirement for further boundary monitoring. Ambient air monitoring has its limitations as other emitting sources may be picked up and is also subject to other parameters such as weather conditions and wind speeds and directions at the time of monitoring. Because monitoring is subject to these limitations, monitoring cannot provide an assurance for what</p> | JG,<br>Dr.<br>MS |
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| <p>6.</p> | <p>Assurances on GCA's concerns</p> | <p><u>Assurances to GCA</u></p> <p>SW outlined that the GCA is not satisfied with the information they have been given to be assured that there is no issue from the odours and emissions from the Gore Bay facility to then inform the community. In particular, air quality monitoring has only been done at three points. MSo asked what data the NSLHD has viewed from NSW EPA to be satisfied and assured that the community should have no cause for concern? We have a letter from NSLHD which provides assurance about the information received from NSW EPA and can the NSW EPA publish its assurance on letterhead? We are due to publish our newsletter and want to say that the NSW EPA and NSLH provide assurance on this issue.</p> <p>Dr. MS responded that NSLHD have received a letter from NSW EPA regarding boundary emissions monitoring undertaken by Viva Energy, which showed that these emissions were below the relevant criteria. The NSLHD have seen limited data on Benzene, Toluene, Ethylbenzene and Xylene (BTEX).</p> <p>NSLHD cannot provide assurance on exposure as it relies on the data and assessments compiled by other agencies. Their role is to interpret data based on screening level criteria.</p> <p>AB also pointed out that Viva Energy have a duty of care to their workers as they are within the immediate vicinity of the site and its operations. MSt also clarified that SafeWork NSW have no evidence that Viva Energy's workers at Gore Bay are exposed to unacceptable levels of emissions according to the Work Health and Safety Act 2011 and Work Health and Safety Regulation 2017.</p> <p>Dr. MS further clarified that no matter how much data is collected, NSLHD cannot provide absolute assurance.</p> <p>NSLHD and NSW EPA requested that GCA send the relevant content for their newsletter to be reviewed prior to publishing.</p> <p>MSo informed the meeting that there was a theory that the decision not proceed with the SSD prevented public disclosure of information. Viva Energy blocked the release of the Human Health Risk Assessment (HHRA).</p> <p>JS emphasized that the decision not to proceed with the SSD was based around the decision not to store Jet Fuel at the site. Storage of jet fuel requires geodomes to be installed on the top of the tanks and planning approval is required to do so. The reason Viva Energy did not want the Project HHRA released</p> | <p>Dr. MS, JG</p> <p>GCA</p> |
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| 7. | Air Monitoring during Incidents | <p><u>Monitoring during Incidents</u></p> <p>MSo requested to understand that, in a situation when incidents such as spills occur, how can the community be assured that they are not adversely impacted? If a situation is deemed as being under control and not having an impact to the community, then they should be informed via a letter drop, for example.</p> <p>JG responded that every incident is different as it may be subject to ambient factors such as types of substances, wind directions and speeds. Therefore, monitoring the effects from incidents may present some challenges. The NSW EPA is increasing its incident response capability.</p> <p>AB also clarified that the first responders provide direction as to what is required to be undertaken by support agencies.</p> | JG |
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| 8. | Land Contamination | <p><u>Soil and Groundwater Monitoring</u></p> <p>SW pointed out that the Gore Bay facility is not on the NSW EPA's Contaminated Sites Register, as is the Clyde Terminal. It is assumed that the status of the site has been examined, as it has been operating for over 100 years. Why is the site not on the CLM Register? MSo also pointed out that onus is on the operator to report contamination at a site.</p> <p>AS informed that the soil and groundwater conditions at the site have been assessed consistent with the approach prescribed by the NSW EPA under the Contaminated Land Management Act. Groundwater conditions are regularly monitored and results are provided to the NSW EPA. Results from groundwater monitoring are consistently below relevant guidelines.</p> <p>MSo asked if tanks are removed, whether there is a likelihood that contamination will be encountered. In addition, SW asked whether soils around tanks are frequently sampled.</p> <p>JS explained the maintenance and inspection program of tanks. Testing of the integrity of tanks involves examining its shell and base. Tanks sit on foundations called pads which are designed taking into account geotechnical profile of the site.</p> <p>SW asked whether soils around tanks are sampled as well as the water table and aquifers. MSo asked how many points across the site are monitored.</p> <p>AS stated that there are approximately 12 groundwater monitoring wells across the site and that when the groundwater wells were installed, soils were sampled at the time. Groundwater monitoring wells enable the groundwater conditions (the water table) to be monitored over time and are an effective method of identifying issues relating to soil contamination. If there was an integrity issue with any of the storage tanks, groundwater monitoring can identify any changes in the groundwater conditions as a result of any impact from a potential leak. An explanation was provided on the difference between aquifers and water tables.</p> | AS,<br>JS |
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| 9. | Other | <p>MSt acknowledged that the communication between GCA and regulators, agencies and Viva Energy had improved as result of the meetings.</p> <p>MSt asked GCA whether there were any outstanding items form previous meetings.</p> <p>SW requested the status of the DISPLAN and whether this document had specific relevance to the operations of Gore Bay.</p> <p>DW verified that this was on the Lane Cove Council's website. In addition, DW is now the LEMO. The document is generic as previously advised and does not contain data specifically in relation to the operations of Gore Bay, as this information cannot be made public.</p> <p>MSt outlined that the purpose of the final meeting is to summarise the main topics of concern that have been addressed to ensure there are no remaining GCA concerns. In addition the last meeting should provide a pathway for how the GCA can continue to engage going forward.</p> | MSt |
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| <p>10.</p> |  | <p>MSt requested from the GCA, whether there were any additional items they wanted to raise. MSo raised the following:</p> <ul style="list-style-type: none"> <li>• whether a new licence would be issued to Gore Bay, assuming the prospective public float of Viva Energy went ahead and who would own the facility;</li> <li>• to understand more about the proposed Badgerys Creek airport and Viva Energy's involvement</li> </ul> <p>JS responded that this is a Government project and it was too early for Viva Energy to comment.</p> <ul style="list-style-type: none"> <li>• to understand whether Viva Energy will be involved in the National Inquiry into Australia's Liquid Fuel Security</li> </ul> <p>JS responded that we will comment if asked to do so;</p> <ul style="list-style-type: none"> <li>• What impact is there at Gore Bay as result of a reduction in tank storage capacity at Clyde?</li> </ul> <p>JS noted this question had been addressed in previous meetings</p> <p>TL raised the following:</p> <ul style="list-style-type: none"> <li>• When is the next community meeting for fence line neighbours to be held?</li> </ul> <p>PP responded that it will be held in November</p> <ul style="list-style-type: none"> <li>• A repeated request has been made to have these meetings minuted, similar to the earlier meetings held in the 1990s, and requests a commitment from Viva Energy</li> </ul> <p>PP agreed to commence minuting these meetings.</p> <ul style="list-style-type: none"> <li>• There is no website link on the GCA's website containing the minutes from these meetings that have been facilitated by SafeWork NSW.</li> </ul> <p>MSo outlined that this request had been made to the GCA's website administrator and was to be followed up.</p> <ul style="list-style-type: none"> <li>• At several GCA meetings, the time spent on discussing Gore Bay Terminal has been unsatisfactory. Most attendees have left by the time this agenda item is raised. A suggestion was made to revise the structure of these meetings.</li> </ul> <p>DW informed the meeting that minutes were placed on LCCs website and content references to Shell were amended.</p> |  |
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| 11. | Preparation of next agenda and forum date | GCA to revisit the original list of 10 high priority topics that was collated at the 28 June 2017 (plenary) meeting and revert to MSt of the topics to be discussed at the next last meeting.<br>Next Meeting: September 10. | MSt |
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### Actions from previous meetings

#### 4 June 2018

| Agreed actions  | Timeframe           | Responsibility  | Status    |
|---|---------------------|-----------------|-----------|
| Arrange next meeting  | 1 month             | MSt/ DW (venue) | Completed |
| Topics to be discussed at the final meeting   | 1 month             | MSo/SW          |           |
| NSLHD and NSW EPA requested that GCA send the relevant content for their June newsletter to be reviewed prior to publishing | Prior to publishing | MSo             |           |
| Publishing a website link to the minutes from these meetings on the GCA's website   | 1 month             | MSo             |           |

#### 5 February 2018

| Agreed actions                                  | Timeframe | Responsibility  | Status    |
|---|-----------|-----------------|-----------|
| Arrange next meeting                            | 1 month   | MSt/ DW (venue) | Completed |
| Topics to be discussed at the next two meetings | 1 month   | MSo/SW          | Completed |

#### 6 November 2017

| Agreed actions       | Timeframe | Responsibility  | Status    |
|----------------------|-----------|-----------------|-----------|
| Arrange next meeting | 1 month   | MSt/ DW (venue) | Completed |

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| Provide information on Viva Energy's Public Liability Insurance | Before next meeting | NA | Completed |
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### 7 August 2017

| Agreed actions  | Timeframe           | Responsibility | Status      |
|---|---------------------|----------------|-------------|
| Provide information on LEMP to residents  | Next rates notice   | LCC            | Completed   |
| Provide Pipelines publications to GCA   | Before next meeting | PP             | Completed   |
| Provide an overview of council liaison program and Pipeline Management System                 | Next Meeting        | Viva Energy    | Completed   |
| LEMO to be present at next meeting and provide an overview of how they interact with pipeline | Next Meeting        | LCC            | Outstanding |

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