

MINUTES

Whitehall Street Precinct Maribyrnong River Impact Assessment Reference Group Establishment Meeting

Held: 5.00pm Thursday 6th October 2005, EPA Conference Room, Ground Floor HWT Building, 40 City Road, Southbank.

Present: Prof John Cary, Victoria University- Chairman
Bill Crowe, James Fairweather- Orica
James Hadwen- Mobil
Ray Cranke- Albright & Wilson
Bill Johnson, Janelle Donnelly- POMC
Andrew Clifton, Michael Isaachsen, Peter Somerville- residents/river users
Peter Kemp- Parks Victoria
Cr Colleen Hartland, Adrian Havryluk- Maribyrnong City Council
Alex Leonard, Dianne Rose, Stuart McConnell, Jim Clements, Doug Knight, Gary Laidlaw, Quentin Cooke- EPA

Apologies: Prof Ian Rae (Technical Adviser), David Prismall (Sugar Australia), Linden Birch (CSR)

1. CHAIR OPENING COMMENTS & INTRODUCTIONS

Chairman John Cary outlined EPA's desire to carry out an independent assessment of the Lower Maribyrnong River, Lower Yarra River and Stony Creek Backwash to assess the impacts of known environmental issues, and to make recommendations for the future management of the area. Round-the-table introductions by attendees identified participants' interests in the proposed audit process.

2. WHY THIS REFERENCE GROUP HAS BEEN CONVENED?

Stuart McConnell (EPA) outlined EPA's desire to involve local stakeholders in the audit process and subsequent management of the river quality by using a Reference Group to determine the scope of the audit, scrutinise that audit process, and advise on processes of communicating results and outcomes to stakeholders.

3. THE WHITEHALL STREET PRECINCT- HISTORICAL CONTEXT

Jim Clements (EPA) outlined the history of the Whitehall Street sites, and in particular the back fill of swamp land with waste from pyrites (used as a sulphur source for sulphuric acid manufacture during the early 20th century). Jim detailed the licensing requirements imposed on manufacturers since the establishment of the EPA in 1970, the audits of soil and ground water undertaken in the last 10 years (see Attachment 1), and the establishment and involvement in (environmental) Community Liaison Groups by local industry since 1993. Bill Crowe mentioned that details of back filling in the Whitehall Street area may be available from early 1900s Melbourne Harbour Trust publications. Peter Somerville provided information about the location of past dredging in the area.

In response to a question about lack of community information concerning contamination in the Whitehall Street area Bill Crowe stated that Orica had provided several briefings on contamination to interested parties since 1999. EPA stated that contamination issues were discussed in the

Whitehall Street Companies newsletter *Feedback*. It was agreed that an additional issue of *Feedback* highlighting contamination issues could be valuable.

ACTION: EPA agreed to provide Cr Hartland with past copies of *Feedback* which detail contamination issues.

Regarding community representation on the Reference Group, EPA stated it had not been practicable to advertise for interested persons given the timeframe to appoint representatives. EPA also chose to select persons already active in existing local groups. John Cary appreciated the discussion and also noted that it was important to keep the Reference Group to a manageable size. EPA was prepared to consider additional community representation for the Reference Group. If members are aware of specific individuals who may contribute other views they may contact EPA.

For persons interested it was suggested the book *Yarra by Kristen Otto* (Text Publishing \$32) gives an excellent account of the history of the Yarra River. The Age reviewed the book in August 2005. <http://www.theage.com.au/news/reviews/yarra/2005/08/12/1123353485183.html>

4. VICTORIA'S ENVIRONMENTAL AUDIT PROCESS

Stuart McConnell outlined (see Attachment 2) Victoria's Environmental Audit System (established in 1990) which is used in the planning, regulating and management of activities associated with protecting the environment. In response to a question as to why only the Yarraville side of the river was being considered, McConnell responded that the audit would need to take into account issues associated with Coode Island and Fisherman's Bend, and take action if they are shown to have an impact on river health.

5. APPOINTMENT OF AUDITOR, SCOPE OF AUDIT, PROCESS & TIMEFRAME

Quentin Cooke (EPA Project Manager) advised that appointment of an auditor was imminent following receipt of proposals of work. Cooke's role would be to coordinate the activities of the auditor and the Reference Group. He indicated that the next stage was to define the scope of the audit that would focus on the impact of environmental issues on the waterway. There was discussion about the cross over between this project and the channel deepening project and the importance for openness and information sharing between the two projects.

6. DRAFT TERMS OF REFERENCE FOR THIS REFERENCE GROUP

Discussion of the Draft Terms of Reference for the Reference Group drew a number of concerns and suggestions.

Andrew Clifton emphasised the need for a focus on arsenic for this project – especially a focus on the potential for arsenic to accumulate in sediment-dwelling organisms and then concentrate further up the food chain.

Bill Crowe discussed the need for a communication strategy for the Reference Group especially about interactions with local newspapers. Cr Hartland agreed with Bill and offered to assist EPA further in developing a communication strategy. Bill Crowe (Orica) offered the assistance of the Whitehall Street Company's Community Liaison Group's *Feedback* newsletter as a way of communicating the Reference Group's activities (accepted).

In response to Cr Hartland's concerns for transparency in the Reference Group membership the Chairman sought suggestions of additional resident/user members who could contribute to the process whilst keeping the committee numbers manageable.

There was a discussion about the issue of confidentiality and use of commercial-in-confidence provisions by industry. It was agreed that confidentiality needs to be more explicitly discussed in the Terms of Reference. Stuart McConnell agreed EPA needs to address and clarify this (see Attachment 4).

Peter Somerville advised that the Living Museum of the West will launch a display called "Life on the Maribyrnong" on 13th November, at Pipe Makers Park Museum, which could be useful in indicating what river life is missing in the lower reaches of the Maribyrnong.

There was a common view that a shorter name for the Reference Group would be desirable, and discussion led to the acceptance of: "Lower Maribyrnong Audit Reference Group", *as suggested by Andrew Clifton*.

7. DATA AVAILABLE TO DATE (Water, Fish & Sediment Testing)

Dianne Rose (EPA) explained (see Attachment 3) how EPA has been collecting water quality information on nitrogen and heavy metals from the Maribyrnong and Yarra Rivers and Port Phillip Bay since the 1970s. Sediment results indicate a low potential risk of adverse effects on the sediment-dwelling organisms in most areas.

In the water testing, copper, selenium and zinc exceed trigger values and further investigations have commenced:

- Selenium levels trend up in estuarine environments and are consistent with levels in Port Phillip Bay.
- The copper levels could be from copper in anti-fouling paints used on boats. Greater than 90% of the copper is bound to particulates and not bioavailable for animal uptake.
- ~40% of the zinc is bound to particulates and not bioavailable for animal uptake.
- Arsenic levels were well below the lower threshold levels

With respect to safety of eating fish caught in the area, limited previous studies are inconclusive due to small sample size. Fish quality is an issue of concern and EPA (in conjunction with Dept of Primary Industries and Dept of Human Services) is developing a more comprehensive study to address the risks in more detail.

Andrew Clifton expressed a desire to see detailed analysis of accumulated toxins in organisms undertaken during the audit. Further sampling and testing programs are being developed.

8. OTHER BUSINESS

The next meeting will be ~~Thursday 17th November~~ Thursday 1st December 2005, 5.00-7.00pm, Footscray Town Hall.

Email addresses of committee members will be circulated (see Attachment 5)

Meeting closed at 7.15pm.

SUMMARY OF ACTION ITEMS (completion before 17/11/2005)

1. ALL- Nomination of any other suitable Reference Group members, eg. Fishing representation.
2. EPA- inclusion of EPA presentations with meeting minutes.
3. EPA to provide Cr Hartland with past copies of *Feedback* which detail contamination issues.
4. EPA- clarification of what is confidential/what is not for Reference Group.

5. EPA- develop an improved Communications Plan (Cr Hartland & Bill Crowe to assist).
6. EPA- approval from absent members to circulate email addresses.
7. EPA- draft minutes from first meeting of Reference Group.
8. Maribyrnong Council – book meeting room for next meeting

Attachment 1: Whitehall Street Site History (Jim Clements presentation).

Attachment 2: Victoria's Environmental Audit System (Stuart McConnell presentation).

Attachment 3: Maribyrnong River Preliminary Data (Diane Rose presentation). Note – some information in this presentation was ambiguous. This is being rectified and the presentation and explanation will be tabled at meeting 2.

Attachment 4: Draft (2) Terms of Reference (including resolution of 'confidentiality' clause).

Attachment 5: Email Addresses of Committee Members.

Attachment 5: Contact Addresses of Committee Members

Contact addresses approved for circulation:

Prof. John Cary	Chairman	john.cary@vu.edu.au
Mr. Andrew Clifton	Resident	alc@fhills.hotkey.net.au
Mr. Peter Somerville	River User	PO Box 484 Footscray 3011
Mr. Michael Isaachsen	Resident	PO Box 555 Footscray 3011
Prof. Ian Rae	Technical Adviser	ianr@atse.org.au
Mr. Ray Cranke	Albright & Wilson	rcranke@albright.com.au
Mr. Bill Crowe	Orica	bill.crowe@orica.com
Mr. James Fairweather	Orica	james.fairweather@orica.com
Cr. Colleen Hartland	Maribyrnong City Council	cr.hartland@maribyrnong.vic.gov.au
Mr. Theo Pykoulas	Maribyrnong City Council	theo.pykoulas@maribyrnong.vic.gov.au
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Mr. David Prismall	Sugar Australia	DPrismall@sugaraustralia.com.au
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