

**BOARD OF THE
ENVIRONMENT PROTECTION AUTHORITY**

TO: THE CHAIR AND MEMBERS

Minutes of Meeting No 161
5 April 2005 - 1.00 pm
Level 7, EPA Boardroom
77 Grenfell Street, Adelaide

1.1 MEETING OPENED

The meeting was opened at 1.20 pm by the Chair.

1.2 PRESENT

Dr Paul Vogel (Chair)
Ms Megan Dyson (Member)
Mr Vic Farrington (Member)
Mr Stephen Hains (Member)
Mr Allan Holmes (Member)
Ms Ann Shaw Rungie (Member)
Dr Simon Stone (Member)

Ms Nada Popovic (A/Executive Officer to the Board)
Ms Corinne Kelly (Secretary to the Board)

Observer

Ms Bernice Brady (Divisional Administration Officer)

1.3 APOLOGIES

Ms Linda Bowes (Member)
Mr Mike Elliott (Member)

1.4 DECLARATIONS OF INTEREST

Due to his employment, Mr Hains declared an interest in one of the cases in agenda item 11(i) Current Investigations and Prosecutions and agenda item 11(ii) EPA Matters Before the Court.

Due to her employment, Ms Shaw Rungie declared an interest in one of the cases in agenda item 11(ii) EPA Matters before the Court.

Mr Farrington declared an interest in agenda item 8(ii), Conceptual EPA Licence Fee Structure - Project Schedule/Budget. Due to his employment Mr Farrington also declared an interest in agenda item 4(i), Former Department of Defence Land, Salisbury Edinburgh Parks and Edinburgh Defence Precinct.

1.5 TABLED ITEMS

- Copy of letter to Professor Tim Flannery, Chair, Premier's Round Table on Sustainability, inviting him to attend the Board's monthly meeting on 5 April 2005.
- Draft copy of a letter to Members of Parliament (MPs) thanking those who attended the 1 March meeting with the Board, informing them of actions taken to address a number of the general concerns highlighted during discussions and advice on a further meeting with MPs in October.
- Summary of ION media coverage in March and April 2005.

2. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETINGS

Following discussion the Board resolved that:

the Minutes of the meeting held on 1 March 2005, subject to the following amendments, be taken as read and confirmed:

- **This section has been removed pursuant to Board policy and/or legal requirements in relation to confidentiality. Criteria used for determining confidentiality can be viewed at www.epa.sa.gov.au/boardminutes**
- *page 4, agenda item 4(iii), add subsection (v), "to request that the Chief Executive advises the Kangaroo Island Council of the Board's decision, as a matter of courtesy".*

Carried

Following further discussion the Board resolved that:

the Minutes of the meeting held on 8 March 2005, subject to the following amendment, be taken as read and confirmed:

- **This section has been removed pursuant to Board policy and/or legal requirements in relation to confidentiality. Criteria used for determining confidentiality can be viewed at www.epa.sa.gov.au/boardminutes**

Carried

Minutes to be signed by Dr Vogel.

A copy of the Minutes of Meetings No 159 and 160 to be sent to the Minister for Environment and Conservation.

Action: Ms C Kelly

3. **ACTIONS ARISING FROM PREVIOUS MINUTES, EMERGING/STRATEGIC ISSUES AND FORWARD AGENDA**

The Chair provided an update on outstanding matters, the forward agenda and emerging and strategic issues.

The Chair requested the following matters to be actioned as soon as possible:

- arrange a meeting of the Board's Local Government Regional Waste Working Group;
- **This section has been removed pursuant to Board policy and/or legal requirements in relation to confidentiality. Criteria used for determining confidentiality can be viewed at www.epa.sa.gov.au/boardminutes**
- arrange a meeting of the Board's Sustainability Working Group to prepare a document that articulates the Board's governing responsibilities;
- obtain information on WMC's proposal to rail uranium from Islington to Darwin for Mr Farrington;
- **This section has been removed pursuant to Board policy and/or legal requirements in relation to confidentiality. Criteria used for determining confidentiality can be viewed at www.epa.sa.gov.au/boardminutes**

Action: Ms C Kelly and
Mr K Baldry

Mr T Circelli, Director Policy Coordination and Strategic Services Division and Mr M Fanning, Team Leader Site Contamination, entered the meeting at 1.25 pm.

5. **DECISION ITEMS**

Corporate Policy

5(iii) Site Contamination - current processes and procedures

Following discussion the Board resolved to:

- (i) *note the report;*

- (ii) *approve the strategy and current administrative processes and procedures to manage site contamination, including the use of Environmental Auditors (Contaminated Land);*
- (iii) *delegate to the Chief Executive the role of determining the most appropriate course of action, consistent with an advisory and guiding role, in relation to each site, taking into account the Memorandum of Understanding between the EPA and Department of Health, relative to managing the assessment and remediation of sites;*
- (iv) *require the Chief Executive to keep the Board briefed on the progress of these matters and refer strategic issues to the Board as appropriate;*
- (v) *develop a comprehensive communication package to inform key stakeholders of the EPA's role in relation to site contamination and ensure that they are aware of the interim strategy being implemented by the EPA;*
- (vi) *request that all strategic and key policy issues in the development of major guidelines and the Code of Practice be brought back to the Board for consideration;*
- (vii) *advise Mr Fanning that the development of a comprehensive communication package to inform key stakeholders of the EPA's role in relation to site contamination is considered to be urgent. Also, that all strategic and key policy issues in the development of major guidelines and the Code of Practice should be dealt with as a matter of priority;*
- (viii) *inform the Minister of the Board's decision.*

Carried

Action: Mr M Fanning

4. REPORTS

4(i) Chair

- (i) Former Department of Defence Land, Salisbury Edinburgh Parks and Edinburgh Defence Precinct

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Carried

Action: Mr M Fanning
Mr B Grigg/Ms A Field

Mr Circelli and Mr Fanning left the meeting at 2.25 pm.

Mr K Baldry, Director Radiation Protection Division entered the meeting at 2.40 pm.

5. DECISION ITEMS (continued)

Corporate Policy (continued)

5(ii) EPA Board Governance of Radiation Protection

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Carried

Action: Mr K Baldry
Mr B Grigg/Ms A Field

Mr Baldry left the meeting at 3.04 pm.

Mr T Circelli, Director Policy Coordination and Strategic Services Division, Ms C Watkins, Manager Strategic Services and Ms R Barratt, Manager Communications and Community Engagement, entered the meeting at 3.05 pm.

5(i) Draft Strategic Plan and Engagement Strategy Update

Following discussion the Board resolved to:

- (i) *note the progress made in developing the Strategic Plan;*
- (ii) *receive the final draft of the Strategic Plan at its May meeting;*
- (iii) *endorse the revised framework for the Engagement Strategy, to reflect the following changes:*
 - *replace the words 'Measure' and 'Priority' with 'Performance Targets' and 'Deadline' respectively;*
 - *consider whether pages 1-4 more appropriately belong in the Strategic Plan;*
 - *ensure that correct terminology is used in the document, particularly with reference to customers/clients;*
 - *request that MPs be included in the list of stakeholders;*

- (iv) *receive the final draft of the Engagement Strategy at its June meeting;*
- (v) *endorse the agency-wide consultation on both documents including consultation on identifying core values for the EPA;*
- (vi) *recognise the linkages between the Strategic Plan and the Engagement Strategy, noting that the Engagement Strategy is part of implementation of the Strategic Plan.*

Carried

Action: Ms C Watkins/Ms R Barratt

Ms Watkins and Ms Barratt left the meeting at 3.30 pm.

Strategic and Risk Management

5(iv) Draft EPA Position Statement - The Role of the EPA in working towards Sustainability

Following discussion the Board resolved to:

- (i) *endorse the revised EPA mission statement, "We manage and influence human activities to protect, restore and enhance the environment and to support human wellbeing";*
- (ii) *endorse the EPA Board Working Group's Draft EPA Position Statement for Public Consultation, "The Role of the EPA in Working Towards Sustainability", subject to the following amendments from members, and any subsequent professional editing:*
 - *page 4, under the heading "Localised environmental impacts", remove the words, "inadequate environmental impact assessment of industrial expansion" and replace with the words "inadequate assessment of the cumulative impacts of industrial and commercial development or growth";*
 - *first paragraph, page 2, in relation to the distinction between the Board and the EPA's role in radiation protection;*
 - *to incorporate amendments recommended by Ms Dyson;*
- (iii) *distribute the document, with a covering letter under the Chair's signature, to:*
 - *EPA staff;*
 - *prescribed bodies;*
 - *other government departments;*
 - *all participants of Round-table 2004;*

- attendees at Board consultation meetings;
- the Minister and Members of Parliament.

As well, place the document on the EPA's website, refer to it in the EPA's next external newsletter and use it in subsequent discussions planned in relation to developing organisational culture change for the EPA;

- (iv) *request that this be a high quality publication, and, as part of the distribution strategy, a response sheet to be included at the back of the document to encourage feedback.*

Carried

Action: Mr T Circelli
Mr T Clark

Mr Circelli left the meeting at 4.00 pm.

Dr J Cugley, Director Monitoring and Evaluation Division entered the meeting at 4.07 pm.

5(v) Progress of Strategic Issues in the Mt Lofty Watershed

Following discussion the Board resolved to:

- (i) *note the establishment and progress of the Mount Lofty Ranges Water Resources Coordinating Committee (MLRWCC), whose aim it is to influence strategic planning in key government agencies;*
- (ii) *endorse the development of a Strategic Plan for the Mount Lofty Ranges Watershed Protection Office 2005-2010;*
- (iii) *provide the MLRWCC with the Board's policy position in relation to strategic issues in the Mount Lofty Ranges Watershed, which was provided to the Minister in December 2004, to obtain its view; and*
- (iv) *advise that Board Members are interested in meeting with the MLRWCC.*

Carried

Action: Mr P Newland
Ms C Kelly

Dr Cugley left the meeting at 4.26 pm.

5(vi) SA Greenhouse Strategy - Development Process

Following discussion the Board resolved to:

- (i) *note the first phase of development of the State Greenhouse Strategy, as evidenced by the imminent release for stakeholder comment of Issues Papers, one of which was produced by an industry sector Working Group convened by the Department of Trade and Economic Development and the EPA;*
- (ii) *delegate to the Chief Executive, responsibility to participate in ensuing consultation and respond on behalf of the Board with submissions for the content of the proposed Strategy;*
- (iii) *seek copies of the Issues Papers when released by the Cabinet Committee.*

Carried

Action: Mr T Whitworth

6. PROTECTED TIME FOR DISCUSSION

4. REPORTS (continued)

4(i) Chair (continued)

- (ii) ION and the media;
- (iii) the Board engaging with EPA staff.

4(ii) Members

Mr Holmes advised that he has been overseas for three weeks with Minister Hill to look at sustainability issues and will circulate his report to Board Members.

Action: Mr A Holmes

Mr Hains advised that he attended an LGA Conference held last week for the purpose of discussing the EPA's Landfill Guidelines.

4(iii) A/Executive Officer

(i) Key Themes and Strategic Issues - Board 2004 Consultation Program

Following discussion the Board resolved to:

- (i) *note the key themes and strategic issues identified throughout the Board's consultation program in 2004;*
- (ii) *note the actions being taken by the EPA to address the themes and issues raised;*
- (iii) *endorse the publication of the findings and actions on the EPA website and an article in the next EPA external newsletter,*
- (iv) **This section has been removed pursuant to Board policy and/or legal requirements in relation to confidentiality. Criteria used for determining confidentiality can be viewed at www.epa.sa.gov.au/boardminutes**
- (v) *request that the words "training provided to operational officers in risk communications" under the heading "Communications and relationships" are more clearly explained.*

Carried

Action: Ms N Popovic
Mr T Clark

(ii) Round-table 2005

Ms Popovic tabled the Draft Agenda for Round-table 2005. The Round-table will be held at the National Wine Centre on 7 June 2005.

7. NOTING ITEMS

Performance Monitoring and Accountability

7(i) Financial Performance Reports as at February 2005

Following discussion the Board resolved to:

- (i) *note the comments outlined in relation to the performance of the EPA as at the end of February 2005;*

- (ii) *note that the revised budget and end of year forecast for the Environment Protection Fund does not take into consideration the recent project approvals by the Board and subsequently the Minister. These will be incorporated into the March 2005 financial reports.*

Carried

7(ii) 2005-06 Budget Strategy Planning Process

Following discussion the Board resolved to:

note the 2005-06 EPA Budget Strategy Planning Process Guidelines.

Carried

8. MATTERS DEALT WITH OUT OF SESSION

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Carried

8(ii) Conceptual EPA Licence Fee Structure - Project Schedule/Budget

The Board formally resolved to:

note the report.

Carried

9. OTHER BUSINESS

10. CORRESPONDENCE

- (i) Outgoing - to Hon Mike Rann MP, Premier, requesting an urgent meeting to discuss the Board's position regarding the OneSteel dust issue;

- (ii) Incoming - from The People's EPA;
- (iii) Outgoing - to Professor Tim Flannery, Chair, Premier's Round Table on Sustainability, inviting him to attend the Board's monthly meeting on 5 April 2005.

The Board resolved to:

note the correspondence.

Carried

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12. CLOSE

The Chair closed the meeting at 5.15 pm.

13. DATE OF THE NEXT MEETING

A Round-table lunch meeting to be held with representatives from 'heavy industry' from 12 noon to 1.00 pm on 10 May 2005 and the Board meeting will commence at 1.30 pm.

Venue to be organised, preferably outside of the EPA Offices.

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Dr P Vogel
CHAIR
/ /2005

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Ms C Kelly
SECRETARY TO THE BOARD