

**BOARD OF THE  
ENVIRONMENT PROTECTION AUTHORITY**

**TO: THE CHAIR AND MEMBERS**

Minutes of Meeting No 164  
12 July 2005 - 3.00 pm  
Whaler's Inn Resort  
Victor Harbor

**1.1 MEETING OPENED**

The meeting was opened at 3.05 pm by the Chair.

**1.2 PRESENT**

Dr Paul Vogel (Chair)  
Ms Linda Bowes (Member)  
Mr Mike Elliott (Member)  
Mr Andrew Fletcher (Member)  
Mr Stephen Hains (Member)  
Mr Allan Holmes (Member)  
Ms Ann Shaw Rungie (Member)  
Mr Vic Farrington (Member)

Ms Nada Popovic (A/Executive Officer to the Board)  
Ms Monica Stasiak (Senior Project Officer)

**1.3 APOLOGIES**

Ms Megan Dyson (Member)

**1.4 DECLARATIONS OF INTEREST**

Due to his employment, Mr Hains declared an interest in agenda items 7(ii), Delegations to Local Government, 12(ii), EPA Matters Before the Court, and 12(iii) Current Investigations and Prosecutions.

Due to his employment, Mr Farrington declared an interest in agenda item 3. Actions Arising from Previous Minutes.

2. CONFIRMATION OF MINUTES OF THE PREVIOUS MEETING AND DRAFT COMMUNIQUE

Following discussion the Board resolved that:

*the Minutes of the meeting held on 14 June 2005 be taken as read and confirmed.*

Mr Fletcher suggested that key issues raised under each topic should be recorded in the minutes. Dr Vogel noted that decisions only are currently recorded in the minutes, however, a full record of discussions or key issues should be included where Board Members direct that this should occur.

Further discussions of this matter will be undertaken at the November 2005 meeting.

Mr Hains noted that future confirmation of the Minutes should also include reference to confirmation of the Communiqué.

Carried

Minutes signed by Dr Vogel.

A copy of the Minutes of Meeting No 163 to be sent to the Minister for Environment and Conservation.

**Action: Ms B Brady**

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.

Mr Fletcher requested that the Actions Arising from Previous Minutes document be reviewed to ensure that any subsequent actions are recorded and reported to the Board in this document. Dr Vogel also noted that descriptions of some items could be clearer and undertook to have this document reviewed prior to the next meeting. Ms Shaw Rungie requested that the Chief Executive's Performance Agreement be added to the actions document.

**Action: Ms N Popovic**

Members discussed organisational culture, complaints management, the current approach to Board roles and functions and agenda structure. The Chair advised that these matters will be discussed further at the August meeting. Ms Shaw Rungie requested that the EPA's environmental incident/complaints reporting system be the subject of a specific discussion at this meeting.

**Action:** Dr P Vogel  
Mr M Harvey

### 3.1 DEBRIEF ON FLEURIEU VISIT

Mr Fletcher noted that the visit was very helpful and provided a good understanding of the EPA's perspective in responding to regional issues. Ms Shaw-Rungie noted that the briefing papers prepared for the visit seemed to respond specifically to issues raised by the local Member of Parliament, Mr Dean Brown.

Mr Hains asked whether the Adelaide Mount Lofty Ranges Natural Resource Management Board would now undertake some projects previously overseen by the EPA. Dr Vogel replied that this is likely to be an outcome of the recently introduced NRM arrangements in SA.

Mr Elliott commented that the EPA's hierarchy of enforcement actions was not sufficiently clear from the presentation given by EPA staff from the Watershed Protection Office on 12 July.

Dr Vogel notified Board members that a write-up of the consultation session with local government representatives would be prepared and, following Board approval, would be provided to all participants.

**Action:** Ms N Popovic

Mr T Circelli, Director Policy Coordination and Strategic Services Division, Mr M Harvey Director Operations Division, and Mr J Bruce, Senior Environment Protection Officer, entered the meeting at 3.57.

## 5. DECISION ITEMS

### Performance Monitoring and Accountability

#### 5(i) Draft Environment Protection (Waste) Policy

Following discussion the Board resolved to:

- (i) *endorse that the Waste EPP project be renamed the Environment Protection (Waste to Resources) Policy;*
- (ii) *note the key concepts proposed, process and the indicative timeframe for the draft Environment Protection (Waste to Resources) Policy;*
- (iii) *endorse the development of drafting instructions for the Draft Environment Protection (Waste to Resources) Policy;*
- (iv) *note the intention to invite representatives from selected waste management stakeholders, including rural and urban stakeholders, to participate in the working group developing drafting instructions or at minimum to be closely consulted during this phase;*
- (v) *forward these proposals to the Board of Zero Waste SA, Waste Management Association, Local Government Waste Committee and Business SA for consultation and comment prior to the commencement of drafting instructions.*

Carried

Action: Mr P Watters/ Mr M Harvey

### Corporate Business

#### 5(iii) Risks and Benefits of Longer-term Licences

Following discussion the Board resolved to:

- (i) *note the report presenting risks and benefits associated with the granting of longer-term licences;*
- (ii) *approve the proposed policy to issue minimum five year licences as a default position and allow up to ten year licences on application by licensees;*
- (iii) *endorse that any licences issued shall include risk management conditions that allow triggers for amending/adding to conditions of licence during the term of the licence;*

- (iv) *notify licence holders as early as possible regarding the proposed changes;*

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](http://www.epa.sa.gov.au/boardminutes)

Carried

Action: Mr M Harvey

Mr Circelli left the meeting at 5.07pm.

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](http://www.epa.sa.gov.au/boardminutes)

## 5. DECISION ITEMS (continued)

### Performance Monitoring and Accountability (continued)

#### 5(ii) Issues Briefings - Meeting with MPs - 1 March 2005

Following discussion the Board resolved to:

- (i) *note the summary and briefings provided on matters raised by Members of Parliament at their meeting with Board members on 1 March 2005;*
- (ii) *endorse the distribution of a modified set of briefings, incorporating changes recommended by Board members, to all Members of Parliament.*

Carried

Action: Ms Popovic

## 4. REPORTS

### (i) Chair

#### (a) EPHC outcomes

The Chair reported outcomes of the most recent EPHC meeting. Agreement was reached to vary the NPI measure to include Greenhouse Gases, a 65% recycling target was set as an outcome of discussions concerning the National Packaging Covenant and the

National Measure for Product Stewardship would be the next NEPM made.

**(b) Planning - session and organisational change**

The Board will conduct its next planning session in November 2005 on Kangaroo Island.

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](http://www.epa.sa.gov.au/boardminutes)

**(c) Board Deputy to Chair**

Members were notified of the legislative change that allows nomination of a deputy presiding member from the Board. This will be discussed at the August Board meeting.

**(d) Final version of Strategic Plan**

Members noted the final version of the EPA Strategic Plan for 2005-2008. The following changes were requested prior to its release:

- acknowledgement that performance measures are not included but are intended for future plans,
- in paragraph one of Cross-goal Strategy 1 remove the phrase 'address its emerging business needs' and replace with 'deliver the strategic and business plans',
- in Priority Actions of Cross-goal Strategy 1 add an action regarding the EPA's organisational change management program and add 'practices' to 'business systems and processes' in the first line in dot-point 3,
- in paragraph one of Cross-goal Strategy 2 make reference to the EPA's role as an environmental regulator in facilitating sustainable economic development.

**Action: Ms C Watkins**

**(ii) Members**

**(a) Chief Executive's Assessment Process**

On behalf of the Board working group, Mr Hains presented a proposal to develop the Chief Executive's performance reporting process. The Board resolved to:

- (i) form a special CEO Performance Sub Committee, comprising*

*Stephen Hains, Vic Farrington and Ann Shaw Rungie, with the specific task of developing a model process for the performance assessment of the CE, and a performance agreement between the Board and the CE for approval by the Board;*

- (ii) *authorise the sub committee to engage a suitable contractor to assist with this process at a cost not exceeding \$5,000.*

Carried

The sub committee will report back to the September meeting of the Board.

**Action: Mr S Hains**

**(b) Other members' reports**

Mr Fletcher reported that he is now a member of the Major Projects Facilitation Group and invited Dr Vogel and Mr Holmes to attend the next meeting for interest. Mr Fletcher also suggested that senior EPA staff meet with business leaders to further common understanding of critical issues associated with major projects, including issues of timing.

**Action: Dr Paul Vogel**

Mr Elliott noted that the recent briefing prepared by the EPA on rail squeal noise would make an informative media release, particularly for affected communities, and requested that the briefing be developed for that purpose.

**Action: Mr T Clark**

Ms Bowes notified Board members of her resignation, which will come into effect as of 31 August 2005.

Mr Holmes reported on a recent presentation by Mr Steven Schneider, an authority on climate change, as part of Adelaide's recent Festival of Ideas.

**(iii) A/Executive Officer**

**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](http://www.epa.sa.gov.au/boardminutes)

**(b) Major Developments Panel (deputy to Dr Vogel)**

Dr Vogel sought a nomination to the position of deputy Member to the Major Developments Panel, for those occasions where he is unable to attend meetings of the panel. Mr Holmes nominated Ms Shaw Rungie. Ms Shaw Rungie accepted the nomination.

**Action: Ms Popovic**

**9. CORRESPONDENCE**

- (i) Outgoing - Hon Iain Evans MP regarding sustainability programs, training requirements to become a noise monitoring officer and health advice from the Department of Health regarding OneSteel's Pellet Plant in Whyalla
- (ii) Outgoing - Hon Dean Brown MP, with an invitation to attend the Board's stakeholder consultations with dairy industry representatives and dairy farmers on 12 and 13 July 2005

The Board resolved to:

*note the correspondence.*

Carried

- (iii) Incoming - Waste Management Association of Australia - request for breakfast function with the EPA Board
- (iv) Incoming - Wastecare SA - request to meet with the EPA Board

Following discussion the Board resolved to:

*Invite all relevant 'waste industry' stakeholders to a breakfast forum with Board members to discuss the Environment Protection (Waste to Resources) Policy.*

Carried

**Action: Mr P Watters/ Mr M Harvey**

6. DISCUSSION ITEMS (None)

7. NOTING ITEMS

**Performance Monitoring and Accountability**

7(i) Financial Performance Report as at May 2005

Following discussion the Board resolved to:

*note the comments outlined in relation to the performance of the EPA as at the end of May 2005.*

Carried

7(ii) Delegations to Local Government

Following discussion the Board resolved to:

- (i) revoke the previous delegation instrument to local government dated 10 May 2005; and*
- (ii) endorse the revised delegation instrument of the Environment Protection Authority.*

Carried

7(iii) Progress Report on the Development of Environment Protection Policies and other legislation under review

Following discussion the Board resolved to:

*note the report outlining the status of current Environment Protection Policies and legislation under review by the EPA.*

Carried

8. MATTERS DEALT WITH OUT OF SESSION

8(i) EPA Matters Before the Court - 14 June 2005

The Board formally resolved to:

*note the report.*

Carried

10. OTHER BUSINESS (None)

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](http://www.epa.sa.gov.au/boardminutes)

13. CLOSE

The Chair closed the meeting at 6.25pm

11. DATE OF THE NEXT MEETING

The next Board meeting will be held at 1.30 pm on Tuesday, 9 August 2005 in the EPA Boardroom, Level 7, 77 Grenfell Street, Adelaide.

.....  
Dr P Vogel  
CHAIR  
/ /2005

.....  
Ms B Brady  
A/SECRETARY TO THE BOARD