

# EPA Board

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## Environment and community groups forum 2014 summary report

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## **EPA Board**

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# 1 Introduction

This report summarises the proceedings of the Environment and Community Groups Forum convened by the Board of the Environment Protection Authority (EPA) on 3 June 2014.

The forum is just one part of the Board's stakeholder consultation program for 2014. The Board undertakes several metropolitan and regional stakeholder and community consultations each year. In November 2013 the Board travelled to the Tonsley redevelopment site at Clovelly Park, and in December 2013 to the Port Adelaide region for various meetings and site visits. More recently, on 29 April 2014, the Board met with representatives of the mining sector. On 20 May 2014 the Board hosted a summit with business and industry representatives to consider how SA's 'Changing Economy, Changing Environment' will impact on businesses and a protected and improved environment will contribute to economic competitiveness in South Australia.

The Environment and Community Groups Forum was convened to provide the Board with the opportunity to meet with senior representatives to explore why a strong and supported EPA is vital in ensuring a smart, sustainable and successful future for SA and to reflect on what the EPA can do to continue building community confidence in the organisation.

This discussion assisted the EPA, its Board and the Minister for Sustainability, Environment and Conservation to assess the views of interested bodies on matters related to the operation of the *Environment Protection Act 1993* and protection of the environment. The EPA acknowledges the important contribution of participants at the forum. (A list of participants is at [Appendix 1](#)).

The forum provided valuable feedback and a number of suggestions to be considered and, where feasible, actioned by the EPA. In the first instance, the Board commits to the following:

- Use the feedback provided as a key resource in the development of the EPA's next strategic plan due in 2015.
- Convene a public forum to facilitate better understanding about the role and function of the EPA within 12 months.
- Host a conversation with key youth leaders to identify ways the EPA can better connect with young South Australians as an important resource and constituency.
- Undertake a scoping study on the proposal for an EPA citizen-science app by the end of 2014.
- Provide an update in six months on progress.

## 2 Opening address by the Presiding Member Mia Handshin

Board Member Rob Fowler, facilitator for the forum, welcomed guests and then introduced Presiding Member Mia Handshin, who officially opened proceedings and outlined the purpose of the gathering. She posed two questions for the consideration of participants:

- 1 Why a strong and supported EPA is vital to ensuring a smart sustainable and successful future for SA?
- 2 What should the EPA do to continue building community confidence in the organisation?

Ms Handshin spoke about:

- The EPA's statutory role and purpose to protect the environment, to influence and regulate human activities and to restore and create a better environment. She recognised that the EPA works with the community, industry and government to fulfil its purpose, achieving a healthier, more valued environment, and a prosperous and sustainable future for South Australians.
- The release of the [State of the Environment](#) (SOE) Report in September 2013 which provided evidence that the South Australian environment is in a moderate and finely balanced state and that the future is dependent on the effectiveness of a range of measures taken by government, business, industry and the community to protect and improve our environment. She highlighted the importance of the EPA in delivering robust environmental regulation that is well practiced, supports a clean, competitive economy, facilitates innovative solutions and ensures a healthy environment in which to work and live.
- The EPA's Communications and Engagement Framework which aims to foster a positive and proactive culture in the organisation; to guide how we interact with our communities and stakeholders; to embed best practice as 'business as usual' and develop internal capabilities of staff to ensure we deliver on our commitments. Ms Handshin acknowledged an emergent sense of environment and community consultation fatigue and that prevailing frustration and past disillusionment can impact perceptions of genuine efforts to do things differently. She also noted that in the past, the EPA had predominantly informed or consulted but asked invited participants to observe the EPA's sincere preparedness to do things differently in the future.

Ms Handshin concluded by noting the EPA's genuine commitment to involving stakeholders more often and effectively, using their views to inform internal thinking and decision making. She also emphasised that the EPA will monitor and measure progress and pursue continuous improvement.

### **3 Address by Conservation Council Chief Executive Craig Wilkins**

Mr Wilkins provided a brief presentation on how he saw the role of community groups and the EPA in ensuring a successful and sustainable future for SA.

Some of the key points were:

- It is a time of challenge—the Federal Government is reversing a 40-year trend in environment policy.
- The community has stopped listening and community groups, formed in the 70s and 80s, are coming to the natural end of their life.
- There is increased uncertainty regarding changes to the state's Environment Protection Act.
- Community has stepped up, eg 'March in March' and 'March in May' with very passionate response from the community regarding environment protection and climate change as the government can be relied on to do this.
- Social movement works—it has happened in the past with education and public health. The community reacts to a need and it is taken on by the government.

In conclusion, Mr Wilkins talked about practice and rebuilding, the need to rethink how we do things and ensure that issues are kept in sharp focus in the government's mind.

He also discussed the need for real and genuine engagement with the community and the need to build trust.

## 4 Address by EPA Chief Executive Tony Circelli

Mr Circelli, also welcomed guests to the forum and invited discussion about the value offered by the EPA's work as an environmental protection regulator, and the benefits derived from the EPA doing its job well. As the newly appointed Chief Executive, he expressed his sincere interest in building strong relationships with the environment and community groups.

He noted that given the challenging economic times, as well as all governments' tightening budgets, it was opportune to reflect on what the community thinks where the EPA should have greater or less focus.

Tony Circelli spoke about the following:

- The State of the Environment – air quality; site contamination; quality of treated water released into coastal waters; aquatic ecosystems; waste generated; and noise complaints.
- Success for the EPA – safe communities; better environmental knowledge; a robust and leading regulator; and safeguarding resources for South Australia. Good and well-practiced environmental regulation also has a strong connection, and contribution to economic outcomes.
- Significant effort over the last two years to present the EPA's regulatory approach in clear and simple terms. The regulatory spectrum was introduced to highlight how the EPA tailors its regulatory actions based on particular circumstances; from supporting/enabling and recognising those who demonstrate a commitment to good compliance and go beyond compliance, to enforcing the law for those who intentionally or recklessly fail to comply.
- The EPA brand and its value is one that is recognised, not only here, but across the world, and has strengthened over the last few years. Common to all of the issues discussed is the need for the EPA brand to be trusted, credible and seen as an authority on issues—this has value for all sections of the community, government, and business, as well as for the confidence and respect which EPA employees have in the organisation in which they work.
- The influence that EPA advice has on policy issues or on controversial and sensitive developments very much depends on the confidence and trust that all stakeholders have in the EPA.
- The Communications and Engagement Framework and his commitment to it.

## 5 Forum process

Participants were presented with the following two focus questions for discussion:

- 1 Why a strong and supported EPA is vital to ensuring a smart sustainable and successful future for SA?
- 2 What should the EPA do to continue building community confidence in the organisation?

Participants were seated at five tables and accompanied by a Board member and a senior EPA staff member. Each table discussed the focus questions for around 45 minutes. A full set of notes taken during table discussions can be found at [Appendix 2](#).

These discussions were reported back to the wider Forum by an EPA Board member from each table. The facilitator summarised the key messages arising and then invited general discussion.

The forum was closed by the Presiding Member who reinforced the importance of the views expressed and committed to providing participants with a summary report which would also be submitted to the Minister. In concluding, Ms Handshin also agreed to update participants on relevant progress in relation to ideas generated, six months from the date of the forum.

## 6 Summary of key themes and discussion points

### 3.1 Table discussion

Four themes reflecting common interest or concern emerged from table discussions. These can be summarised as follows:

- 1 Desired role of EPA: strong, trusted, robust authority, independent of politics
- 2 Foster increased understanding of the EPA's role, function and powers
- 3 An enhanced role for the community with the EPA through:
  - citizen science projects
  - engagement with younger people.
- 4 Stronger EPA influence, in particular with other regulatory processes, eg Development Assessments, major projects and mining.

Some of the key messages emerging from the discussion included:

- Credibility and trust are fundamental in establishing confidence in the EPA
- It is vital that the EPA be perceived as independent and maintain its independence.
- Greater emphasis is needed on providing information in a timely way to the community – current methods of communicating and engaging are not always successful.
- Transparency is a critical requirement for community groups.
- Being independent is an EPA that is frank and fearless, evaluating and a-political.
- there is a lack of general community understanding of what the EPA really does – what are its powers?
- there needs to be a stronger grassroots approach to getting the environment front of mind again. Community groups need to work together with the EPA to raise the profile and importance of the environment.
- Community becomes nervous when government is both proponent and regulator.

### 3.2 General discussion

Comments made by participants during the general discussion included:

- It is the role of the EPA to be an advocate for the community—involving the community helps reduce uncertainty. The involvement of the community in the EPA/PIRSA's 90 Day Tuna Project was questioned.
- When preparing the EPA's strategic plan for the next five years, the EPA should consider emerging themes in community eg Transition Towns<sup>1</sup>.
- There is a lack of clarity and transparency regarding EPA's operational boundaries and its independence.
- The community, by and large, has confidence in the EPA, however if it makes one mistake, it becomes the EPA's legacy. People understand what the EPA is, and the difficulties arising from the closeness between government agencies. The EPA needs to better understand its audience.
- 'Nature Play' – getting people outside the house and get children back in touch with nature will assist overall environmental awareness.

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<sup>1</sup> A transition town is a grassroots community project that seeks to build resilience in response to peak oil, climate destruction, and economic instability.

- There is too much emphasis on the community needing to know more about the EPA. The focus should be on what do people want from the EPA and it should be the role of the Board to go to the government and tell them 'we haven't got sufficient resources and it is holding us back from doing our work'.
- A typical response from community is that the EPA is 'passing the buck', the community doesn't need to know who, just make sure it happens/get the problem fixed.
- The EPA has coverage of matters such as noise pollution, water, waste, and radiation, all of which have to do with production process. In the natural environment, there is a whole suite of environmentally active agents that have nothing to do with production process (Julian Cribb published a book about chemical intrusion and the risks to global food security).
- The EPA has uncertain scope on a number of issues, eg climate change. Is the sustainability agenda a role for the EPA?

## 7 Next steps

It was agreed that information gathered from the forum would be compiled into this report and distributed to participants.

While the Board did not agree with all of the views expressed during discussion nor endorse all of those documented. The EPA respects the diversity of opinion in the community and appreciates that divergence often highlights opportunities for change and areas for improvement.

The Board intends to use the feedback as a key resource in the development of the EPA's next strategic plan due in 2015.

A number of matters raised were already being considered and/or acted upon by the EPA, however it is acknowledged that more frequent and ongoing dialogue between the EPA and community groups is required to ensure greater mutual understanding. One way in which the Board can facilitate this is by providing an update to participants in six months on outcomes or progress.

The suggestion of a public forum to facilitate better understanding about the role and function of the EPA, the scope of its powers, its capacity to act/intervene, was discussed. It was agreed by the Board that this should be pursued within the coming 12 months. The EPA will also host a conversation with key youth leaders to identify ways in which we can better connect with young South Australians as an important resource and constituency.

It was also agreed that development of an 'app' for citizen science type reporting should be investigated further. The EPA can see some potential for the 'app' to tie in with the government's election promise of a 'Dob in the Litterer' app, which is to be the subject of a feasibility study between Zero Waste SA and the EPA. To progress the idea, the Board has recommended that a scoping study be undertaken in conjunction with the Dob in the Litterer Campaign by the end of 2014.

## Appendix 1 Participants

First Name	Surname	Organisation
Peter	Bicknell	Adelaide Brighton Cement Community Liaison Committee
Rob	Bosley	Friends of Gulf St Vincent
Mike	Bossley	Whale and Dolphin Conservation
Karen	Bubna-Litic	Environmental Defenders' Office
Anne	Daw	Agricultural Advocate; Roadmap for Unconventional Gas Projects in SA; and Limestone Coast Protection Alliance
Jim	Douglas	Western Adelaide Coastal Residents Association Inc
Peter	Follett	The Wilderness Society (SA) Inc
Angela	Gackle	Friends of Gulf St Vincent
Vikram	Kenjle	Australian Industry Group
Nadia	McLaren	Conservation Council of SA
Johan	Meline	Clean Air Society SA Branch
Tim	Milne	Natural Resource Management Council
John	Phillips	KESAB
John	Rolls	Australian Conservation Foundation
Craig	Wilkins	Conservation Council of SA

### EPA representatives

First Name	Surname	Organisation
Ros	Agate	A/Director, Strategy and Business
Keith	Baldry	Operations Director, Mining, Radiation and Regulatory Support
Suzanne	Behrendt	Manager, People, Strategy and Engagement
Linda	Bowes	Deputy Presiding Member
Tony	Circelli	Chief Executive
Ros	DeGaris	Board Member
Peter	Dolan	Operations Director, Science, Assessment and Planning
Rob	Fowler	Board Member
Mia	Handshin	Presiding Member
Mark	Withers	Board Member
Andrew	Wood	Executive Director, Operations

## Appendix 2 Notes from group discussion

### Group 1

- The Federal Government is reversing a trend of 40 years and is stepping away from environmental issues, leading community reaction.
- Place to move on/presence/what things to preserve/practice and rebuilding.
- 'I like it, I agree with you, now go out and make me do it'.
- Trust – strong independent voice.
- Genuine consultation.
- Independence (invitation to YEC, citizen science app).
- Strong EPA – trust the EPA to intervene on behalf of the community.
- Level playing field/consistence across industry.
- Empowerment – challenge – developing trust.
- Adelaide Brighton Cement used as an example – changes to licence conditions have to go through the community liaison group (questions regarding preparedness of industry to embrace).
- Arming staff with skills they need to deal with difficult situations – tense/anger, building capacity of staff.
- Issues with DMITRE and unconventional gas affecting community confidence – EPA should be independent.
- Nervousness when government becomes proponent and regulator.
- Staff need to be knowledgeable and straight talking.
- Lack of understanding of what EPA does and what powers they have.
- Trust – a truly independent EPA/regulator/courageous/fearless
- How EPA communicates with community and clearer communication on the role of the EPA.
- Community support for tapping into youth constituencies.
- Impacts on regional land.
- Regulatory role – Environmental impact statement/Development Assessment.
- Social change where food is stored – energy, water, food.

### Group 2

- Discussion commenced on a philosophical note around ethics and the EPA's ability to protect the environment—environment being of the heart not just the head and recognising that emotional connection; recognising the intrinsic value of the environment not just the economics; the EPA must continue to build trust.
- Communication and education – the interpretation of the EPA's role is far too low. It needs to raise its profile regarding operations and values. People have little understanding of their day-to-day impact on the environment and so cannot address their personal footprint (even if they want to). They need to be advised of the challenges to overcome and their options to do so. Empower the community to change.
- Honesty – be up front about:
  - the level of 'independence' from government
  - funding sources (concern around being self-funded by industry fees and levies and possibility for EPA to be compromised)
  - what EPA can achieve and what it cannot.

- The dynamics of government/EPA, operations and operational boundaries in regard to independence are not clear. This led to the need to be strong, that is able to implement policies without fear or favour from either government or industry.

### **Group 3**

- 'Credibility' and 'trust' were seen as fundamental in establishing confidence in the EPA from the community.
- A strong feeling from community representatives that the EPA was not always independent.
- Perception of being state government funded and reporting to a minister were not seen as facilitating separation and independence from the political process.
- Community wanted to see demonstrated behaviours from the agency and a Board that was frank and fearless and courageous.
- The EPA is under resourced and needs qualified people to act and respond more quickly than was possible within the current staffing levels.
- Board needs to 'step up to the plate' and show that it is prepared to put strong and sometimes unpopular views to the government/minister.
- Environmental approval process needs to be best practice to encourage confidence from community based agencies.
- Measure more directly the implementation of plans and determine whether the output is successful in supporting or failing the environment.
- Greater emphasis on providing information in a timely way to the community.
- Current methods of communicating and engaging are not successful.
- Publishing both good and bad stories is supported.
- Use more current tools for communicating (eg social media).
- There needs to be a stronger grassroots approach to getting the environment 'front of mind' again. Community groups needs to work together with the EPA to raise its profile.
- The environment in recent times has fallen off the government agenda as an important issue in assessing triple-bottom-line thinking

### **Group 4**

- Traditional forms of engagement won't work – need to explore how to engage young people by using social media
- Trust means independence; being transparent; and communicating early on important issues
- Being independent is being frank and fearless, evaluating and apolitical
- Need to balance the social and economic impact
- Need a level of maturity that transcends politics
- EPA authority comes from meeting the needs of our broad range of stakeholders – sense of value from stakeholders is essential
- How we do use the State of the Environment Report and build a response to it. For example if a DA or licence is in a poor zone then place higher standards by taking on less to achieve more rather than take on more and achieve less.
- Transparency is critical – need to progress/finish this journey; particularly useful to have a safe place to access information (web-based); 'holding hand' for SMEs.
- Need to identify and communicate 'red alarm' events.
- Should we be the catalyst to bring groups together?

- Show the 'carrots' as well as the 'stick' – promote cost savings to business, have examples of what better practice looks like.
- No one really understands the EPA's role, what we do, how we do it – is there anyone else in government that is independent, like the EPA, ABC and local government.
- Community groups often have a single issue focus – how can we work together on bigger perspective issues.
- Need to manage the big issues well, effectively, quickly – one bad response wrecks confidence.
- How do we get local issues put into context of the bigger issues – education and behavioural change is needed; demographic dimension and how engagement in the future will occur.

#### **Group 5**

- EPA ensures the protection of clean air, soil and water.
- EPA has a strong say in development assessment.
- Who is making decisions and who does what? For example, DMITRE/EPA regarding mining and ports development on the Spencer Gulf.
- Regional farming issues – strong voice from farmers and is the EPA interested in this?
- DA processes and safeguards – environment is being held in trust.
- There is a lot of information on many wide-ranging issues – this can be helpful but also confusing
- There is a need for a checklist for DA processes—the community needs to know—the Environmental Impact Statement is a starting point. The community needs to see EPA's position prior to making its response. The community has to do its own research and require quick and good access to information
- Emergency response, eg fish kill in the River Torrens where the users of the River were aware of the dead fish before the EPA. The community has a clear role in identifying issues. Develop an 'app' that people could use to report incidents and get feedback. Develop something like an 'Environment Watch', operating through schools, during lunch time, and form a conduit of knowledge in the community for the EPA and the local council
- Access to regional investigations for 'local' knowledge – successes and failures information/reports
- Food versus development – land use energy policy where SA needs a clear policy