

**ENVIRONMENT PROTECTION AUTHORITY  
LEAD EXPERT WORKING GROUP  
LEAD EXPOSURE MANAGEMENT FOR SUBURBS AROUND THE FORMER  
PASMINCO SMELTER SITE**

**Minutes - Meeting No. 6**

**31 August 2015, 14:30 – 17:15**

**Chair:** Adam Gilligan (EPA).

**Working Group Attendees:** Dr Craig Dalton (NSW Health), Graeme Nyland (Environ – Contaminated Site EPA Accredited Auditor), Dean Chapman (Lake Macquarie City Council), Matthew James (EPA Contaminated Sites Section), Associate Professor Stephen Cattle (University of Sydney).

**Secretary:** Lauren Spring (EPA).

**Other Attendees:** Nicole Gerrard (CRG), Greg Piper (LM MP), John Andrews (LMCC), Derek Poulton (LMCC), Alice Howe (LMCC) and Sharon Pope (LMCC) attended the presentation section of the meeting. Tony Farrell (LMCC) attended presentations and the meeting.

**Apologies:** Professor Mark Taylor (Macquarie University)

**Agenda Item A – Welcome**

Welcome to NLM Community Lead Reference Group (CRG) member Nicole Gerrard and Lake Macquarie City Council members joining the meeting to present on planning policy issues, existing controls and the community perspective.

Welcome and special thanks to Mr Greg Piper MP who is attending today's meeting to present on his recent trip to northern Idaho (USA).

**Agenda Item B – Presentations to LEWG**

**Greg Piper (MP for Lake Macquarie)**

Mr Piper presented on his recent trip to northern Idaho, where he visited the former Bunker Hill Lead Smelter site located in a region now in the post-industrial clean up phase. Information regarding these sites provided by Mr Piper is included in Attachment 1.

**Nicole Gerrard (CRG Member)**

Ms Gerrard presented on the planning policy concerns and issues as identified within the local community, including the implications of the LAS grid, costly planning controls and issues regarding submission of development applications. A copy of the presentation is included in Attachment 2.

**Alice Howe (LMCC Planning)**

Ms Howe presented on council policies on contaminated site management in the Lake Macquarie region. This included policies regarding land under the LAS, land development applications and specifics on the wording of s149 certificates.

**1. Agenda Item 1 – LEWG Adoption of Agenda**

Agenda adopted unanimously.

**2. Agenda Item 2 – Declaration of Interests**

Lead Expert Working Group (LEWG) members have declared any interests on their acceptance and pecuniary interests' declaration and undertaking forms provided to the EPA.

**3. Agenda Item 3 – Endorsement of Previous Minutes (Attached)**

Minutes of Meeting No. 5 adopted unanimously without amendment.

No further comments have been made regarding the EPA Preliminary Waste Classification Report and it is considered that the report can be made publicly available.

**4. Agenda Item 4 – Updates on the following points:**

**4.1. Waste Disposal Options Program**

To be discussed during Meeting #7.

**4.2. CLRG Matters – Action 2.1 and Action 10**

**ACTION 2:** The EPA to develop an effective community engagement strategy for the work of the LEWG.

To be discussed during Meeting #7.

**ACTION 10:** The EPA to consider developing a suitable public sharing arrangement for the information exchange portal.

It is noted that the EPA is currently phasing out the current portal. LEWG members to ensure that they can access the current Microsoft OneDrive system. If there are issues in access or functioning this needs to be reported. This action is ongoing.

**5. Agenda Item 5 - Literature review – Action 4, 4.1 and 15**

**ACTION 4:** The EPA to commission an external party to conduct a literature review of smelter remediation practices in order to establish 'best practice'.

The updated scope for commissioning the literature review has been sent out. There will be one week for comments to be received, with the due date to be 9 September 2015. Following finalisation and review the document will go out to tender by the week ending 11 September.

**ACTION 4.1:** LEWG Members to provide comment to the EPA regarding the draft literature review procurement document.

It was reinforced that the literature review does not require a review of the LAS. The document should provide context to other remediation scenarios, identify distinctive differences and identify the outcomes of successful programs. It was therefore stated that the literature review needs to be more clear on what is and what is not required as part of the review.

The LEWG has adjusted its position regarding requirements and outcomes from what is required for this review. This includes further planning and legislative outcomes for residents of North Lake Macquarie. Feedback from the community suggests that issues around planning and legislative outcomes have placed precedence over health issues following blood lead level results.

The report expected from the Chief Health Officer Reference Group will be included as part of the literature review once confidential information in the document is redacted so it could then be referenced.

**ACTION 15:** LMCC to invite Council Planner(s) to LEWG meeting #6 to describe the planning process and controls currently in place for management of legacy contamination in the Council area.

**Action Completed.**

**MILESTONE 2:** Literature review scope, tender, award and final report.

## **6. Agenda Item 6 - The LAS – Actions 8 and 11**

### **6.1. The Grid**

To be discussed during Meeting #7.

### **6.2. Information Exchange Portal**

**ACTION 8:** LMCC to consider how it can best share the existing LAS data set in an appropriate spatial manner.

Ongoing: Council is streamlining a 'certificate' system, which is a property enquiry system that can possibly go online. Making the data accessible and useable is an ongoing process.

### **6.3. Discussion**

**ACTION 11:** The EPA to provide relevant documentation regarding the development and regulation of the LAS to the LEWG.

This action is ongoing. As previously stated, Adam Gilligan noted that given the obligation to creditors, there is an objection to releasing this information. The EPA will consider if the documents should be released under the *Government Information (Public Access) Act 2009*.

**ACTION 14:** Develop a work plan which will provide an in-house review of the LAS.

To be discussed during Meeting #7.

**MILESTONE 3:** LAS review work plan development, implementation and report to the LEWG.

## **7. Agenda Item 7 - Other Business**

### **7.1. Vege Safe Grant Application**

To be discussed during Meeting #7.

### **7.2. Draft Table of Contents for LEWG Report**

The draft table of contents was distributed for general comments prior to the meeting. This has been provided as Attachment 3.

Adam Gilligan stated that the EPA would draft the report, with a project officer to write the first sections, primarily Sections 1-5 which includes the role of the LEWG, history of the smelter and use of slag in the community.

Regarding Section 7, assessment of the LAS, the group would raise questions based on the perceived desired outcomes of the LAS assessment, and these questions would be answered and collated between meetings. These final answers provided by LEWG members would be compared and discussed until a consensus was reached on the issue and written into the report.

As noted in the last meeting, the Section titled “Planning and Development Constraints” was identified as a significant issue for the community. Inclusion of information into this section would require consultation with the CRG. Mark Taylor suggested that the CRG create its own report in regards to this section to be included within the Appendix documents.

Council suggested that based on current issues, a ‘social lens’ should be applied across the work of the paper, looking at the problem through an anthropological point of view.

Further considerations were outlined, such as the way in which the role of the CRG can be included within the LEWG report and how to include community issues (as recently outlined within the presentations). It was suggested that a case study could be included, regarding first-hand experience growing up in the region and the more current issues that resonate within the community. It was stated that if there is community involvement, this will need a professional to remove any inherent bias.

It was considered that the LEWG should still aim to have the report out before Christmas 2015.

**MILESTONE 4:** LEWG report by 25 December 2015

## **8. Agenda Item 8 - Working Group Administration**

### **Meeting expenses**

*A half day sitting fee of \$110 or full day of \$220 as nominated in the “Classification and Remuneration Framework for NSW Government Boards and Committees” prepared by the Public Service Commission Directive 2012 will be available to those eligible members.*

Invoices for claiming meeting expenses should be sent to the Secretary of the LEWG for processing.

## 9. Agenda Item 9 - Confirmation of Actions

### Actions from Meetings #1 to #6

Action Number	Action Item	Responsible for Action
December 17#2	<b>ACTION 2 (ongoing):</b> The EPA to develop an effective community engagement strategy for the work of the LEWG.	All
December 17#4	<b>ACTION 4 (ongoing):</b> The EPA to commission an external party to conduct a literature review of smelter remediation practices in order to establish 'best practice'. <b>ACTION 4.1 (ongoing):</b> LEWG Members to provide comment to the EPA regarding the draft literature review procurement document for potential endorsement prior to the next meeting.	All
January 29 #3	<b>ACTION 8 (ongoing):</b> LMCC to consider how it can best share the existing LAS data set in an appropriate spatial manner.	LMCC
January 29 #5	<b>ACTION 10:</b> The EPA to consider developing a suitable public sharing arrangement for the information exchange portal. <b>(ongoing – discuss with Community Reference Group)</b>	EPA
March 26 #1	<b>ACTION 11:</b> The EPA to provide relevant documentation regarding the development and regulation of the LAS to the LEWG. (ongoing)	EPA
July 20 #1	<b>ACTION 14:</b> Develop a work plan which will provide an in-house review of the LAS.	All

## 10. Agenda Item 10 - Next meeting Date Proposal

To be confirmed.

Milestone established in meeting #1 (Dec 2014), updated in meeting #6 (August 2015).

Milestone Number	Milestone Item	Responsible for Updates on Milestone
#1	<b>MILESTONE 1 (completed):</b> June/July 2015 blood lead program reported to LEWG in July/August 2015	NSW Health
#2	<b>MILESTONE 2:</b> Literature review scope, tender, award and final report.	All
#3	<b>MILESTONE 3:</b> LAS review work plan development, implementation and report to the LEWG.	All
#4	<b>MILESTONE 4:</b> Completion of LEWG Report by December 25	All

Attachments:

1. Information from Greg Piper Presentation
2. Summary Document from Nicole Gerrard Presentation