

TAYLORS ROAD 'LYNDHURST' LANDFILL

COMMUNITY ENGAGEMENT STEERING COMMITTEE

INAUGURAL MEETING

5.30pm-8.30pm, Thursday 17th April 2008

Meeting Room, SITA Environmental Solutions' Hallam Road Landfill,
Hallam Road, Hampton Park

MEETING MINUTES

(As confirmed at 2nd CESC meeting)

1. Attendees and apologies

CESC members present

Geraldine Gonsalvez – Community interests in the SE (including RATWISE)
Jim Houlahan – Dandenong Residents and Ratepayers Association
Ian Jenz – President, Colemans Road Ratepayers Association
Tony O'Hara – Hampton Park Progress Association
Thelma Wakelam – Secretary, Residents Against Toxic Waste in the South East (RATWISE)
Grant Tishler – Manager, Property and Development, Pellicano Pty Ltd
Jim Memeti – Councillor, City of Greater Dandenong
Malcolm Baker – Director, Development Services, City of Greater Dandenong
Rob Wilson – Councillor, City of Casey
David Richardson – Manager, Engineering and Environmental Science, City of Casey
Evan Kyriakopoulos – Operations Manager, Taylors Rd, SITA Environmental Solutions
Michael O'Keeffe – Post-Collection Manager, SITA Environmental Solutions
George Tsivoloudis – Regional Manager, EPA SE Metro Region
Alexa Powell – Community Relations Officer, EPA SE Metro Region
Bruce Turner – Phoenix Facilitation (CESC facilitator)

Visitors (non-members)

Daniel Fyfe – State Manager, SITA Environmental Solutions
Stuart Marriner – RATWISE member and Living Treasure in the City of Greater Dandenong

Apologies/absent:

Jason Wood – Lynbrook Residents Association
Andrew Tytherleigh – Executive Officer, Victorian Waste Management Association (VWMA)
Laurence Halvy – Manager, Freshstart Bakeries
Mark D'Agostino – Environmental Health Officer, Department of Human Services
(NB Department of Planning and Community Development rep. was still to be advised)

2. Welcome and Introductions

Bruce introduced himself and welcomed members to the first meeting of the CESC. The group then introduced themselves and outlined the interest/organisation that they are representing and their hopes or expectations in respect to the CESC process. In summary, the latter included:

- An open, constructive and transparent process
- Understanding better what goes on at the facility (and 'debunking' some misunderstandings)
- Greater community confidence in the facility and its operations
- Provision of clear information about the facility's operations and future
- Ensure valid information is available and delivered to the community
- Better lines of communication
- Better understanding of Prescribed Industrial Waste (PIW) and its disposal
- In the long-term, managing waste (PIW) in a different kind of facility
- Maintaining good relationships with SITA
- The long-term safety and wellbeing of people and the environment
- Ensuring the landfill is being regulated by EPA
- A collaborative process to reach better understanding.

Bruce gave an overview of the agenda and indicated that the major focus of the inaugural meeting was to work through the Terms of Reference (TOR) document, to create a timeline of significant events in relation to the landfill from members' collective knowledge and to agree the date and time for the next CESC meeting.

3. Terms of Reference

A draft of the Terms of Reference (TOR) document had been circulated to members prior to the meeting. The TOR document being discussed at the meeting had some amendments to the version that was made available publicly during the nomination process some weeks earlier.

Stuart had provided written comments to the City of Greater Dandenong about the CESC process and the draft TOR. He gave his permission for these comments to be used for discussion in reference to the TOR document at the CESC meeting. His comments were tabled at the meeting.

The following notes summarise the CESC's discussion of the draft TOR in relation to particular sections.

Purpose (section 2)

Bruce noted that members of the CESC had echoed many of the points in the TOR purpose statement when they had spoken about their hopes or expectations for the CESC process. There were no suggested changes to this section.

Role and level of influence (section 3)

Geraldine asked whether the group would have members who were representatives from Government. Bruce indicated that there would be members from the Department of Human Services (Mark D'Agostino who was on leave) and the Department of Planning and Community Development (rep. still to be advised). Tony O'Hara indicated that it would be important for the group to have representatives from the Department of Planning as the Minister for Planning was the Responsible Authority for planning approvals for the landfill.

Geraldine suggested that someone from Major Projects should also be involved as there were major projects which could have impact on the waste streams entering the landfill in the future. Bruce indicated that while it was not possible to have every agency or interest that may have some connection with the landfill in the future represented on the CESC, the group could invite representatives of these to a particular meeting to provide information or advice, and the Government agency and other organisations' representatives who are on the group could also be expected to provide linkages.

Other interests/organisations that were noted were: truckies (via the VWMA), the Minister for Major Projects, and Southern Rural Water (responsible for groundwater in Victoria) and/or Melbourne Water.

Specific tasks and activities (section 4)

The group agreed that the third dot point "Contributing to the plan for engaging with the broader Lyndhurst community" needed to be broadened to include the community in the South East of Melbourne.

Membership and role of members (section 5)

Bruce referred to Stuart's comment that "*the group needed to comprise of approximately 20 members to provide adequate representation*" and noted that the CESC membership is 20 people.

In relation to Stuart's comment that "*RATWISE will not commit itself to a situation that will compromise its principles or objectives*" Bruce pointed out that section 5 of the TOR states that being a CESC member does not stop members from being involved in other avenues for input into State policy considerations on industrial waste, or from participating in any statutory decision-making processes associated with the landfill. Members may object to proposals and applications affecting the landfill like any other member of the community.

There was discussion of the intention of the paragraph outlining the process for changes to the CESC membership. There were concerns that the changes were essentially about 'sacking' members. Bruce clarified that the intention was to ensure the group membership continued to reflect the diversity of community interests and, if necessary, to fill a significant gap in the membership rather than getting rid of people. It was suggested that Bruce should exercise his discretion in relation to this paragraph in discussion with the CESC.

In relation to the tenure of appointment to the group, *it was agreed* that both the membership and TOR of the group should be reviewed at the end of the first 12 months. CESC members felt that it may not be helpful to review the membership at the end of every 12 month period (if that meant significant changes to membership) since members can be expected to build up knowledge and experience that may be difficult to replicate in new members. *It was agreed* to revisit this issue at the end of the first 12 months of the group in the context of reviewing the TOR. (NB this was not meant to preclude more frequent evaluations by the group of its progress and process).

Thelma asked whether members who disagreed with decisions or outcomes of the group could have their objections recorded. *It was agreed* that differences of view would be recorded.

Bruce referred to Stuart's comment that "*This is a public issue: all issues relating to the disposal of hazardous waste must be open for discussion, in public.*" Stuart affirmed his view that the public should be allowed to attend the meetings (similar to a public gallery in council meetings). He indicated that public meetings would alleviate the perception that the information being discussed was being sanitised or changed for public consumption.

Ian pointed out that there would need to be a certain level of trust within the group for things to be productive.

Bruce indicated that the reason why the meetings weren't proposed to be open to the public was mainly to ensure that meetings were a manageable size and that the group's dynamics weren't affected by a public gallery (either by encouraging people to 'perform' to the gallery or discouraging frank and open exchanges). He pointed out that the group was unlike a Council in that it was not democratically constituted (i.e. not publicly elected) and had no public decision-making powers. The process was open in other ways; one of the conditions of joining the group was that members were prepared to act as a channel for two-way communication between the wider community and the CESC. Furthermore, the TOR made it clear that the notes of meetings would be made public.

Geraldine suggested that the written record of the meetings should be called 'minutes', rather than notes since she felt the latter implied a less detailed record. After some discussion *it was agreed* to make this change in terminology.

Bruce suggested the group move on to discussing section 9 of the TOR as much of the discussion was focusing on the communication with the wider community.

Communication with the wider community (section 9)

Bruce elaborated the protocols envisaged under this section, i.e. that the minutes of meetings would be reviewed and endorsed by the group before being made public; and that there would be a mailing list that anyone interested (including nominees who missed out on joining the group) could join to be kept up to date with the business of the group and opportunities to participate or to get more information about the landfill.

Bruce added that a key part of the group's purpose was to develop ideas and suggestions for ways in which SITA could communicate with the wider community (i.e. a 'community engagement plan'). He suggested that one element of this might include, for example, an open day at the landfill.

He also highlighted that it was important for the group to work together to reach consensus before taking information to the wider community, as there was a risk people could be confused by different or conflicting information being released – which would not be reflecting the purpose and aims of the group.

Daniel and Michael indicated that the site was open and tours of the landfill were available to the public at anytime, although if there was a large influx in requests there may need to be designated times for tours. Tony said he believed an open day would be a useful way to communicate with the wider community.

Thelma expressed concern at the potential delay involved in releasing the minutes to the wider community if they had to be endorsed at the following meeting. *It was agreed* that if all CESC members indicated their endorsement of the minutes (or suggested amendments that could be dealt with by email outside of a meeting) they could be released before the next meeting.

Contact with the media

Some concerns were raised about the members of the CESC being 'gagged' from speaking publicly. Bruce clarified that the TOR stressed the importance of the group collectively communicating with the media on the business and progress of the CESC, rather than any one member acting unilaterally as a spokesperson for the group. If CESC members needed or wanted to speak to the media, they were not constrained from doing so, but needed to make it clear in this case that they were representing their own or their organisation's point of view, and not the views of others on the group or the whole group.

There was discussion of the protocols around 'confidential' information that the CESC might receive, prompted by Stuart's comment that "*this is a public issue: there must be no requirement of confidentiality*".

Daniel indicated that the more confidence SITA had in the CESC and its ability to manage sensitive information, the earlier and less formally information from the company could flow to the group. He said he hoped trust would develop over time. He also suggested that it could be useful if SITA had a standing item on the CESC agenda to provide reports on what has been happening at the landfill and other matters of interest to the group. He said if there were questions that required detailed research to answer it would be useful to have some time to prepare responses – ideally at least 2 weeks.

Bruce explained that the aim of the statement in the TOR that did not allow members to release information gained at CESC meetings, unless agreed by the group, was to ensure that any information released was clear and consistent. This was not meant to restrict members commenting on the information once it was in the public domain.

Ian indicated that he was uncomfortable about having to answer questions from the public. Bruce clarified that it was not expected that members would be able to answer detailed technical questions but could refer people to information that has already been released, or act as a channel for that question to be answered by the relevant organisation in consultation with the CESC. He indicated that it was mainly hoped that community representatives would be available to local residents (in their area, for groups that are geographically focused) who were interested in finding out what was going on at the CESC and/or the landfill.

Tony suggested that if there was a breach of trust, the CESC (and/or the facilitator) should discuss the matter with them and if the breach was repeated by the same member, there should be the option for that person to be excluded from the group.

On the subject of questions between members, *it was agreed* that members could email any other member with their question, but should also cc Bruce and Alexa so they could ensure tracking and coordination of CESC questions and issues.

Attendance by non-members (section 7)

Bruce indicated, in the light of the preceding discussions, that it was not expected that there would be 'observers' at meetings. Any non-member visitor would be attending for a particular purpose, generally to provide additional knowledge and input useful to the group. He therefore proposed to remove the word 'observer' from this section of the TOR (and there was no objection to this).

Meetings (section 8)

The group discussed options for meetings in other locations. Geraldine suggested that there be a public exchange about issues in a venue like a town hall. Malcolm pointed out that council venues could often be difficult to book due to other events and meetings. Daniel indicated that, in time, SITA aimed to take the lead responsibility for supporting the community engagement process for the landfill. Given this, he suggested it was appropriate that SITA hosted the CESC meetings. He said the meeting room at the company's Hallam Road site was always available as a venue.

Ian suggested that ordinary CESC meetings be held at SITA's Hallam Road facility and that larger public meetings could be held at a number of other venues in the region, perhaps on a rotational basis. *The group agreed.*

Rob asked what he could report back to his Council about the CESC following meetings. He was advised that it would be fine to report when the meeting took place and the general agenda items discussed but to wait until the minutes were publicly available to discuss more details.

Ian enquired whether minutes could be published on SITA's website. Daniel explained it would be necessary for corporate approval, which may take some time and could include editing. It was agreed the minutes would be available on (or via a link from) the EPA, CGD and City of Casey websites. Tony suggested members might like to use 'google alert' to keep updated with information on topics of interest and relevance to the committee and the site.

At the end of the discussion about the draft TOR, Bruce undertook to revise the draft in the light of the comments made. He also invited members to email him specific comments of amended wordings for him to consider in putting together the next (penultimate) draft.

- Action 1: Bruce to revise the draft TOR in the light of the above comments by the CESC and circulate to the CESC prior to the next meeting.**
- Action 2: CESC members to provide specific comments on the TOR in writing to Bruce (if they wish).**

4. History of the landfill

Attendees were asked to record significant events about the landfill on post-it notes. The notes were colour-coded according to whether the event was considered positive, negative or neutral. The events were then placed on a timeline – see separate document. Bruce then facilitated a discussion about the events on the timeline.

5. Next Steps

Throughout the meeting Bruce listed 'questions, issues and opportunities' that the CESC was interested in exploring in future meetings. These are recorded in a separate document.

It was agreed that it would be helpful for the group to have a site visit to the landfill as part of its next meeting. SITA representatives indicated that the questions around 'changes to cells', 'gas management' and possibly 'height limit' could be addressed (at least in part) on the site visit and in the meeting to follow.

The logistics of the site visit were discussed and SITA representatives were asked to investigate the options and advise of arrangements prior to the meeting.

Action 3: SITA to provide details on the logistics of the site visit for circulation prior to the next meeting.

Next meeting Friday 2nd May 2008

Time 2pm – 5.30pm

Location Site tour at Taylors Road followed by a meeting at Hallam Road (rendezvous location for the tour to be advised).

Taylor's Road Landfill - Timeline of events 1987 - 2008

Year	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006	2007	2008	
Wider World		1998-89 ~Browning Ferris Industries (BFI) take over site	..No EES is done, although recommended ..Zoning green wedge to Offensive Industry IN2		..No Buffers							~BFI become known as SITA July	~PWM July 1999		~SITA becomes SITA environment solutions		..First landfill in Victoria to achieve 150 1400/A5480/	2003 - 04 ..+ M2 Industry park released				..New Waste classification system	
Prescribed Industrial Waste	~PIW legislation comes into effect. + Disposal of liquid waste banned by EPA			~Tullamarine due to close										..+Establishment Hazardous Waste Siting Advisory Committee	..+ Results of Siting committee initiated each for lowest category waste instead of the highest			..-Redefining of hazardous waste to PIW. ..-Confusion around terminology builds, diminishing factual understanding for better	~No definition of hazardous waste in planning Act	..+PIW drums banned from landfill	..- Backflip of state government policy .. Supreme court hearing abandoned not supported by council .. Nowingi plan abandoned ..+New PIW waste levy coming to effect	..-Tullamarine to close, Lyndhurst now the only facility able to take Category B PIW ..EPA PIW levies increase \$250	
Taylor's Road Landfill	~Hooker Sands/ Transwaste/Browning Ferris Industries seek planning and works approval for site. ~Daniel Fyfe project engineer for approvals	.. Advertisement for manager of site published with requirement for hazardous waste experience	..Landfill opens October 1990. (First fully engineered landfill incorporating USA best practice as guidelines)	~Daniel Fyfe joined BFI			~City of Greater Dandenong become the responsible authority				..- A letter is circulated to residents and visitors stating that "the tip will not take toxic waste.. only non hazardous wastes"			..-Overturning of heights extensions and projected early closure by VCAT .. Application to increase PIW to 35% ..SITA withdraws height extension in return for 35% hazardous waste ..Issues Assessment and mediation between SITA and local residents		..-PIW increase approved ~City of Greater Dandenong withdraw from VCAT 35% hearing based on agreement	..+ First double composite lined cell opens March	..+July 11th VCAT declaration ..+2006SITA applied to become accredited licence with EPA	..-Precautionary principle ignored (in overturning earlier declaration) regarding birth defects found in Europe.	..VCAT decision April ..-Planning Minister assumes planning control of Taylor's Rd, Minister announces this at the same time as Nowingi. ..-City Greater Dandenong no longer Regulatory authority, planning minister is. ..+ Community Engagement project	..+CESC meetings commence April ..-No decision or understanding who will own the liability of the site for the next 10,000 yrs ..+ CESC Commitment to engage via CESC		

Key -- negative + positive ~neutral

Lyndhurst Landfill CESC

Questions, issues and opportunities for future discussion (initial list from 17 April 2008 CESC mtg)

- Amendment C87 (*i.e. rezoning of land surrounding the landfill for industrial uses*)
- Terminology - 'Toxic', 'Hazardous' and PIW (*need to clarify the definitions and relationships between the various terms used in licences, permits and policies*)
- Height Limit – history from all interested parties
- Liability and ownership of site long-term
 - Potential for clean up in the future
 - Residual transfer agreement
- What is the role for Mark Dreyfus?
- The status of 2020 as a termination date
- Changes to cells
- Changes to (*types of*) PIW being accepted at the landfill – e.g. foundry sands and non toxic salts (we need a briefing)
- Work safety for employees
- Accredited licence
- Correspondence/ communication between the Responsible Authority (Planning Minister) and SITA
- Information on monitoring generally – history of sampling and logs
- Gas management
- Hallam Road landfill management (*insofar as this relates to management of the Taylors Rd facility*) (added after the meeting closed by Thelma Wakelam)

(NB The “2nd April release of the Metropolitan Waste Management Plan” was raised, but subsequently confirmed as being outside the scope of the CESC)