

December 29, 2017

Mr Barry Buffier  
CEO NSW EPA

**Lake Macquarie Lead Community Reference Group (LCRG)**

**Final Report July 11, 2017 – December 31, 2017**

Dear Mr Buffier

The LCRG Terms of Reference require the chairperson to report annually on the activities of the committee. Reports fulfilling that obligation have been provided to yourself in July of 2016 and 2017.

The LCRG term was originally set to expire on 29 April 2017, a term extended by you until 31 December 2017. While the LCRG term expires prior to a 12 month reporting date, I believe that there is an implied obligation on myself to mark the end of term with this final report.

The Lead Community Reference Group met twice since the extension of term and also held a “Community Information Evening” as a public forum at Boolaroo Public School.

The total number of formal meetings of the LCRG for 2017 and since the provision of the Lead Expert Working Group’s (LEWG) report to the Government in December 2016 was five. This number of meetings reflects the fact that the work of the LCRG was ostensibly completed and/or reliant on the outcomes of the government response to the LEWG “Report on managing residual lead contamination in North Lake Macquarie”.

At the meeting of September 28, the committee expressed concern at the length of time being taken for a response by government and that any further delay would impact on the intention of the LCRG to report back to the community on the outcomes of the LEWG and LCRG considerations since being established.

On October 3, I sent letters to both the Premier and Minister, advising them of the committee’s concerns with the delay in providing a response to the LEWG recommendations as well as a complementary proposal advanced through the LCRG for a source of funds to apply to orphaned contaminated sites across NSW which would include northern Lake Macquarie.

As you are aware, on November 10, the Minister wrote to me as chairman of the LCRG and state member, advising that the Government had agreed to support all 22 recommendations of the LEWG report. This advice qualified that this was subject to funding which was subsequently announced a short time later as part of \$23.5M allocated to contamination issues in NSW over a four year period.

With these announcements, the LCRG proceeded to hold a Community Information Evening at Boolaroo Public School on November 28. The event was attended by LCRG members, representatives of the LEWG, NSW Health, Lake Macquarie Council and around 50 members of the public.

The substantive component of the Information Evening included an overview of the process for considering the contamination issues and the outcomes to date including announcements on funding, adoption by the Government of LEWG recommendations, the effective commencement of a number of those recommendations by LMCC, and of course, the issue of the provision of a local repository.

Adam Gilligan as EPA Director North Branch and chairman of the Lead Expert Working Group addressed the forum as did Dr Craig Dalton of NSW Health, Professor Mark Taylor from Macquarie University and LEWG member, and Dr Alice Howe from Lake Macquarie City Council.

Residents were given ample opportunity to publicly ask questions or express their opinion. It was evident that while agreed that there had been advances made some residents remained dissatisfied with the restrictions of disposal of contaminated soil and what they believe to be insufficient financial assistance to the community.

It is my opinion that the forum gave a genuine and useful opportunity to report on final outcomes from the review period and to hear back on community views and concerns. These were noted by the relevant authorities in attendance and also by members of the LCRG.

The LCRG subsequently at its final meeting on 18 December agreed that the adoption of the LEWG recommendations and funding announcement was very positive although some matters remain of concern to the committee and to the affected residents.

Those matters are primarily the limitations that have been placed on the use of Newcastle City Council's Summerhill Waste Facility as a repository for lead contaminated soil as well as concerns about the amount of funds which may be available to Lake Macquarie from the \$23.5M allocation.

The LCRG moved for these matters to be pursued with the Minister and with the EPA. The LCRG wished to express its view that the provision of repository at Summerhill was a positive outcome but that the restrictions that had been imposed on its use substantially diminished the practical value of the solution.

The LCRG has therefore agreed to call on the EPA and Lake Macquarie City Council (LMCC) to pursue amendments to the agreement on the use of Summerhill or if this cannot be achieved within 3 months, for the EPA and LMCC to seek a solution within the LMCC Local Government Area.

The LCRG also agreed to flag with the Minister that while the provision of \$23.5M for contamination issues in NSW is appreciated, it believes that the portion to be allocated to northern Lake Macquarie is likely to be inadequate.

In conclusion, since establishment of the Lead Expert Working Group and Lake Macquarie Lead Community Reference Group in 2015, understanding of the extent of the problem has been greatly improved.

The most important understanding is that with the closure of the smelter, community awareness of the risk of lead in the environment and to a degree, works associated with the Lead Abatement Strategy implemented by Deed Administrator, Ferrier Hodgson, risk to public health has greatly eased.

Indeed, the risk of lead ingestion by children has been the primary concern and reviews of blood lead levels in children in this area during the review process were very heartening with all results being returned below the values recommended by the National Health and Medical Research Council.

While the active review undertaken by the LEWG and LCRG has come to an end, there will clearly be a need to monitor the relationship between legacy contamination and the community in perpetuity. I believe that provisions within the LEWG recommendations should achieve that and with resolution of those outstanding matters of a practical solution to disposal of contaminated waste locally and appropriate funds to assist the community for the short and longer terms, residents of northern Lake Macquarie will see confidence grow in their area. This is already evident when one considers property values and the overall demand for housing in the area.

As chairman of the Lead Community Reference I wish to advise you of the good work and diligent application of the members of the committee with particular note of community based representatives. All have provided valuable input and have worked co-operatively to achieve a good outcome.

On behalf of myself and those members I wish to thank you for establishing and resourcing this process so that the community can have confidence in the safety of the area in which they live.

I look forward to the EPA continuing to monitor the situation and ensure that the legacy issues of the former Pasmenco Smelter are appropriately managed in perpetuity.

Greg Piper MP  
Member for Lake Macquarie  
Chair Lake Macquarie Lead Community Reference Group