



MINUTES

Meeting Number	3
Meeting	FNQ Water Alliance Licence workshop
Date	9 November 2016
Time	10:00am – 2 pm
Venue	Function Room, Barlow Park, Cairns Regional Council

The meeting opened at 10:00am.

1. Attendance

Name	Organisation	Name	Organisation
Lynne Powell	CRC (Facilitator)	Aleisha Myles	TRC
Mark Wuth	CRC	John Bishop	CRC
Andrea Palmer	CRC (1 st half)	Evalyn Ramsey	CRC (Minutes)
Brad Bakker	TRC	Marnie Dugmore	TRC
Amy Yates	MSC	Peter White	DSC
Morris Hamil	MSC	Geoffrey Smart	CCRC
Michael Kitzelmann	Etheridge	Shane Bandiera	CCRC
Kevin Hall	Etheridge	Chris Mooney	DEHP - Assessment
Ian Ramsay	DSITI – Water quality	Mark Cavicchiolo	DEHP - Compliance
Amanda Gray	DEHP - Assessment		

2. Apologies

Name	Organisation	Name	Organisation
Steven Cosatto	FNQROC	Jim Doidge	Cook Shire
Peter Kirchmann	Wugal Wujal	Garry Pickering	Croydon Shire Council
Dawn Lake	Yarrabah	Paul Hoyer	Douglas Shire Council
Rob Lawrence	DEHP - Compliance		

3. Background:

A brief background to this technical workshop was provided by Lynne Powell. The aim of the FNQ Water Alliance Subcommittee is for FNQ Councils to support each other with sharing of technical knowledge, experiences and procedures related to licencing processes. The forum is also designed for collaborative discussions with the Department of Environment and Heritage Protection as well as other Government departments associated with licencing. This allows for a common understanding of technical requirements and a strengthening of relationships with regulators.

4. Structure of EHP Assessment Team (Brisbane based):

- Chris Mooney provided an overview of the structure of the EHP assessment team responsible for Heritage/Utilities/Government Organisations – Chris Mooney manages this team.

- There are two teams in the ERA assessment team (10 staff) with Amanda Gray being one of the team leaders.
- Generally when an amendment application is received by the Assessment Team, it is allocated to the person who has the greatest capacity to do the assessment. In saying this, however, Chris indicated that where possible work would be allocated to assessment officers that have established relationships with individual councils and have some knowledge and experience with individual councils circumstances. This will not always be possible.
- Chris advised Councils that more time should be spent with EHP in the pre-lodgement phase. EHP can then provide better direction of what information to submit with an amendment application so a more accurate decision can be made on the level of assessment required. There is a form to request a pre-lodgement meeting and a pre-lodgement meeting can consist of more than one meeting.

Outcomes for Councils:

- a. If you have a relationship established with a particular assessment officer, make this known to EHP and try to get this assessment officer allocated to your amendment application.
- b. Ensure enough time is put into the pre-lodgement stage of an amendment application to ensure the most relevant and accurate information is provided to EHP.

5. Fees and Environmental Assessment:

FNQ Councils have significant concerns regarding the fee for a major assessment. Both Mareeba Shire Council and Cairns Regional Council have recently been advised that major assessments will attract approximately \$10,000 fees.

EHP advised that an amendment was made to the Environment Protection Regulations in 2015 to include a fee for a major assessment. The fee equates to 1/3 of the relevant annual fee. As most Councils have Local Government Amalgamated Authorities the annual fee is often significant meaning the major amendment assessment fee will be significant. EHP also advised that there is no capacity under the Act/Regulations to waiver fees. Chris Mooney indicated that some applications can never be 'minor amendments' simply due to the nature of the application.

Qld water is currently preparing a submission to EHP to have the Regulations amendment to remove the major assessment fee for Local Government. In the interim, Councils should consult with EHP (assessment team) through the pre-lodgement process to determine the best way to present an assessment application to avoid a major amendment determination.

It was noted that there may be opportunities for fee reductions under SPA – if the application for a fee reduction is made before the planning decision is made. Councils may decide to investigate this.

Outcomes for Councils:

- a. The fee for a major assessment under the EP Act should be put on the Agenda for the next FNQ Water Alliance meeting and give strong support to Qldwater and LGAQ to progress this as a matter of urgency with EHP.
- b. Other QLD Water Alliances should be notified of this outcome.

- c. As an interim measure, Councils should work with EHP (assessments) at the pre-lodgement stage to determine the best way to submit amendment applications.

6. Definitions

Percentile Limits and Mass Load Definitions

- A long and technical discussion occurred on the history and current situation for percentile definitions and limits. There is still significant variability between licences and Councils. Ian Ramsey recommended that the starting point should be the model licence conditions and existing percentile limits could be converted (like for like in terms of the limit) to the model percentile definitions. This would require statistical analysis of effluent release data that is currently held in WaTERS.
- Ian Ramsay also indicated that it was important to consider the frequency of monitoring and questioned what is 'best practice'. Ian expressed interest in working with Councils to look at best practice monitoring, especially with respect to understanding diurnal variability. When considering changes to definitions there may need to be some give and take on monitoring frequencies. Maybe some parameters that are showing a high level of consistency over time could be monitored less frequently whilst other more variable parameters be monitored more frequently.
- Discussed if Councils could work directly with DSITI on converting percentile limits. Ian Ramsay indicated that an agreement would need to be put in place and a business case made to allow this to happen. This business case could be made through FNQ Water Alliance.
- Ian Ramsay discussed the need for technical training for consultants so that they were competent in analysing and modelling data for use in amendment applications etc. Councils expressed interest in undertaking capacity building training so that they could either do the work themselves or they had a better understanding of what to ask in RFQs.
- Chris Mooney indicated that the assessment team sources technical advice from either Ian Ramsay's team in DSITI or from an EHP technical team. Some concern was expressed about consistency of advice and both EHP and DSITI indicated that technical staff are specialists and that there is regular communications between teams.

Dry weather day definition

- The current issues regarding the dry weather day definition relate to existing licences that are not aligned with the model conditions. As an example CRC licences have dry weather day effluent discharge limits. This can often be exceeded in the Wet Tropics because the definition does not take account of the significant rainfall and impacts of groundwater intrusion on flows – this can last for more than 10 days following large rain events.
- There are two options here:
 - existing effluent discharge data can be analysed against rainfall data to come up with site (or region) specific definitions based on the wording in the model conditions. Ian Ramsay was OK with this approach. CRC has already done this analysis and can supply methodology to other Councils on request.
 - Councils can review existing licence conditions against model conditions to see if it is feasible to move away from having an effluent volume limit.

Outcomes for Councils

- a. Councils to review conditions and determine what alignment with model conditions can be achieved with respect to definitions and percentiles.
- b. CRC to work with DSITI on a procedure for analysing data to do equivalence modification for current percentile limits to model condition percentiles.
- c. CRC to work with DSITI and other Councils to scope out training needs from DSITI for Councils
- d. Councils to provide list of key consultants to DSITI to target for training

7. Reporting of WWTP wet weather bypass and dry weather day exceedences

- Dry weather day exceedences' should be reported as incidents. This links to the definition of a dry weather day. It is mostly an issue for older licences. Chris Mooney suggested that Councils choose one WWTP to work through definitions to determine what alignment with model conditions can be achieved as this would remove the need for the dry weather day definition.
- Licences are currently variable with regard to reporting wet weather bypasses of WWTPs. The model conditions require that they be reported, CRC has no requirement to report, CCRC reports annually. Individual Councils should determine reporting requirements and seek alignment with model conditions if relevant.

8. Relationship between WaTERS and Annual Reporting

- DSITI and EHP have a working group to look at streamlining compliance reporting through WaTERS – to create a 'one-stop-shop' for reporting under Environmental Authorities.
- Discussed the submission of wwtp on-site data versus NATA laboratory data to WaTERS.
- Ian Ramsay indicated that there would not need to be commentary on an annual basis of REMP data (possibly every 3-5 years).
- Ian Ramsay indicated that it would be good to establish formal agreements with individual Councils on the supply of data through WaTERS because currently it is not mandatory.

Outcomes for Councils

- a. Only NATA data should be provided to WaTERS as compliance data. Onsite data can be provided as secondary data. EHP acknowledged that there were usually delays in receiving certificates of analysis for NATA testing and indicated that notification periods start when a certificate of analysis is received.
- b. CRC will progress discussions with EHP on the need for annual reporting if all data (including REMP data) is being submitted through WaTERS and report on progress to sub-committee.

9. Compliance monitoring and relationship to Wet Tropics Healthy Waterways Partnership

- Lynne Powell did a presentation on the Wet Tropics Healthy Waterways Partnership and its relevance to Councils (a copy of the presentation will be provided on request from individual councils).
- Key benefits to Councils include: access to technical expertise; relationship building with industry stakeholders; access to methodologies for analysing REMP data; potential cost savings in

monitoring programs or at least confidence that monitoring programs are fitting in with the bigger picture; potential access to funding through the Partnership.

- Ian Ramsay and Chris Mooney indicated that there are examples of where environmental authority monitoring requirements are linked to participation in a 'water quality partnership'. Ian indicated that it was important that the monitoring program was an 'approved regional program' (approved by EHP).

Outcomes for Councils

- a. Cairns Regional Council to progress the possibility of linking the Partnership to licence REMP monitoring requirements and keep other sub-committee members informed.

10. Other

- DSITI and EHP mentioned a new computer system being introduced to improve communications with clients – Connect.

11. Next meeting – Date and time to be advised.

12. Meeting Close – 2:10 pm

Minutes prepared by Lynne Powell, Cairns Regional Council Water and Waste Environmental Coordinator.

Summary of Action:

- a. Councils can ask EHP to provide consistency with allocation of Assessment Officers but understand that this may not always be possible.
- b. Councils should spend more time at the pre-lodgement stage of amendment applications to ensure they supply adequate information to EHP for assessment level determination and to work out the best way to submit an amendment application.
- c. The fee for a major assessment under the EP Act should be put on the Agenda for the next FNQ Water Alliance meeting and give strong support to Qldwater and LGAQ to progress this as a matter of urgency with EHP. Other QLD Water Alliances should be notified of this outcome.
- d. Where relevant, Councils to review conditions and determine what alignment with model conditions can be achieved with respect to definitions and percentiles.
- e. CRC to work with DSITI on a procedure for analysing data to do equivalence modification for current percentile limits to model condition percentiles.
- f. CRC to work with DSITI and other Councils to scope out training needs from DSITI for Councils
- g. Councils to provide list of key consultants to DSITI to target for training in MEDLI modelling and REMP monitoring.
- h. Only NATA data should be provided to WaTERS as compliance data. Onsite data can be provided as secondary data. EHP acknowledged that there were usually delays in receiving certificates of analysis for NATA testing and indicated that notification periods start when a certificate of analysis is received.
- i. CRC will progress discussions with EHP on the need for annual reporting if all data (including REMP data) is being submitted through WaTERS and report on progress to sub-committee.
- j. Cairns Regional Council to progress the possibility of linking the Partnership to licence REMP monitoring requirements and keep other sub-committee members informed.