

APPLICATIONS TO THE ACAT

To apply for a review, obtain an application form from the ACAT. You can also download the form from the ACT Legislation Register <http://www.legislation.act.gov.au/af/2009-278/current/pdf/2009-278.pdf>.

If you are applying on behalf of an organisation or association of persons, whether incorporated or not, the Tribunal in deciding whether to support this application will consider the effect of the decision being reviewed on the interests of the organisation or association in terms of its objects or purposes. A copy of the relevant documents will be required to be lodged with the Tribunal.

TIME LIMITS FOR APPLICATIONS

The time limit to make a request for a review is 28 days from the date of this Notice of decision. The time limit can be extended in some circumstances (refer to sections 10 (2), 10(3), 25(1)(e) and 25(2) of the *ACT Civil & Administrative Tribunal Act 2008*; section 7 of the *ACT Civil and Administrative Tribunal Procedure Rules 2009 (No 2)*; and section 409 of the *Planning and Development Act 2007*).

FEES

Applications to the ACAT, including an application to be joined as a party to a proceeding, require payment of a fee (the Tribunal Registry will advise of the current fee), unless you are receiving legal or financial assistance from the ACT Attorney-General. You can apply to have the fee waived on the grounds of hardship, subject to approval (refer to section 22T of the *ACT Civil and Administrative Tribunal Act 2008*). Decisions to grant assistance are made on the grounds of hardship and that it is reasonable, in all the circumstances, for the assistance to be granted. Write to: The Chief Executive, Justice and Community Safety Directorate, GPO Box 158, CANBERRA ACT 2601. Ask the ACAT for more details.

TIME LIMITS FOR REVIEWS OF DECISIONS

The ACAT is required to decide appeals in land and planning and tree protection cases within 120 days after the lodging of the appeal, unless that period is extended by the ACAT upon it being satisfied that it is in the interests of justice to do so.

FORMS OF LEGAL, FINANCIAL AND OTHER ADVICE AND ASSISTANCE

The following organisations can provide advice and assistance if you are eligible:

- ACT Attorney-General, write to The Chief Executive, Justice and Community Safety Directorate, GPO Box 158, CANBERRA, ACT, 2601;
- the ACT Legal Aid Office, telephone 1300 654314;
- Legal Advice Bureau, telephone (02) 6247 5700;
- ACT Council of the Ageing, telephone (02) 6282 3777;
- Welfare Rights and Legal Centre, telephone (02) 6247 2177; and
- Environmental Defender's Office (ACT), telephone (02) 6247 9420.

AWARDING OF COSTS

You will have to pay any costs involved in preparing or presenting your case. The ACAT also has the power to award costs against a party if the party contravenes a direction of the ACAT and the ACAT considers it in the interests of justice to make such an order. This power is in addition to the power of the ACAT to strike out a party and to dismiss an application for failure to comply with the ACAT's directions.

ACCESS TO DOCUMENTS ABOUT THE DECISION

You may apply for access to any documents you consider relevant to this decision under the ACT Freedom of Information Act 1989. Information about Freedom of information requests is available on the planning and land authority's web site or by contacting us by phone on (02) 6207 1923.

PROCEDURES OF THE ACAT

The procedures of the ACAT are outlined on the ACAT's website, including in the Guide to the Land and Planning Division and the Guide to the Hearing. Contact the ACAT for alternative ways to access information about the ACAT's procedures.

TRANSLATION AND INTERPRETER SERVICES

The ACT Government's translation and interpreter service runs 24 hours a day, every day of the week. Telephone 131 450.

ENGLISH	If you need interpreting help, telephone:
ARABIC	: إذا احتجت لمساعدة في الترجمة الشفوية، إتصل برقم الهاتف:
CHINESE	如果你需要传译员的帮助，请打电话:
CROATIAN	Ako trebate pomoć tumača telefonirajte:
GREEK	Αν χρειάζεστε διερμηνέα τηλεφωνήσετε στο
ITALIAN	Se avete bisogno di un interprete, telefonate al numero:
MALTESE	Jekk għandek bżonn l-għajjuna t'interpretu, ċempel:
PERSIAN	: اگر به ترجمه شفاهی احتیاج دارید به این شماره تلفن کنید:
PORTUGUESE	Se você precisar da ajuda de um intérprete, telefone:
SERBIAN	Ако вам је потребна помоћ преводиоца телефонирајте:
SPANISH	Si necesita la asistencia de un intérprete, llame al:
TURKISH	Tercümana ihtiyacımız varsa lütfen telefon ediniz:
VIETNAMESE	Nếu bạn cần một người thông-ngôn hãy gọi điện-thoại:

TRANSLATING AND INTERPRETING SERVICE**131 450**

Canberra and District - 24 hours a day, seven days a week



3

██████████@arcadis.com

Health-Development Application – 201731430-22-97-CHARNWOOD-01- Applicant Response

Dear Sir,

Thank you for the report titled 'SOIL PFAS INVESTIGATION – 172678, Block 22 Section 97, Charnwood ACT' received by the Health Protection Service (HPS) on 23 October 2017 regarding a proposed childcare centre in Charnwood.

The Health Protection Service (HPS) notes that the report was undertaken following HPS comments in relation to Development Application 20131430-22-97-Charnwood, which included the construction of a single storey, childcare centre and a playground at the site of a former Fire Brigade Depot.

The HPS had concerns regarding the potential exposure of children at the proposed childcare centre to contaminants such as Per-and polyflurinated Alkyl Substances (PFAS) present in spoil at the site. This contamination stemmed from the historic use of the site as a Fire Brigade Depot.

The HPS has reviewed the report and is satisfied additional sampling was undertaken to provide a more complete assessment of the site. The HPS also notes the mitigation measures proposed within the report would provide barriers over soil on the site to prevent exposure to soil and sever the potential exposure pathway to PFAS.

The HPS supports all mitigation measures proposed within the report. However, prior to the HPS providing support for the proposed development, it is requested the applicant provide the HPS details of where each proposed mitigation barrier will be implemented across the site.

The HPS also will require an onsite inspection undertaken by HPS officers following the installation of mitigation measures. This will be a condition of HPS support for the development.

Please contact Andrew Stedman on (02) 6205 4404 if you require any further information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Conrad Barr', written over a white background.

Conrad Barr
Executive Director
Health Protection Service

10 November 2017

Moroney, Rebecca (Health)

From: Moroney, Rebecca (Health)
Sent: Friday, 10 November 2017 3:11 PM
To: HPS
Subject: Health-Development Application - 201731430-22-97-CHARNWOOD-01-Applicant Response
Attachments: Health-Development Application - 201731430-22-97-CHARNWOOD-01-Applicant Response.pdf
Importance: High

Hi David / Kim

This is due to [REDACTED]@arcadis.com by COB today 10 November please.
Could you also please BCC myself and environmentalhealth@act.gov.au



Thank you – Bec 😊

Rebecca Moroney | Personal Assistant to Executive Director

Phone: 02 6205 4402 | Email: rebecca.l.moroney@act.gov.au

Health Protection Service | Population Health Protection and Prevention | ACT Health | ACT Government

25 Mulley Street, Holder ACT 2611 | health.act.gov.au/hps



██████████@arcadis.com

Health-Development Application – 201731430-22-97-CHARNWOOD-01- Applicant Response

Dear Sir,

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The HPS also will require an onsite inspection undertaken by HPS officers following the installation of mitigation measures. This will be a condition of HPS support for the development.

Please contact Andrew Stedman on (02) 6205 4404 if you require any further information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Conrad Barr'.

Conrad Barr
Executive Director
Health Protection Service

10 November 2017

Stedman, Andrew (Health)

From: Mills, David (Health) on behalf of HPS
Sent: Friday, 10 November 2017 3:21 PM
To: [REDACTED]; [REDACTED]@arcadis.com
Subject: Health-Development Application - 201731430-22-97-CHARNWOOD-01-Applicant Response
Attachments: Health-Development Application - 201731430-22-97-CHARNWOOD-01-Applicant Response.pdf
Importance: High

Please see attached response from the Health Protection Service.

Regards

Health Protection Service



██████████@arcadis.com

Health-Development Application – 201731430-22-97-CHARNWOOD-01- Applicant Response

Dear Sir,

Thank you for the report titled 'SOIL PFAS INVESTIGATION – 172678, Block 22 Section 97, Charnwood ACT' received by the Health Protection Service (HPS) on 23 October 2017 regarding a proposed childcare centre in Charnwood.

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Please contact Andrew Stedman on (02) 6205 4404 if you require any further information.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Conrad Barr'.

Conrad Barr
Executive Director
Health Protection Service

10 November 2017

Stedman, Andrew (Health)

From: [REDACTED]@arcadis.com>
Sent: Friday, 10 November 2017 4:08 PM
To: Stedman, Andrew (Health)
Cc: Rob Klacek
Subject: Referral-Health-Development Application - 201731430-22-97-Charnwood-01 - Detailed Landscaping Plan
Attachments: 2016_657_PEACH N CO_-A1 PSP_L 01 Ground Surface Plan_9_11.pdf; 2016_657_PEACH N CO_-A1 PSP_L 02 Ground Surface Detail_9_11.pdf
Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon Andrew,

Please find attached a detailed landscaping plan which shows the location of mitigation measure proposed for the Charnwood site.

We are seeking ACT Health Protection Service's (HPS) endorsement for the detailed landscaping plan.

A site inspection, after the installation of mitigation measures, will be coordinated for HPS officers.

If you have any questions please contact myself.

Regards,

[REDACTED] | [REDACTED] | BSc Environment & Sustainability |
 [REDACTED]@arcadis.com
 Arcadis | Unit 5/9 Beaconsfield Street, Fyshwick Canberra | ACT 2609 | Australia
 T. + 61 2 6280 9898 | M. + [REDACTED]
www.arcadis.com/au

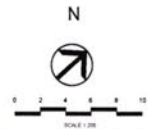
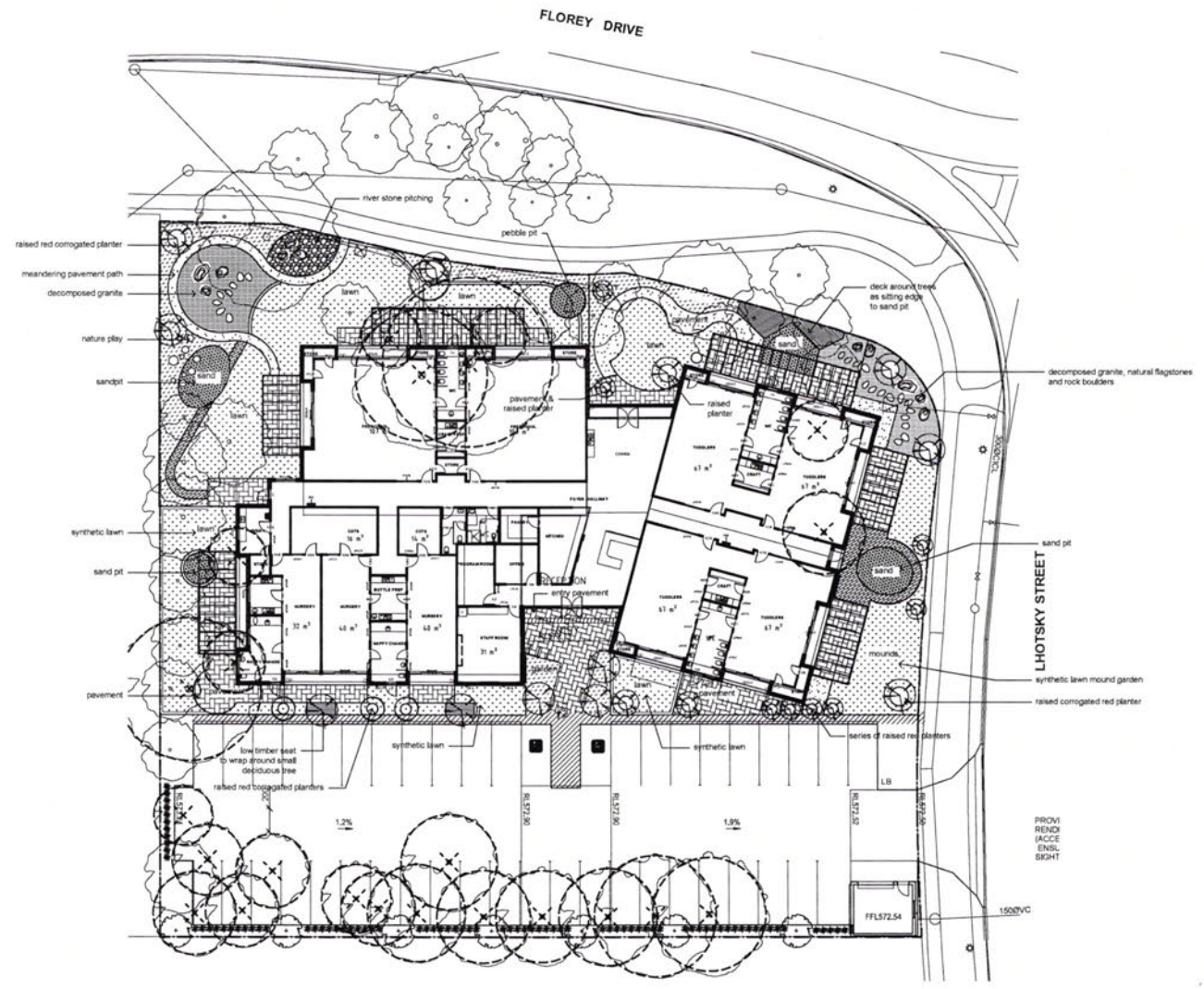


Be green, leave it on the screen.



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-  exposed aggregate / oxide / stenciled concrete pavement
-  large format pavers 400x600 in herring bone pattern
-  unit paving 230x110mm e.g. Claypave Regal Mocha/ Tan
-  trafficable gardens, aggregate, geo fabric & loose mulch to 200depth
-  decomposed granite to 100mm depth, compacted
-  river stone pitching into concrete base
-  timber deck hardwood timber
-  climbing boulder rounded edges
-  natural stepping flagstone
-  lawn area - synthetic to AS/NZS 4422
-  existing tree
-  shrubs - tall / screening
-  shrubs - medium
-  ground covers & accent plants
-  pot/ urn & potted plants
-  small tree
-  medium tree
-  tree to remove
-  conduit - PVC 50mm under pavement for irrigation access
-  sand pits to AS/NZS 4422:1996
-  pebble pit AS/NZS 4422:1996 with e.g. Juggling brown 10mm pebble



Date	Rev.	Description/Comments	By
24/10/2017	4	Ground Surface Plan	ra
8/11/2017	5	Ground Surface Plan	ra

Beracah
GARDENS

mob: 33 988 214 141
 tel: 0413 917 808
 e: beracah@beracah.com.au
 tender documentation not for construction

notes:
 all dimensions in millimeters. do not scale drawing
 all dimensions are shown to be verified on site by contractor
 before construction work or preparation of shop drawings.
 check proposed drawings and be sure to coordinate with
 architect or specification

project title:
Charmwood Childcare Centre
 client:
Peach & Co
 address:
**Lhotsky Street & Florey Drive,
 Charmwood ACT 2615**
 block: section:
 22 97

drawing title:
**Landscape Ground Surfaces
 Plan**

no.	date
1/200 @ A1	November 9th 2017
project no.:	client no.:
2017_057_PSP	L01
	sheet no.:
	97

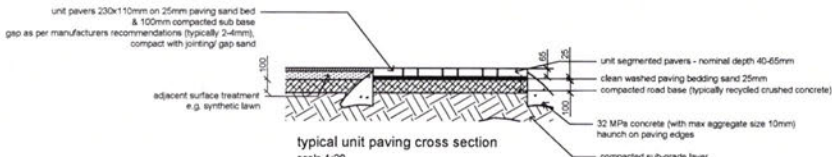
beracah gardens 2017 ©

ground surfaces plan - detail

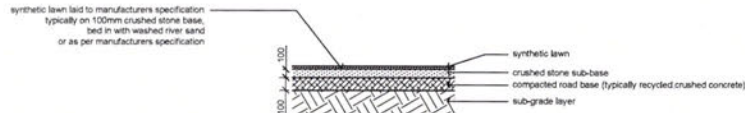
November 9th

924

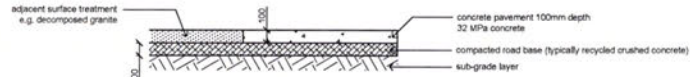
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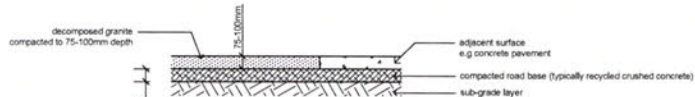
typical unit paving cross section scale 1:20



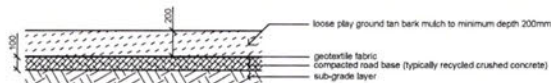
typical synthetic lawn cross section scale 1:20



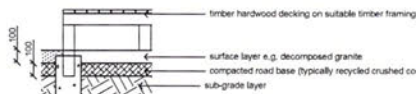
typical concrete pavement cross section scale 1:20



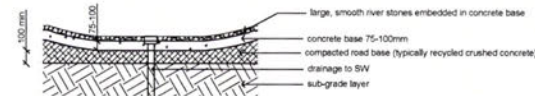
typical decomposed granite cross section scale 1:20



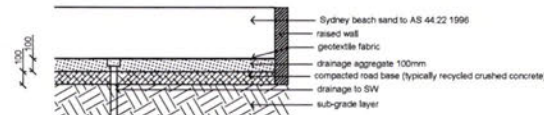
typical loose mulch cross section scale 1:20



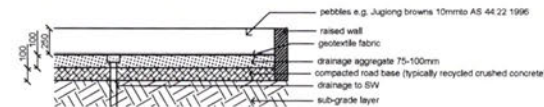
typical timber deck cross section scale 1:20



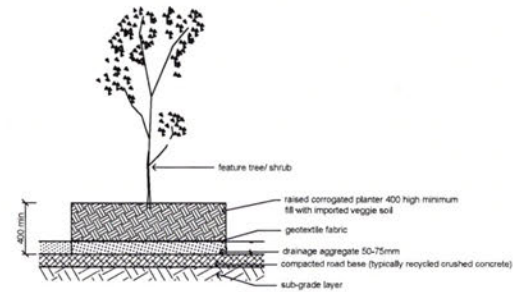
typical river stone pitching cross section scale 1:20



typical sand pit cross section scale 1:20



typical pebble pit cross section scale 1:20



typical raised planter cross section scale 1:20

- exposed aggregate/oxide/stenciled concrete pavement
- large format pavers 400x600 in herring bone pattern
- unit paving 230x110mm e.g. Claypave Regal Mocha/Tan
- trafficable gardens, aggregate, geo fabric & loose mulch to 200depth
- decomposed granite to 100mm depth, compacted
- river stone pitching into concrete base
- timber deck hardwood timber
- climbing boulder rounded edges
- natural stepping flagstone
- lawn area - synthetic to AS/NZS 4422
- existing tree
- shrubs - tall screening
- shrubs - medium
- ground covers & accent plants
- pot/urn & potted plants
- small tree
- medium tree
- tree to remove
- conduit - PVC 50mm under pavement for irrigation access
- sand pits to AS/NZS 4422:1996
- pebble pit AS/NZS 4422:1996 with e.g. Jugging brown 10mm pebble



Date	No.	Description	By
24-10-2017	1	Ground Surface Plan	rs
9-11-2017	2	Ground Surface Plan	rs

Beracah
GARDENS

ph: 33 888 514 141
m: 0413 575 928
e: rebecca@beracah.com.au

landscape documentation
not for construction

notes:
all dimensions to centreline, do not scale drawing
all dimensions and levels to be verified on site by contractor
before commencing work in preparation of stop drawings
where required, drawings must be read in conjunction with
schedule of work or specification

project title:
Charmwood Childcare Centre

client:
Preach & Co

address:
**Lhotsky Street & Flory Drive,
Charmwood ACT 2615**

sheet:
22 of 97

drawing title:
**Landscape Ground Surfaces
Plan - detail**

scale:
1:20 @ A1 date:
November 9th 2017

project no.:
2017_037_PSP sheet no.:
L92 status:
approved

beracah gardens 2017 ©

Stedman, Andrew (Health)

From: Mills, David (Health)
Sent: Friday, 17 November 2017 2:53 PM
To: [REDACTED]@arcadis.com
Subject: Health-Development Application - 201731430-22-97-CHARNWOOD-01- Landscape.pdf
Attachments: Health-Development Application - 201731430-22-97-CHARNWOOD-01- Landscape.pdf

Please see attached response from the Health Protection Service.

Regards

Health Protection Service



██████████@arcadis.com

Health-Development Application – 201731430-22-97-CHARNWOOD-01- Landscape Ground Surfaces Plan

Dear Sir,

Thank you for the Charnwood Childcare Centre – *Landscape Ground Surfaces Plan and details*, received by the Health Protection Service (HPS) on 10 November 2017.

The Health Protection Service (HPS) notes that mitigation measures proposed within the report 'SOIL PFAS INVESTIGATION – 172678, Block 22 Section 97, Charnwood ACT' have been incorporated into the ground surfaces plan.

The HPS supports the release of plans by the Environment Planning and Sustainable Development Directorate for the proposed development, on condition that an onsite inspection is undertaken by HPS officers following the installation of all mitigation measures in accordance with the *Landscape Ground Surfaces Plan and details*.

Please contact Andrew Stedman on (02) 6205 4404 if you require any further information or to arrange for an inspection of installed mitigation measures.

Yours sincerely

A handwritten signature in black ink, appearing to read 'CBARR', written over a white background.

Conrad Barr
Executive Director
Health Protection Service

7 November 2017

Stedman, Andrew (Health)

From: Stedman, Andrew (Health)
Sent: Thursday, 7 December 2017 9:32 AM
To: Hudson, Lyndell (Health)
Subject: RE: DA2017314430-22/97 Charnwood - HPS endorsement and release of plans [SEC=UNCLASSIFIED]

I agree,

I think it would be reasonable to do as Mark has suggested.

Andrew Stedman | Public Health Officer | Environment Team Leader
 Phone: 02 6205 4404 | Mobile: [REDACTED] | Email: andrew.stedman@act.gov.au
 Health Protection Service | Population Health Protection and Prevention | ACT Health | ACT Government
 25 Mulley Street, Holder ACT 2611 | health.act.gov.au/hps

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From: Hudson, Lyndell (Health)
Sent: Wednesday, 6 December 2017 9:27 PM
To: Stedman, Andrew (Health) <Andrew.Stedman@act.gov.au>
Subject: Fwd: DA2017314430-22/97 Charnwood - HPS endorsement and release of plans [SEC=UNCLASSIFIED]

Hi Andrew

Can you have a look at the email
 Chain and attachment and let me know your thoughts?

Thanks

Sent from my iPhone

Begin forwarded message:

From: "Pradhan, Jyoti" <Jyoti.Pradhan@act.gov.au>
To: "Hudson, Lyndell (Health)" <Lyndell.Hudson@act.gov.au>
Cc: "EPAPanningLiaison" <EPAPanningLiaison@act.gov.au>, "Gell, Chris" <Chris.Gell@act.gov.au>, "Heckenberg, Mark" <Mark.Heckenberg@act.gov.au>
Subject: RE: DA2017314430-22/97 Charnwood - HPS endorsement and release of plans [SEC=UNCLASSIFIED]

Hi Lyndell,

I've just received the attached endorsement letter (dated 17 November 2017) from the applicant.

Noting Mark's comments below, I wanted to confirm, if it is okay for me to consider that this endorsement letter satisfies Condition A1 of the Notice of Decision (copy attached) and therefore I can release the stamped plans.

I would appreciate your response at your earliest please. I'm going away on leave from Friday till end of January 2018 and if I need to stamp the plans, I have only tomorrow to do it.

Regards,
Jyoti

Jyoti Pradhan

Assessment Officer | DA Merit Assessment - Commercial

(Working hours - Monday to Friday 8.00am - 2.30pm)

Phone 02 6207 1649 | Fax 02 6207 1856 |

Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.actpla.act.gov.au

From: Heckenberg, Mark

Sent: Wednesday, 6 December 2017 7:40 AM

To: Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au>; Pradhan, Jyoti <Jyoti.Pradhan@act.gov.au>

Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>; Gell, Chris <Chris.Gell@act.gov.au>

Subject: RE: DA2017314430-22/97 Charnwood - HPS comments - Demo plan released
[SEC=UNCLASSIFIED]

Hi Lyndell,

Thanks for the update and for the work your team have done on this.

To ensure the enforceability of the environmental management plan (EMP) recommended by the consultant I would recommend that the site's lease be updated prior to occupancy to include a requirement that it be managed in accordance with this EMP until the HPS and EPA agree in writing that management is no longer required.

Regards Mark

Mark Heckenberg | Manager, Contaminated Sites | Environmental Quality

Phone: 02 6207 2151 | Email: mark.heckenberg@act.gov.au

Construction, Environment and Workplace Protection | Access Canberra | ACT Government

Ground Floor TransACT House, 470 Northbourne Avenue, Dickson 2602

GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>

From: Hudson, Lyndell (Health)

Sent: Tuesday, 5 December 2017 10:47 AM

To: Heckenberg, Mark <Mark.Heckenberg@act.gov.au>; Pradhan, Jyoti <Jyoti.Pradhan@act.gov.au>

Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>; Gell, Chris <Chris.Gell@act.gov.au>

Subject: RE: DA2017314430-22/97 Charnwood - HPS comments - Demo plan released
[SEC=UNCLASSIFIED]

Hi Mark

Nice to hear from you, I am slowly getting back across all the issues since returning in October from 13 months maternity leave. I am sorry you were not kept in the loop following discussions with Keith Rogers.

I have attached the latest soil report we received and our letter supporting the mitigation measures.

The applicants has further provided information on the type and location of each mitigation barrier and we require an inspection to be conducted to ensure the final development matches their proposal.

Please let me know if you have any questions.

Regards,



From: Heckenberg, Mark
Sent: Monday, 4 December 2017 11:33 AM
To: Pradhan, Jyoti <Jyoti.Pradhan@act.gov.au>; Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au>
Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>; Gell, Chris <Chris.Gell@act.gov.au>
Subject: RE: DA2017314430-22/97 Charnwood - HPS comments - Demo plan released [SEC=UNCLASSIFIED]

Thanks Jyoti.

That's a good outcome.

Regards Mark

Mark Heckenberg | Manager, Contaminated Sites | Environmental Quality
 Phone: 02 6207 2151 | Email: mark.heckenberg@act.gov.au
 Construction, Environment and Workplace Protection | Access Canberra | ACT Government
 Ground Floor TransACT House, 470 Northbourne Avenue, Dickson 2602
 GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>

From: Pradhan, Jyoti
Sent: Monday, 4 December 2017 11:25 AM
To: Heckenberg, Mark <Mark.Heckenberg@act.gov.au>; Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au>
Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>; Gell, Chris <Chris.Gell@act.gov.au>
Subject: RE: DA2017314430-22/97 Charnwood - HPS comments - Demo plan released [SEC=UNCLASSIFIED]

Good morning Mark and Lyndell,

The Demolition Plan was endorsed and released to allow the applicant to get the soil testing done to meet HPS conditions in relation to possible contamination. A confirmation was received from Keith Rogers before the Demolition Plan was dispatched. Please refer attached email.

Hope this helps.

Regards,
 Jyoti

Jyoti Pradhan

Assessment Officer | DA Merit Assessment - Commercial

(Working hours - Monday to Friday 8.00am - 2.30pm)

Phone 02 6207 1649 | Fax 02 6207 1856 |

Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | ACT Government
Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.actpla.act.gov.au

From: Heckenberg, Mark

Sent: Monday, 4 December 2017 10:53 AM

To: Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au>

Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>; Pradhan, Jyoti <Jyoti.Pradhan@act.gov.au>

Subject: FW: DA2017314430-22/97 Charnwood - HPS comments

Importance: High

Hi Lyndell,

I hope all is well.

Back in June the attached letter was forwarded to the EPA Planning Liaison Officer by EPSDD. The attachment was subsequently forwarded to me for EPA records.

I remember chatting with one of your officers (sorry I can't recall who but it wasn't Faith) on a couple of occasions about the site around that time and offered to review any reports that were submitted to HPS on potential PFAS contamination at the site and have heard nothing more.

Can you tell me whether the potential risks in relation to PFAS contamination raised in the attached letter have been resolved to HPS's satisfaction? During a site inspection on Friday I noted that demolition works had commenced at the site.

Thanks Mark

Mark Heckenberg | Manager, Contaminated Sites | Environmental Quality

Phone: 02 6207 2151 | Email: mark.heckenberg@act.gov.au

Construction, Environment and Workplace Protection | Access Canberra | ACT Government

Ground Floor TransACT House, 470 Northbourne Avenue, Dickson 2602

GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>

Hudson, Lyndell (Health)

From: Pradhan, Jyoti
Sent: Thursday, 7 December 2017 12:28 PM
To: Hudson, Lyndell (Health)
Cc: Heckenberg, Mark
Subject: RE: DA2017314430-22/97 Charnwood - HPS endorsement and release of plans - confirmed [SEC=UNCLASSIFIED]

Hi Lyndell,

Thank you for confirming.

In regards to Mark's comments, I can only include the updating of the lease as an 'advice' in the endorsement letter as the DA has already been approved. It will be the responsibility of the lessee to lodge an application to vary the lease accordingly.

Regards,
 Jyoti

Jyoti Pradhan

 Assessment Officer | DA Merit Assessment - Commercial (Working hours - Monday to Friday 8.00am - 2.30pm)
 Phone 02 6207 1649 | Fax 02 6207 1856 | Planning Delivery Division | Environment, Planning and Sustainable
 Development Directorate | ACT Government Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908
 Canberra ACT 2601 | www.actpla.act.gov.au

-----Original Message-----

From: Hudson, Lyndell (Health)
Sent: Thursday, 7 December 2017 11:38 AM
To: Pradhan, Jyoti <Jyoti.Pradhan@act.gov.au>
Subject: RE: DA2017314430-22/97 Charnwood - HPS endorsement and release of plans [SEC=UNCLASSIFIED]

Hi Jyoti

Happy for you to consider that the endorsement letter satisfies condition A1 of the Notice of Decision. I supports
 Mark's comments below.

Enjoy your leave!!

Lyndell

From: Pradhan, Jyoti
Sent: Wednesday 6 December 2017 14:23
To: Hudson, Lyndell (Health)
Cc: EPAPanningLiaison; Gell, Chris; Heckenberg, Mark
Subject: RE: DA2017314430-22/97 Charnwood - HPS endorsement and release of plans [SEC=UNCLASSIFIED]

Hi Lyndell,

I've just received the attached endorsement letter (dated 17 November 2017) from the applicant.

Noting Mark's comments below, I wanted to confirm, if it is okay for me to consider that this endorsement letter satisfies Condition A1 of the Notice of Decision (copy attached) and therefore I can release the stamped plans.

I would appreciate your response at your earliest please. I'm going away on leave from Friday till end of January 2018 and if I need to stamp the plans, I have only tomorrow to do it.

Regards,
Jyoti

Jyoti Pradhan

Assessment Officer | DA Merit Assessment - Commercial (Working hours - Monday to Friday 8.00am - 2.30pm)
Phone 02 6207 1649 | Fax 02 6207 1856 | Planning Delivery Division | Environment, Planning and Sustainable
Development Directorate | ACT Government Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908
Canberra ACT 2601 | www.actpla.act.gov.au<<http://www.actpla.act.gov.au/>>

From: Heckenberg, Mark
Sent: Wednesday, 6 December 2017 7:40 AM
To: Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au>; Pradhan, Jyoti <Jyoti.Pradhan@act.gov.au>
Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au>; Gell, Chris <Chris.Gell@act.gov.au>
Subject: RE: DA2017314430-22/97 Charnwood - HPS comments - Demo plan released [SEC=UNCLASSIFIED]

Hi Lyndell,

Thanks for the update and for the work your team have done on this.

To ensure the enforceability of the environmental management plan (EMP) recommended by the consultant I would recommend that the site's lease be updated prior to occupancy to include a requirement that it be managed in accordance with this EMP until the HPS and EPA agree in writing that management is no longer required.

Regards Mark

Mark Heckenberg | Manager, Contaminated Sites | Environmental Quality
Phone: 02 6207 2151 | Email: mark.heckenberg@act.gov.au<<mailto:mark.heckenberg@act.gov.au>>
Construction, Environment and Workplace Protection | Access Canberra | ACT Government Ground Floor TransACT
House, 470 Northbourne Avenue, Dickson 2602 GPO Box 158 Canberra ACT 2601 |
<http://www.act.gov.au/accesscbr>

From: Hudson, Lyndell (Health)
Sent: Tuesday, 5 December 2017 10:47 AM
To: Heckenberg, Mark <Mark.Heckenberg@act.gov.au<<mailto:Mark.Heckenberg@act.gov.au>>>; Pradhan, Jyoti <Jyoti.Pradhan@act.gov.au<<mailto:Jyoti.Pradhan@act.gov.au>>>
Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au<<mailto:EPAPanningLiaison@act.gov.au>>>; Gell, Chris <Chris.Gell@act.gov.au<<mailto:Chris.Gell@act.gov.au>>>
Subject: RE: DA2017314430-22/97 Charnwood - HPS comments - Demo plan released [SEC=UNCLASSIFIED]

Hi Mark

Nice to hear from you, I am slowly getting back across all the issues since returning in October from 13 months maternity leave. I am sorry you were not kept in the loop following discussions with Keith Rogers.

I have attached the latest soil report we received and our letter supporting the mitigation measures.

The applicants has further provided information on the type and location of each mitigation barrier and we require an inspection to be conducted to ensure the final development matches their proposal.

Please let me know if you have any questions.

Regards,

[cid:image001.png@01D1844F.4FB5EAA0]Lyndell Hudson | Manager Environmental Health Health Protection Service | health.act.gov.au<<http://health.act.gov.au/HPS/>>
Phone (02) 6205 0956 | Mobile [REDACTED]

From: Heckenberg, Mark
Sent: Monday, 4 December 2017 11:33 AM
To: Pradhan, Jyoti <Jyoti.Pradhan@act.gov.au<<mailto:Jyoti.Pradhan@act.gov.au>>>; Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au<<mailto:Lyndell.Hudson@act.gov.au>>>
Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au<<mailto:EPAPanningLiaison@act.gov.au>>>; Gell, Chris <Chris.Gell@act.gov.au<<mailto:Chris.Gell@act.gov.au>>>
Subject: RE: DA2017314430-22/97 Charnwood - HPS comments - Demo plan released [SEC=UNCLASSIFIED]

Thanks Jyoti.

That's a good outcome.

Regards Mark

Mark Heckenberg | Manager, Contaminated Sites | Environmental Quality
Phone: 02 6207 2151 | Email: mark.heckenberg@act.gov.au<<mailto:mark.heckenberg@act.gov.au>>
Construction, Environment and Workplace Protection | Access Canberra | ACT Government Ground Floor TransACT House, 470 Northbourne Avenue, Dickson 2602 GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>

From: Pradhan, Jyoti
Sent: Monday, 4 December 2017 11:25 AM
To: Heckenberg, Mark <Mark.Heckenberg@act.gov.au<<mailto:Mark.Heckenberg@act.gov.au>>>; Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au<<mailto:Lyndell.Hudson@act.gov.au>>>
Cc: EPAPanningLiaison <EPAPanningLiaison@act.gov.au<<mailto:EPAPanningLiaison@act.gov.au>>>; Gell, Chris <Chris.Gell@act.gov.au<<mailto:Chris.Gell@act.gov.au>>>
Subject: RE: DA2017314430-22/97 Charnwood - HPS comments - Demo plan released [SEC=UNCLASSIFIED]

Good morning Mark and Lyndell,

The Demolition Plan was endorsed and released to allow the applicant to get the soil testing done to meet HPS conditions in relation to possible contamination. A confirmation was received from Keith Rogers before the Demolition Plan was dispatched. Please refer attached email.

Hope this helps.

Regards,
Jyoti

Jyoti Pradhan

Assessment Officer | DA Merit Assessment - Commercial (Working hours - Monday to Friday 8.00am - 2.30pm)
Phone 02 6207 1649 | Fax 02 6207 1856 | Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | ACT Government Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.actpla.act.gov.au<<http://www.actpla.act.gov.au>>

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Sent: Monday, 4 December 2017 10:53 AM
To: Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au<<mailto:Lyndell.Hudson@act.gov.au>>>

Cc: EPAPlanningLiaison <EPAPlanningLiaison@act.gov.au<mailto:EPAPlanningLiaison@act.gov.au>>; Pradhan, Jyoti <Jyoti.Pradhan@act.gov.au<mailto:Jyoti.Pradhan@act.gov.au>>
Subject: FW: DA2017314430-22/97 Charnwood - HPS comments
Importance: High

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Thanks Mark

Mark Heckenberg | Manager, Contaminated Sites | Environmental Quality
Phone: 02 6207 2151 | Email: mark.heckenberg@act.gov.au<mailto:mark.heckenberg@act.gov.au>
Construction, Environment and Workplace Protection | Access Canberra | ACT Government Ground Floor TransACT House, 470 Northbourne Avenue, Dickson 2602 GPO Box 158 Canberra ACT 2601 |
<http://www.act.gov.au/accesscbr>

Hudson, Lyndell (Health)

From: Karuppiah, Naga
Sent: Thursday, 21 December 2017 9:46 AM
To: Ramesh, Meena; Hudson, Lyndell (Health)
Cc: Heckenberg, Mark; Brown, Robin; Gell, Chris; Chappell, Hazel; Sare, Irma; Zamora-Pullin, Joshua; Sullivan, Susan
Subject: RE: Block 22 Section 97 Charnwood (Ex fire station site) - proposed childcare centre [SEC=UNCLASSIFIED]

Hi Meena

CECA has confirmed that soil remediation is required as part of the Service Approval Application and please liaise with CECA from hereon.

Thank you

Kind regards,

Naga Karuppiah | Assistant Manager

Ph: 02 6207 5373 | e-mail Nagappan.Karuppiah@act.gov.au

Planning & Analytics Branch | Education Directorate | ACT Government

Level 1, 220 Northbourne Avenue | GPO Box 158 Canberra ACT 2601 | www.det.act.gov.au

From: Ramesh, Meena

Sent: Wednesday, 20 December 2017 1:46 PM

To: Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au>; Karuppiah, Naga <Nagappan.Karuppiah@act.gov.au>

Cc: Heckenberg, Mark <Mark.Heckenberg@act.gov.au>; Brown, Robin <Robin.Brown@act.gov.au>; Gell, Chris <Chris.Gell@act.gov.au>; Chappell, Hazel <Hazel.Chappell@act.gov.au>; Sare, Irma <Irma.Sare@act.gov.au>; Zamora-Pullin, Joshua <Joshua.Zamora-Pullin@act.gov.au>; Sullivan, Susan <Susan.Sullivan@act.gov.au>

Subject: RE: Block 22 Section 97 Charnwood (Ex fire station site) - proposed childcare centre [SEC=UNCLASSIFIED]

Lyndell

Please find below the minutes of yesterday's meeting regarding this development.

Naga,

FYI - Please call me if you wish to discuss.

Attendees

Robin Brown & Mark Heckenberg -EPA

Hazell Chappell & Joshua Pullin -Suburban Land Agency (SLA)

Irma Sare -DA Leasing

Chris Gell & Meena Ramesh -Merit Assessment

Background

The development application (DA) for a 176 place childcare centre was approved subject to conditions in August 2017. The DA was circulated to Health Protection Service (HPS), Children's Education and Care Assurance (CECA) and Environment Protection Authority (EPA).

Comments provided by HPS on 24 July 2017 in relation to the DA stated that previous tests of the site had indicated presence of perfluorooctane sulphonate(PFOS) on site and therefore the applicant must undertake an assessment of

the site and provide suitable mitigation measures to eliminate exposure to PFOS. A condition was included in the decision to meet HPS requirements and this HPS advice was included in the decision as ATTACHMENT A.

The lessee's consultant undertook this assessment required by HPS in October 2017 and provided a report to HPS. This report recommended mitigation measures in the form of permanent barriers to prevent exposure to soil on site. On 10 November 2017, HPS supported the mitigation measures subject to a condition that HPS required a site inspection following installation of these mitigation measures and requested details of where each proposed mitigation barrier will be implemented across the site.

The applicant submitted a plan titled *Landscape Ground Surfaces Plan and details* to HPS. On 17 November 2017, HPS supported the release of approved plans for the development lodged as part of the DA subject to a condition that an onsite inspection is undertaken by HPS officers following the installation of all mitigation measures in accordance with the *Landscape Ground Surfaces Plan and details*.

Subsequently, on 6 December 2017, EPA advised that to ensure enforceability of the environmental management plan (EMP) recommended by the consultant, EPA recommends that the site's lease be updated "prior to occupancy" to include a requirement that it be managed in accordance with this EMP until HPS & EPA agree in writing that the management is no longer required. This recommendation was supported by HPS.

Discussion/outcomes

- EPA requirement for the EMP (ongoing management plan) to be in the lease requires a new DA along with public notification. Irma confirmed we cannot do a formal correction to the decision to include this as a condition nor can we force the lessee to lodge a new DA for lease variation. It was agreed that Merit Assessment should raise this matter with the applicant in the first instance. If the lessee does not agree, Irma suggested a Miscellaneous Application Encumbrance (MAE) for the site can be registered by the EPA against the title, but this matter needs to be explored further and also requires the lessee to produce the title. Mark advised that it is EPA's preference that it be in the lease. It was agreed that the lessee be advised to lodge the lease variation DA at its own cost along with the valuation report, site assessment report, previous endorsements from HPS, the EMP, *Landscape Ground Surfaces Plan and details* and any other relevant supporting documentation. Irma confirmed that the DA description needs to just request a clause be inserted in the lease to include the ongoing EMP. DA Leasing will then finalise the condition in consultation with HPS & EPA.
- EPA confirmed that the EMP is yet to be prepared and is to be endorsed by both HPS and EPA noting that final say will be with HPS. The lessee should be asked to prepare the EMP at its own cost.
- It was agreed that any clauses regarding monitoring of the mitigation measures needs to be included in the EMP along with the endorsed *Landscape Ground Surfaces Plan and details*. Mark did not see any need to formal regular certification by a consultant. Instead he suggested the lessee can do a visual inspection every 6 months or one year and only if any issues are identified contact the EPA.
- The meeting noted that the assessment undertaken by the lessee did not explore the option to completely remove the contaminant from the site. While removal of the highly mobile contaminant (PFOS) is a far better outcome, Mark advised that the associated costs may be high. Alternatively Mark suggested the contaminated soil be cut out and placed under the building to avoid exposure. It was agreed that the lessee must explore these options.
- It was noted that the *Landscape Ground Surfaces Plan and details* endorsed by HPS has not been submitted to Merit Assessment and will not be part of the approved DA plans which includes a Landscape Plan as well. It was agreed that the lessee should be asked to submit this as part of the lease variation DA.
- Mark advised that EPA does not have standards yet for PFOS and therefore has no basis to act. He also emphasised that it was HPS requirements. However, EPA does not dispute the consultant's advice that subject to the mitigation measures identified in the site assessment report being implemented & the

ongoing implementation of the EMP, the site is suitable for use as a childcare centre. Mark confirmed subject site will not go on the Register of Contaminated Sites.

- It was noted that it is likely that the lessee will raise costs associated in relation to site assessment, implementation of mitigation measures; preparation & implementation of the ongoing management plan; the new DA preparation & DA fees; lease variation registration costs, etc. or wish to hand back the site. SLA to seek their own legal advice on the matter of costs or handback of site. SLA may refer the matter to JACS the original custodian of this block. Merit Assessment will not enter into any discussions with the lessee regarding costs and will ask the lessee to seek their own legal advice on the matter.
- Mark agreed that approved DA plans can be released since there is no legislative basis to hold the plans. Landscape plan will need to be revised consistent with the *Landscape Ground Surfaces Plan and details by the applicant*. Both these plans need to be endorsed by CECA as well.

Suggested condition

The site is to be managed in accordance with the approved "Environmental Management Plan (EMP)" endorsed by the HPS & EPA until the lessee provides written evidence to the planning and land authority that the HPS and EPA agree in writing that management is no longer required.

Follow up action

- Meet with the applicant on 20 December 2017 to outline the outcomes above in blue.
- Merit assessment to brief HPS who were unable to attend the meeting and CECA on the outcomes of the meeting.

Regards

Meena Ramesh

(Mon- Fri - 9am -3pm)

Senior Assessment Officer | Merit Assessment - Commercial Team

Phone 02 62076174 | Fax 02 62071856 |

Planning Delivery Division | ACTPLA | Environment, Planning & Sustainable Development Directorate | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.environment.act.gov.au

Stedman, Andrew (Health)

From: Stedman, Andrew (Health)
Sent: Wednesday, 6 June 2018 2:13 PM
To: Lewer, Kendall
Subject: RE: RE Results for testing of the old Charnwood ACTFR site. [SEC=UNCLASSIFIED]

Hi Kendall,

I forwarded the request to release up the line, but it must have got lost. I'll follow it up again.

Just to confirm, we required the applicant to undertake further testing, which we assessed. We didn't do the testing ourselves.

Kind regards

Andrew Stedman | Public Health Officer | Environment Team Leader
 Phone: 02 6205 4404 | Mobile: [REDACTED] | Email: andrew.stedman@act.gov.au
 Health Protection Service | Population Health Protection and Prevention | ACT Health | ACT Government
 Mulley Street, Holder ACT 2611 | health.act.gov.au/hps

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From: Lewer, Kendall
Sent: Wednesday, 6 June 2018 2:10 PM
To: Stedman, Andrew (Health) <Andrew.Stedman@act.gov.au>
Cc: Brown, Mark <Mark.Brown@act.gov.au>
Subject: RE: RE Results for testing of the old Charnwood ACTFR site. [SEC=UNCLASSIFIED]

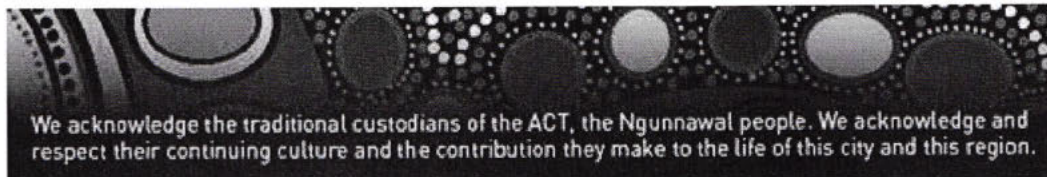
Hi Andrew,

Just following up on the below?

Thanking you.

Kind Regards,

KENDALL LEWER | Assistant Manager - Infrastructure | ICT-CWI | Corporate | Justice and
 Community Safety Directorate | Level 1, 12 Moore Street, Canberra City ACT 2601 | T: 6207 0557 | F: 6205 2986 |
 Office hours 09:00 to 17:00



From: Lewer, Kendall
Sent: Tuesday, 15 May 2018 9:26 AM

To: Stedman, Andrew (Health) <Andrew.Stedman@act.gov.au>

Cc: Brown, Mark <Mark.Brown@act.gov.au>

Subject: RE Results for testing of the old Charnwood ACTFR site. [SEC=UNCLASSIFIED]

Good Morning Andrew,

At the PFAS meeting a few months ago you mentioned that ACT Health had already conducted testing of the old Charnwood ACTFR site.

Would you be able to send me a copy of the results??

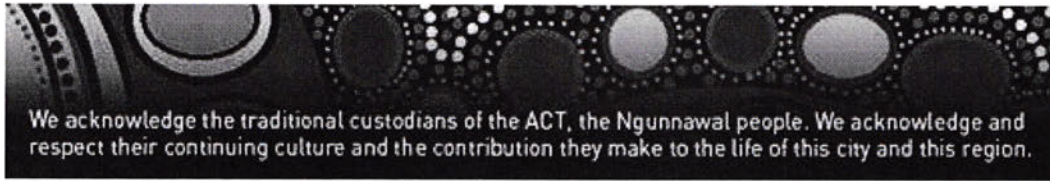
Also I would be quite keen to see the scope of works that the assessment was conducted under and what the ball park cost was for the assessment.

Can you please advise if this is possible to obtain?

Thanks Andrew!

Kind Regards,

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We acknowledge the traditional custodians of the ACT, the Ngunnawal people. We acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

Stedman, Andrew (Health)

From: Stedman, Andrew (Health)
Sent: Wednesday, 6 June 2018 2:40 PM
To: Lyndell Hudson
Subject: FW: RE Results for testing of the old Charnwood ACTFR site. [SEC=UNCLASSIFIED]
Attachments: 17267_RP01_V03.pdf

Lyndell,

Did you have a chance to discuss this with Conrad yet?

I'm not sure about these reports being IP (as they were undertaken by the developer as a result of our comments in the DA process). I have attached what is probably the most relevant document, however the folder is here <G:\HPS\P&EHS\Operations\3 - Environment\3 - Development Applications\2017\201731430-22-97-CHARWOOD-01>

Thanks

Andrew Stedman | Public Health Officer | Environment Team Leader

Phone: 02 6205 4404 | Mobile: [REDACTED] | Email: andrew.stedman@act.gov.au

Health Protection Service | Population Health Protection and Prevention | ACT Health | ACT Government

25 Mulley Street, Holder ACT 2611 | health.act.gov.au/hps

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Sent: Wednesday, 6 June 2018 2:10 PM
To: Stedman, Andrew (Health) <Andrew.Stedman@act.gov.au>
Cc: Brown, Mark <Mark.Brown@act.gov.au>
Subject: RE: RE Results for testing of the old Charnwood ACTFR site. [SEC=UNCLASSIFIED]

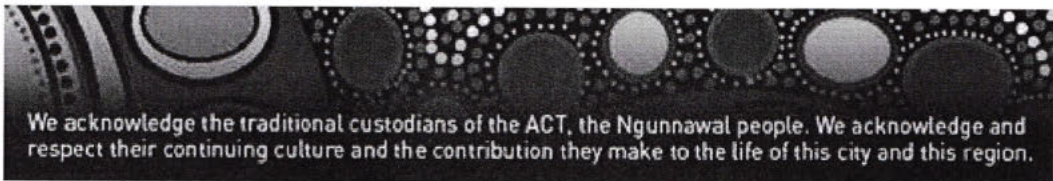
Hi Andrew,

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Kind Regards,

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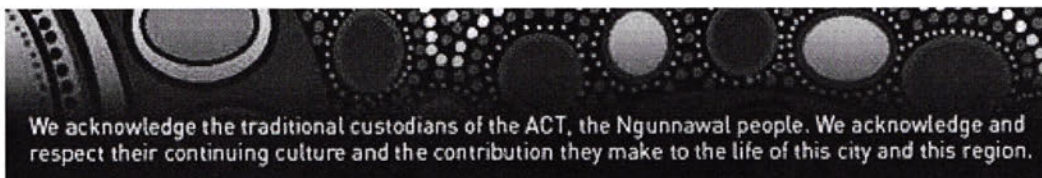
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Can you please advise if this is possible to obtain?

Thanks Andrew!

Kind Regards,

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Hudson, Lyndell (Health)

From: Hudson, Lyndell (Health)
Sent: Thursday, 7 June 2018 12:08 PM
To: Lewer, Kendall
Cc: Stedman, Andrew (Health); Brown, Mark
Subject: RE: RE Results for testing of the old Charnwood ACTFR site. [SEC=UNCLASSIFIED]

Hi Kendall

The Health Protection Service did not conduct testing of the old Charnwood ACTFR site. The report we received were conducted by ARCADIS in October 2017 and were supplied through a DA process.

Mr [REDACTED], Environmental Restoration Manager –(ACT) is the contact for the report. [REDACTED] contact details are:

T 6280 9898, M [REDACTED], E [REDACTED]@arcadis.com.au
 Address: Unit 5, 9 Beaconsfield St, Fyshwick ACT

As the report is a third party document and was not conducted by ACT Health I am unable to provide details on the scope of works that the assessment was conducted and the cost involved.

I suggest contacting [REDACTED] for information regarding the report.

Sorry for the delay in getting back to you.

Regards,



Lyndell Hudson | Senior Manager Environment and Radiation Safety
 Health Protection Service | health.act.gov.au
 Phone (02) 6205 0956 | Mobile [REDACTED]

From: Lewer, Kendall
Sent: Wednesday, 6 June 2018 2:10 PM
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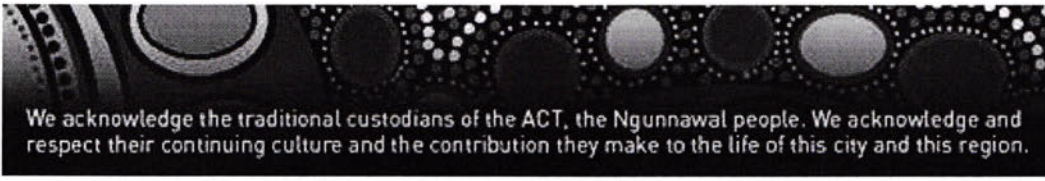
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KENDALL LEWER | Assistant Manager - Infrastructure | ICT-CWI | Corporate | Justice and Community Safety Directorate | Level 1, 12 Moore Street, Canberra City ACT 2601 | T: 6207 0557 | F: 6205 2986 | Office hours 09:00 to 17:00



We acknowledge the traditional custodians of the ACT, the Ngunnawal people. We acknowledge and respect their continuing culture and the contribution they make to the life of this city and this region.

Stedman, Andrew (Health)

From: Hudson, Lyndell (Health)
Sent: Thursday, 14 June 2018 9:49 AM
To: Stedman, Andrew (Health)
Subject: FW: Urgent request for advice [SEC=UNCLASSIFIED]

Hi Steddy

I have spoken with Chris.

NFA required.

Lyndell Hudson | Senior Manager Environment and Radiation Safety Health Protection Service | health.act.gov.au
Phone (02) 6205 0956 | Mobile [REDACTED]

--Original Message-----

From: Rogers, Keith (Health)
Sent: Thursday, 14 June 2018 8:36 AM
To: Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au>
Cc: Stedman, Andrew (Health) <Andrew.Stedman@act.gov.au>
Subject: FW: Urgent request for advice [SEC=UNCLASSIFIED]

Hi Lyndell,

This will require urgent response. Sorry I am away today. Andrew was involved with this one regarding charnwood fire station.

Will discuss tomorrow morning.

Keith.

From: Gell, Chris
Sent: Wednesday 13 June 2018 21:43
To: Rogers, Keith (Health)
Cc: Heckenberg, Mark; Contaminated Sites; Piper, Mayumi; Rogan, Nicole
Subject: Urgent request for advice [SEC=UNCLASSIFIED]

Hi Keith

You may recall a DA approved last year for a child care centre on the former fire station site at 22/97 Charnwood, which I understand you had some involvement with.

An AECOM report of 2015 did not address this contamination. The DA was referred to health in June 2017, with advice provided that PFAS testing was required.

We require urgent advice as to when the requirement for PFAS testing became standard practice.

Thanks!!

Chris Gell

Manager Commercial Development Assessment Planning Delivery Division - Environment Planning and Sustainable Development Directorate

P. 02 62072642 e. chris.gell@act.gov.au<mailto:Ray.Brown@act.gov.au>

Moroney, Rebecca (Health)

From: Barr, Conrad (Health)
Sent: Thursday, 14 June 2018 6:00 PM
To: Hudson, Lyndell (Health); Stefanovic, Vojkan (Health); Pengilley, Andrew (Health)
Subject: FW: Ministerial Brief - PFAS including site list [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]
Attachments: Ministerial Brief - PFAS including site list.docx

Hi All

Can you please review and make any specific additions or edits in track changes and send back through ED_HPS-Support by COB next Monday. We may need to check the Charnwood paragraph against our advice to EPSDD on the DA

Happy to discuss.

Cheers

Conrad



Conrad Barr | Executive Director
 Health Protection Service | health.act.gov.au
 Phone (02) 6205 4402

From: Clapham, David
Sent: Thursday, 14 June 2018 4:30 PM
To: Chester, Heath <Heath.Chester@act.gov.au>; Sargent, Narelle <Narelle.Sargent@act.gov.au>
Cc: Barr, Conrad (Health) <Conrad.Barr@act.gov.au>; Engele, Sam <Sam.Engele@act.gov.au>
Subject: Ministerial Brief - PFAS including site list [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Dear Heath

Thanks for the opportunity to review this. Following our discussion I had a request from my DDG to include a line advising on PFAS in JBT – I have placed a para in the background section. Let me know of any issues. It may be worth copying the Chief Minister into this brief.

Thanks

David

David Clapham | Manager - Intergovernmental Relations | **Policy & Cabinet Division**
 ☎ 02 6205 7261 | **Chief Minister, Treasury & Economic Development Directorate** | ACT Government
 Level 4, Canberra Nara Centre | GPO Box 158 Canberra ACT 2601 | www.act.gov.au





MINISTERIAL BRIEF

Chief Minister, Treasury and Economic
Development Directorate

UNCLASSIFIED

To: Minister for Regulatory Services Tracking No.: Click here to enter text.

Date: 13 May 2018

CC: Minister for Planning and Land Management

From: Alison Purvis, Chief Operating Officer

Subject: PFAS Contamination in the ACT

Critical Date: 22 June 2018

Critical Reason: Click here to enter text.

Purpose

To provide an update on PFAS issues in the ACT.

Recommendations

That you:

1. Note the information contained in this brief.

Noted / Please Discuss

MLA /...../.....

Minister's Office Feedback

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Background

1. Per- and polyfluoroalkyl substances (PFAS) are a diverse group of compounds resistant to heat, water, and oil. For decades, they have been used in aviation fire-fighting foams (AFFF) as well as being used in a range of industrial/manufacturing processes. The persistent nature of PFAS means it can bio-accumulate in organisms high up in the food chain (ie humans) which represents a potential long term issue.
2. PFAS containing AFFF are no longer used in the ACT by ACT firefighting agencies. The phasing out of AFFF concentrate by ACT Fire & Rescue (ACTF&R) commenced in September 2004 and it was completely withdrawn from service in April 2005 and replaced with fluorine-free foam concentrate. ACTF&R still carry nine (9) litre AFFF fire extinguishers on fire fighting vehicles, with these currently being replaced with fluorine-free alternatives.
3. Governments in Australia now work to a framework for PFAS management in accordance with the an Intergovernmental Agreement on a National Framework for Responding to PFAS Contamination Intergovernmental Agreement (February 2018) and the PFAS National Environment Management Plan (NEMP), adopted by all jurisdictions March 2018.
4. The NEMP details the concentrations of PFAS that are currently considered to represent human and ecological harm (essentially defines the level of PFAS in soil & water that is considered 'contamination'). The NEMP also details methods for site assessments, sampling protocols and analytical determinations.
5. The issues with PFAS that have been widely reported in other jurisdictions have involved direct contamination of drinking water and/or food supplies. Such issues are improbable in the ACT because of the remote catchments used for town water supply and the insignificant volume of food production in the ACT.
6. AFFF was specifically used to suppress flammable liquid fires and was also used in training exercises. There are a number of other facilities in the ACT that are likely to have stored or used AFFF and thus have the potential for PFAS contamination. These sites are listed in table below.

Facility	Location	PFAS Contamination
Commonwealth		
HMAS Harman	Woods Lane, Jerrabomberra, ACT	Potential
Duntroon Royal Military College	Staff Cadet Avenue, Campbell, ACT	Potential
RAAF Fairbairn/ Canberra Airport	Pialligo Avenue, Pialligo, ACT	Confirmed
Majura Firing range	Malcolm Vale Rd, Pialligo, ACT	Potential
Australian Federal Police Majura	1 Tambreet St, Majura, ACT	Potential

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Canberra Deep Space Discovery Centre	Discovery Drive, Paddys River, ACT	Potential
ACT Government		
Charnwood fire station	35 Lhotsky St, Charnwood, ACT	Confirmed
Greenway fire station	201 Scollay St, Greenway ACT	Potential
Belconnen fire station	41 Rae St, Belconnen, ACT	Confirmed
Fyshwick fire station	1 Dalby St, Fyshwick ACT	Potential
Gungahlin fire station	Anthony Rolfe Ave, Gungahlin ACT	Potential
Ainslie fire station	36 Wakefield Ave, Ainslie, ACT	Potential
Phillip fire station	Hindmarsh Dr & Botany St, Phillip ACT	Potential
Kambah fire station	500 Sulwood Dr, Kambah ACT	Potential
Mugga Lane Resource Recovery Facility	499 Mugga Lane, Jerrabomberra, ACT	Potential
West Belconnen Resource Management Centre	181 Parkwood Rd, MacGregor, ACT	Potential
Rail Depot Kingston	Cunningham Street, Kingston, ACT	Potential

7. The Emergency Service Agency (ESA) is seeking budget funding to undertake assessments of its sites to determine if contamination has occurred. These include the former Belconnen Fire Station and Training Centre, the current Fyshwick, Gungahlin, Chisholm, Ainslie, Phillip and Kambah Fire Stations, and the former fire station site Greenway.
8. Prior to adoption of the NEMP, the ACT EPA, in conjunction with the National Capital Authority and Icon Water, undertook sampling across ACT waterways to determine background levels of PFAS. The water sampling results did not detect PFAS in ACT waterways. This sampling was limited and further, more targeted, sampling will be undertaken in accordance with the NEMP.
9. The EPA is also investigating changes to landfill and sewage treatment plant licenses to incorporate sampling for PFAS's in the standard monitoring programs to determine if discharges or inflows of PFAS are occurring at the facilities. Landfills and sewerage treatment works are potential sources as they accumulate PFAS sources from household, commercial and industrial wastes and discharges.
10. The EPA and Environment Planning and Sustainable Development Directorate have developed a sampling program plan to characterise potential PFAS sources and movements in the ACT and ensure the ACT meets the requirements of the NEMP. The sampling plan will involve existing water monitoring sites as well as ACT landfill, fuel storage and sewage treatment plant sites as these are potential sources of PFAS from household, commercial and industrial activities. The detailed sampling program is expected to begin by November 2018.

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~~10.11.~~ For your information, CMTEDD is separately briefing the Chief Minister on issues with PFAS in Jervis bay Territory (JBT). ACT Health is currently working with NSW EPA to develop community health advice relating to the consumption of marine life in JBT as a result of Defence's ongoing PFAS investigation in JBT. A copy of this briefing will be provided to you when complete.

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Issues

~~11.12.~~ The ACT Government is unable to progress assessment or remediation at Commonwealth sites because the Commonwealth is not bound by ACT legislation.

~~12.13.~~ PFAS contamination was detected in the soil at the former Belconnen site and Charnwood site during the first phase of an assessment process for redevelopment.

~~13.14.~~ The Belconnen site is a Government site currently not in use and is awaiting potential redevelopment. Further assessment, in accordance with the Environment Protection Authority (EPA) Contaminated Sites Environment Protection Policy 2017, will determine the level of management or remediation required before redevelopment occurs. There is groundwater extraction near the Belconnen site which used for car washing. This water is not used for drinking supply or agricultural production. Thus the exposure pathways to humans from potential PFAS contamination of groundwater at this site is a negligible risk.

~~15.~~ At the Charnwood site the infrastructure has been removed and validated with the site being found suitable for community including childcare. The building owners have prepared an OEMP which was endorsed by the EPA on 15 March 2018. Prior to occupancy of the site the lease must be varied to include the approved OEMP and the EPA receive endorsement from a suitably qualified environmental consultant confirming that the mitigation measures required by the OEMP have been successfully installed.

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~~14.~~

Financial Implications

~~15.16.~~ ESA to provide information

Consultation

Cross Directorate

~~16.17.~~ ESA XXX and Daniel Walters, Senior Manager Environment Protection Policy, Environment, Planning and Sustainable Development Directorate have been consulted in the preparation of this brief

External

~~17.18.~~

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Benefits/Sensitivities

18.19.

Media Implications

19.20.

Signatory Name:

Phone:

Action Officer:

Phone:

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Tracking No.: [Click here to enter text.](#)Tracking No.:

White, Sarah-Jane (Health)

From: McNeill, Laura (Health) on behalf of Kelly, Paul (Health)
Sent: Friday, 15 June 2018 12:45 PM
To: McNeill, Laura (Health)
Subject: FW: MO REQUEST - Brief on PFAS sites [SEC=UNCLASSIFIED]
Attachments: Gordon Ramsay MLA - PFAS contamination in the ACT 15062018.docx

From: Sargent, Narelle
 Sent: Friday, 15 June 2018 11:20 AM
 To: Walters, Daniel <Daniel.WALTERS@act.gov.au>; Barr, Conrad (Health) <Conrad.Barr@act.gov.au>; Kelly, Paul (Health) <Paul.Kelly@act.gov.au>; Brown, Mark <Mark.Brown@act.gov.au>
 Cc: Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au>; Lewer, Kendall <Kendall.Lewer@act.gov.au>; Jones, Pat <Pat.Jones@act.gov.au>; Power, David <DAVID.POWER@act.gov.au>; Springett, Emily <Emily.Springett@act.gov.au>
 Subject: MO REQUEST - Brief on PFAS sites [SEC=UNCLASSIFIED]

Hi Daniel, Conrad, Paul and Mark

Following yesterday's request, for input into the Ministers Brief on PFAS.

Can I please have your input into the attached draft by midday next Wednesday 20 June, so it can be cleared etc, to be in the Minister's Office by COB Thursday 21.

Please feel free to call if you have any questions.

Warm regards

Narelle

Narelle Sargent | Deputy Director Environment Protection (Environment Protection Authority)
 Phone: 02 6207 5782 | Mobile [REDACTED] [REDACTED] Email: narelle.sargent@act.gov.au <mailto:narelle.sargent@act.gov.au>

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT

470 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accessCBR
 <<http://www.act.gov.au/accessCBR>>

<<https://www.accesscanberra.act.gov.au/#/>>



**Chief Minister, Treasury and Economic
Development Directorate**

UNCLASSIFIED

To: Minister for Regulatory Services Tracking No.: Click here to enter text.

Date: 18 June 2018

CC: Minister for Planning and Land Management

From: Alison Purvis, Chief Operating Officer

Subject: PFAS Contamination in the ACT

Critical Date: 22 June 2018

Critical Reason: Must be considered prior to Estimates

Purpose

To provide an update on PFAS issues in the ACT.

Recommendations

That you:

1. Note the information contained in this brief.

Noted / Please Discuss

MLA/...../.....

Minister's Office Feedback

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Background

1. Per- and polyfluoroalkyl substances (PFAS) are a diverse group of compounds resistant to heat, water, and oil. For decades, they have been used in aviation fire-fighting foams (AFFF) as well as being used in a range of industrial/manufacturing processes. The persistent nature of PFAS means it can bio-accumulate in organisms high up in the food chain (ie humans) which represents a potential long term issue.
2. PFAS containing AFFF are no longer used in the ACT by ACT firefighting agencies. The phasing out of AFFF concentrate by ACT Fire & Rescue commenced in September 2004. It was completely withdrawn from service in April 2005 and replaced with fluorine-free foam concentrate. ACT Fire & Rescue still carry nine (9) litre AFFF fire extinguishers on fire fighting vehicles, which are currently being replaced with fluorine-free alternatives.
3. Governments in Australia now work to a framework for PFAS management in accordance with the *Intergovernmental Agreement on a National Framework for Responding to PFAS Contamination* (February 2018) and the PFAS National Environment Management Plan (NEMP), adopted by all jurisdictions March 2018.
4. The NEMP details the concentrations of PFAS that are currently considered to represent human and ecological harm (essentially defines the level of PFAS in soil & water that is considered 'contamination'). The NEMP also details methods for site assessments, sampling protocols and analytical determinations.
5. The issues with PFAS that have been widely reported in other jurisdictions have involved direct contamination of drinking water and/or food supplies. Such issues are improbable in the ACT because of the remote catchments used for town water supply and the insignificant volume of food production in the ACT.
6. AFFF was specifically used to suppress flammable liquid fires and was also used in training exercises. There are a number of other facilities in the ACT that are likely to have stored or used AFFF and thus have the potential for PFAS contamination. These sites are listed in Table 1 below.

Table 1: Potential PFAS contaminated sites in the ACT

Facility	Location	PFAS Contamination
Commonwealth		
HMAS Harman	Woods Lane, Jerrabomberra, ACT	Potential
Duntroon Royal Military College	Staff Cadet Avenue, Campbell, ACT	Potential
RAAF Fairbairn/ Canberra Airport	Pialligo Avenue, Pialligo, ACT	Confirmed
Majura Firing range	Malcolm Vale Rd, Pialligo, ACT	Potential
Australian Federal Police Majura	1 Tambreet St, Majura, ACT	Potential
Canberra Deep Space Discovery Centre	Discovery Drive, Paddys River, ACT	Potential
ACT Government		
Charnwood fire station (former)	35 Lhotsky St, Charnwood, ACT	Confirmed
Greenway fire station (former)	201 Scollay St, Greenway ACT	Potential
Belconnen fire station	41 Rae St, Belconnen, ACT	Confirmed
Fyshwick fire station	1 Dalby St, Fyshwick ACT	Potential

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Gungahlin fire station	Anthony Rolfe Ave, Gungahlin ACT	Potential
Ainslie fire station	36 Wakefield Ave, Ainslie, ACT	Potential
Phillip fire station	Hindmarsh Dr & Botany St, Phillip ACT	Potential
Kambah fire station	500 Sulwood Dr, Kambah ACT	Potential
Mugga Lane Resource Recovery Facility	499 Mugga Lane, Jerrabomberra, ACT	Potential
West Belconnen Resource Management Centre	181 Parkwood Rd, MacGregor, ACT	Potential
Rail Depot Kingston	Cunningham Street, Kingston, ACT	Potential

7. The Emergency Service Agency (ESA) is seeking budget funding to undertake assessments of its sites to determine if contamination has occurred. These include the former Belconnen Fire Station and Training Centre, the current Fyshwick, Gungahlin, Chisholm, Ainslie, Phillip and Kambah Fire Stations, and the former fire station site Greenway.
8. Prior to adoption of the NEMP, the ACT EPA, in conjunction with the National Capital Authority and Icon Water, undertook sampling across ACT waterways to determine background levels of PFAS. The water sampling results did not detect PFAS in ACT waterways. This sampling was limited and further, more targeted, sampling will be undertaken in accordance with the NEMP.
9. The EPA is also investigating changes to landfill and sewage treatment plant licenses to incorporate sampling for PFAS's in the standard monitoring programs to determine if discharges or inflows of PFAS are occurring at the facilities. Landfills and sewerage treatment works are potential sources as they accumulate PFAS sources from household, commercial and industrial wastes and discharges.
10. The EPA and Environment Planning and Sustainable Development Directorate have developed a sampling program plan to characterise potential PFAS sources and movements in the ACT and ensure the ACT meets the requirements of the NEMP. The sampling plan will involve existing water monitoring sites as well as ACT landfill, fuel storage and sewage treatment plant sites as these are potential sources of PFAS from household, commercial and industrial activities. The detailed sampling program is expected to begin by November 2018.
11. CMTEDD is separately briefing the Chief Minister on issues with PFAS in Jervis bay Territory (JBT). ACT Health is currently working with NSW EPA to develop community health advice relating to the consumption of marine life in JBT as a result of Defence's ongoing PFAS investigation in JBT. A copy of this briefing will be provided to you when complete.

Issues

12. The ACT Government is unable to progress assessment or remediation at

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Commonwealth sites because the Commonwealth is not bound by ACT legislation.

13. PFAS contamination was detected in the soil at the former Belconnen site and Charnwood site during the first phase of an assessment process for redevelopment.
14. The Belconnen site is a Government site currently not in use and is awaiting potential redevelopment. Further assessment, in accordance with the Environment Protection Authority (EPA) Contaminated Sites Environment Protection Policy 2017, will determine the level of management or remediation required before redevelopment occurs. There is groundwater extraction near the Belconnen site which used for car washing. This water is not used for drinking supply or agricultural production. Thus the exposure pathways to humans from potential PFAS contamination of groundwater at this site is a negligible risk.
15. At the Charnwood site the infrastructure has been removed and validated with the site being found suitable for community including childcare. The building owners have prepared an OEMP which was endorsed by the EPA on 15 March 2018. Prior to occupancy of the site the lease must be varied to include the approved OEMP and the EPA receive endorsement from a suitably qualified environmental consultant confirming that the mitigation measures required by the OEMP have been successfully installed.

Financial Implications

16. ESA to provide information

Consultation

Cross Directorate

17. ESA XXX and Daniel Walters, Senior Manager Environment Protection Policy, Environment, Planning and Sustainable Development Directorate have been consulted in the preparation of this brief

External

- 18.

Benefits/Sensitivities

- 19.

Media Implications

- 20.

Signatory Name:

Phone:

Action Officer:

Phone:

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Tracking No.: [Click here to enter text.](#) Tracking No.:

White, Sarah-Jane (Health)

From: Pulli, Tracey (Health)
Sent: Friday, 15 June 2018 5:55 PM
To: Kelly, Paul (Health)
Cc: McNeill, Laura (Health)
Subject: FW: WhoG TPs - PFAS [SEC=UNCLASSIFIED]
Attachments: Talking points _ PFAS contamination _ June 2018.docx

Hi Paul and Laura

Please see attached. If there are any concerns, let me know and I can go back to Emily with this.

Cheers

Tracey

Tracey Pulli

Deputy Director of Media | ACT Health

P | 6205 3708 M | [REDACTED]

E | tracey.pulli@act.gov.au <<mailto:tracey.pulli@act.gov.au>>

URL | www.health.act.gov.au <<http://www.health.act.gov.au>>

From: Springett, Emily

Sent: Friday, 15 June 2018 5:45 PM

To: Le, Joanna <Joanna.Le@act.gov.au>; Rutland, Kaylee <Kaylee.Rutland@act.gov.au>; Rogan, Nicole <Nicole.Rogan@act.gov.au>; Pulli, Tracey (Health) <Tracey.Pulli@act.gov.au>

Subject: RE: WhoG TPs - PFAS [SEC=UNCLASSIFIED]

Thanks Jo.

I've also now had an overarching clearance of the points by the Access CBR COO so I will progress to MO's (noting information I've used in pulling them together have been approved previously by EPSDD DDG, CHO and ESA and EPA Commissioners)

If there are any additions/comments you send through between now and Monday I can make them over the weekend so please send through if needed and I can send a revised copy to the MO

Emily

From: Le, Joanna

Sent: Friday, 15 June 2018 5:41 PM

To: Springett, Emily <Emily.Springett@act.gov.au>; Rutland, Kaylee <Kaylee.Rutland@act.gov.au>; Rogan, Nicole <Nicole.Rogan@act.gov.au>; Pulli, Tracey (Health) <Tracey.Pulli@act.gov.au>

Subject: RE: WhoG TPs - PFAS [SEC=UNCLASSIFIED]

Hi Emily,

This is all fine from my perspective – thanks for pulling this together.

Best,

Jo

From: Springett, Emily

Sent: Friday, 15 June 2018 5:10 PM

To: Rutland, Kaylee <Kaylee.Rutland@act.gov.au>; Rogan, Nicole <Nicole.Rogan@act.gov.au>; Pulli, Tracey (Health) <Tracey.Pulli@act.gov.au>; Le, Joanna <Joanna.Le@act.gov.au>

Subject: WhoG TPs - PFAS

Hi all

See attached for the proposed WhoG TPs on PFAS.

It has been drawn together from a range of points from across Directorates and I propose to get DDG Access CBR to do an overarching approval.

Please let me know if you see anything of concern in it.

Emily

Emily Springett | Deputy Director, Strategic Communications and Media, Access Canberra

Phone: 6205 9093 | Mobile: [REDACTED] | emily.springett@act.gov.au <mailto:%7Cemily.springett@act.gov.au>

Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government

Level 4, Canberra Nara Centre, 1 Constitution Avenue, Canberra City | GPO Box 158 Canberra City ACT 2601 |
www.act.gov.au <http://www.act.gov.au/> /accessCBR

<https://www.accesscanberra.act.gov.au/app/answers/payment>



Talking/Key Points –
Whole of Government PFAS Contamination

Directorate: CMTEDD, Access Canberra
(EPA, WorkSafe), Health,
ESA, EPSDD

Date: 15 June 2018

SUBJECT: PFAS contamination

ISSUE: Recent commentary following an FOI release on sites impacted by PFAS in the ACT, UFU concerns

RESPONSE:

General points on PFAS

- Per- and polyfluoroalkyl substances (PFAS) are man-made chemicals that have been used in industry and consumer products worldwide since the 1950s.
- They have been used in aviation firefighting foams (AFF), non-stick cookware, water-repellent clothing, stain-resistant fabrics and carpets, some cosmetics, and products that resist grease, water, and oil.
- Firefighting foam concentrates used to suppress flammable liquid fires previously contained PFAS.
- These concentrates were completely phased out by ACT Fire & Rescue by in April 2005 and replaced with fluorine-free foam concentrate.

Health and PFAS

- PFAS are very stable compounds and do not break down in the environment (i.e. they persist in the environment and in human bodies for a long time).
- There is no conclusive proof that PFAS cause any specific illnesses in humans, including cancer.
- There is also no consistent evidence that PFAS causes adverse human health outcomes in pregnant women of their babies.
- Expert advice currently does not advise any specific biochemical or disease screening for groups exposed to PFAS outside of specific research studies.

PFAS nationally

- Governments in Australia work to a framework for PFAS management in accordance with the *Intergovernmental Agreement on a National Framework for Responding to PFAS Contamination* (February 2018) and the PFAS National Environment Management Plan (NEMP), adopted by all jurisdictions March 2018.
- The NEMP defines the level of PFAS in soil and water that is considered contamination.
- The NEMP also details methods for site assessments, sampling protocols and analytical determinations.
- Issues with PFAS that have been widely reported in other jurisdictions have involved direct contamination of drinking water and/or food supplies.

- Such issues are improbable in the ACT because of the remote catchments used for town water supply and the insignificant volume of food production in the ACT.

The ACT and PFAS

- There are three known affected sites for PFAS in the ACT: Canberra Airport, the former Charnwood Fire Station and former Belconnen Fire Station.
- In recent years the ACT EPA, in conjunction with the National Capital Authority and Icon Water, undertook sampling across ACT waterways to determine background levels of PFAS. The water sampling results did not detect PFAS in ACT waterways.
- Other activity may occur, where appropriate, to further assess ACT sites, in accordance with the NEMP.
- This may include ESA sites such as the former Belconnen Fire Station and Training Centre, the current Fyshwick, Gungahlin, Chisholm, Ainslie, Phillip and Kambah Fire Stations, and the former fire station site Greenway.
- The United Firefighters Union have recently raised concerns around potential health impacts for firefighters who may have come into contact with PFAS. (More detail below)

Fire and Rescue/Emergency Services Agency (UFU Concerns)

- ACT Fire & Rescue phased out PFAS thirteen years ago (2005).
- The ACT ESA have been working hard to ensure equipment is replaced and changed over.
- Our firefighters, and the community can be assured that the ACT ESA, and government, take this issue very seriously, we did thirteen years ago, and continue to do so today.
- Unfortunately the United Firefighters Union have chosen not to raise their concerns directly with the ACT ESA, and we would encourage them to do so.
- Australian health authorities, including ACT Health, report that there is no conclusive proof that PFAS cause any specific illnesses in humans, including cancer.
- There is also no consistent evidence that PFAS causes adverse human health outcomes in pregnant women of their babies.
- There is no perceived benefit in blood screening for PFAS in ACT firefighters as there are no benchmarks to relate the results to.
- The ACT Emergency Services Agency is working with WorkSafe ACT to ensure work health and safety obligations are met.
- The ACT Emergency Services Agency has undertaken a risk assessment to prioritise the testing of remaining sites and further testing will be done at the higher priority locations in the near future.

Jervis Bay and PFAS

- Jervis Bay is a Commonwealth Territory where ACT legislation applies.

- The ACT Government is contracted by the Australian Government to supply certain services to Jervis Bay Territory (JBT), including education, licences, justice services and environmental water testing.
- The Department of Defence has undertaken a national program of investigation and response to PFAS contamination from Defence sites.
- One such site is the Jervis Bay Range Facility in the JBT.
- Defence is leading the response to PFAS contamination in JBT, including conducting water testing. The ACT Government is a member of Defence's Project Control Group and provides advice and support where required.
- A Defence Factsheet as well as a contact for further media enquiries is available on the [Defence website](#)).
- Testing of creeks in the HMAS Creswell and Jervis Bay Range Facility PFAS investigation area indicated elevated PFAS concentrations.
- Noting this, NSW EPA has issued dietary advice warnings in Currumbene Creek area and is engaging with local residents so they are aware of the issue and any changes in their activities which should be made to support health and safety.
- More information is available at www.epa.nsw.gov.au
- The ACT Government remains in contact with NSW Government counterparts and monitoring the situation.

Charnwood (former fire station) site

- Canberrans can be assured that the conditions put in place on the development application attached to this site require appropriate remediation of the site before it can be used for a child care centre.
- The development application for the child care centre on the site of the former Charnwood fire station was approved on the condition that requirements of both the Health Protection Service and the Environment Protection Authority were met.
- Both of these agencies have endorsed the mitigation measures proposed for this site.
- To comply with the conditions set out in the Notice of Decision the proponent has prepared an Operational Environmental Management Plan (OEMP) that has been endorsed by the EPA and ACT Health.
- The proponent has submitted a subsequent DA with the Directorate.
- This DA seeks to include the approved OEMP into the lease to ensure the management of contamination issues is ongoing.
- This DA is still to be lodged for assessment.
- The site was sampled numerous times in 2014 and 2015 for PFAS. Lab results for the sampling concluded the contaminants were below the threshold levels for the proposed land-use of a childcare centre (compared to the US EPA screening criteria as no Australian criteria existed).
- Territory Plan variation process includes mandatory referral of proposals to the Environment Protection Authority (EPA) for their comment, particularly in regards to potential contamination of sites.

- EPA provided advice that they were aware of environmental investigations into the contamination (associated with past activities) of the site.
- In accordance with the ACT Government's Strategic Plan Contaminated Sites Management, 1995 and EPA endorsed guidelines, the variation would be supported provided the findings of the investigation demonstrate the site is suitable for the proposed uses. The assessment report must be reviewed and endorsed by the EPA prior to the Territory Plan being varied.
- Follow up comments from the EPA stated that they agreed that the site was capable of supporting a CFZ land use with potential for a child care from a contamination perspective subject to the condition that a 'site specific unexpected finds protocol' must be developed by a suitably qualified environmental consultant, implemented during development works at the site and is by the EPA prior to occupancy.
- As a result the Variation 335 commenced on 17 February 2016.
- The former fuel storage infrastructure has been removed and validated with the site being found suitable for community use, including childcare.
- Notwithstanding this, both Health Protection and the EPA imposed additional protection measures that need to be satisfied by the builder before the building and surrounding grounds can receive a certificate of occupancy and be used – for example, the installation of permanent physical barriers to limit direct contact with shallow site soils.
- As part of the EPA conditions, the building owners have prepared an Operational Environmental Management Plan (OEMP) which was endorsed by the Environment Protection Authority on 15 March 2018.
- Prior to occupancy of the site the lease must be varied to include the approved OEMP and the EPA receive endorsement from a suitably qualified environmental consultant confirming that the mitigation measures required by the OEMP have been successfully installed, protecting any users of the site from contaminants.

Environment Protection Authority – key points/technical detail on testing (Background information)

How are sites tested for PFAS? (ie. soil samples? Water samples?)

Depending on the characteristics of the site, samples are taken of soil and groundwater.

Sampling methodology and procedures should be consistent with the established methods for contaminated site investigation.

Who does the testing?

Accredited contractors collect the soil and groundwater samples. A drill/auger is used to collect the soil and groundwater samples at depth as required.

The samples are then sent to an accredited laboratory to be analysed for the contaminants of concern, including PFAS.

Which sites trigger testing (ie. fuel stations, former emergency services or airport sites etc?)

Sites identified in risk assessments may trigger further testing. Priorities for risk assessments and methods for testing for PFAS are detailed in the National Environment Management Plan (NEMP)

How are the known sites monitored or recorded?

The former Belconnen Fire Station is on the Register of Contaminated Sites as it is subject to a formal environmental audit to enable its redevelopment.

The Register can be found on the Access Canberra website at:

https://www.accesscanberra.act.gov.au/app/services/contaminated_sites#/

Are there any requirements for remediation or ongoing monitoring of known sites?

Levels at the Charnwood site are below criteria for its proposed use as a childcare centre and is subject to the implementation of an Operational Management Plan and a Landscape Plan

There will be further sampling undertaken at Belconnen as part of the audit that is being undertaken for its redevelopment.

Canberra Airport is on Commonwealth land and is therefore under the control of the Commonwealth Government and should be managed in accordance with the PFAS National Environment Management Plan.

When did PFAS testing commence in the ACT?

The past couple of years (2016) as PFAS has only recently emerged as a contaminate of concern.

Action officer: Emily Springett

Cleared by: Various

Date: 15 June 2018

White, Sarah-Jane (Health)

From: Isentia Daily Briefings <DailyBriefings@isentia.com>
Sent: Monday, 18 June 2018 6:52 AM
To: #CMCDCCNMediaMonitoring
Subject: ACT Government Daily Media Report 18 June 2018
Attachments: ACT Government Daily Media Report 18 June 2018.docx

DAILY MEDIA REPORT



Monday, 18th June 2018

[Canberra Community](#) | [Economic Growth & Diversification](#) | [Education](#) | [Environment](#)
[Emergency Services](#) | [Health](#) | [Industrial Relations](#) | [Land, Planning and Urban Renewal](#) | [Law and Order](#)
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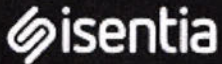
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White, Sarah-Jane (Health)

From: Kelly, Paul (Health)
Sent: Monday, 18 June 2018 8:29 AM
To: McNeill, Laura (Health)
Cc: Barr, Conrad (Health); ED-HPS-Support; Owen, Kimberly (Health)
Subject: Re: [REDACTED] [DLM=For-Official-Use-Only]

& if anyone was notified that "ACT gov spokesman" was going to comment on HPS advice re Charnwood childcare centre in ex fire station story (from 2014!) on front page of CT this morning.

Before I make waves...

Paul

On Jun 18, 2018, at 7:55 AM, McNeill, Laura (Health) <Laura.McNeill@act.gov.au> wrote:

Hi Conrad,

Could I get a quick update (via email) on how this is progressing?

Cheers

Laura

From: Dal Molin, Vanessa (Health)
Sent: Sunday, 17 June 2018 10:14 PM
To: McNeill, Laura (Health) <Laura.McNeill@act.gov.au>; Kelly, Paul (Health) <Paul.Kelly@act.gov.au>
Subject: [REDACTED] [DLM=For-Official-Use-Only]

Hi Paul and Laura,

[REDACTED]

Many thanks

Vanessa

Vanessa Dal Molin | Business Manager
Office of the Director General, ACT Health

Ph: (02) 6207 9532 | M [REDACTED] | Email: vanessa.dalmolin@act.gov.au
<<mailto:vanessa.dalmolin@act.gov.au>>

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Care p Excellence p Collaboration p Integrity

ED-HPS-Support

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Sent: Monday, 18 June 2018 9:51 AM
To: Barr, Conrad (Health)
Subject: FW: Health-Development Application - 201731430-22-97-CHARNWOOD-01-Applicant Response
Attachments: Health-Development Application - 201731430-22-97-CHARNWOOD-01-Applicant Response.pdf
Importance: High

Hi Conrad

Attached is the signed copy of the letter – plus in case you need it, proof below that we sent it to Ryan.Stewart at Arcadis

Rebecca Moroney | Personal Assistant to Executive Director

Phone: 02 6205 4402 | Email: ED-HPS-Support@act.gov.au

Health Protection Service | Population Health Protection and Prevention | ACT Health | ACT Government

25 Mulley Street, Holder ACT 2611 | health.act.gov.au/hps

From: Mills, David (Health) **On Behalf Of** HPS
Sent: Friday, 10 November 2017 3:21 PM
To: [REDACTED]@arcadis.com
Subject: Health-Development Application - 201731430-22-97-CHARNWOOD-01-Applicant Response
Importance: High

Please see attached response from the Health Protection Service.

Regards

Health Protection Service





██████████@arcadis.com

Health-Development Application – 201731430-22-97-CHARNWOOD-01- Applicant Response

Dear Sir,

Thank you for the report titled 'SOIL PFAS INVESTIGATION – 172678, Block 22 Section 97, Charnwood ACT' received by the Health Protection Service (HPS) on 23 October 2017 regarding a proposed childcare centre in Charnwood.

The Health Protection Service (HPS) notes that the report was undertaken following HPS comments in relation to Development Application 20131430-22-97-Charnwood, which included the construction of a single storey, childcare centre and a playground at the site of a former Fire Brigade Depot.

The HPS had concerns regarding the potential exposure of children at the proposed childcare centre to contaminants such as Per-and polyflurinated Alkyl Substances (PFAS) present in spoil at the site. This contamination stemmed from the historic use of the site as a Fire Brigade Depot.

The HPS has reviewed the report and is satisfied additional sampling was undertaken to provide a more complete assessment of the site. The HPS also notes the mitigation measures proposed within the report would provide barriers over soil on the site to prevent exposure to soil and sever the potential exposure pathway to PFAS.

The HPS supports all mitigation measures proposed within the report. However, prior to the HPS providing support for the proposed development, it is requested the applicant provide the HPS details of where each proposed mitigation barrier will be implemented across the site.

The HPS also will require an onsite inspection undertaken by HPS officers following the installation of mitigation measures. This will be a condition of HPS support for the development.

Please contact Andrew Stedman on (02) 6205 4404 if you require any further information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Conrad Barr', written over a white background.

Conrad Barr
Executive Director
Health Protection Service

10 November 2017

White, Sarah-Jane (Health)

From: Barr, Conrad (Health)
Sent: Monday, 18 June 2018 10:00 AM
To: Kelly, Paul (Health); McNeill, Laura (Health)
Cc: ED-HPS-Support; Owen, Kimberly (Health)
Subject: RE: ACT Health Care Facilities Code of Practice 2001 [DLM=For-Official-Use-Only]

Hi Paul

EHPP are working on an update for the DG re HCF's.

Nobody seems to have been advised that an ACT Government spokesman was going to comment on our advice.

Will send through a quick summary of our advice and our correspondence this morning.

Cheers

Conrad

Conrad Barr | Executive Director

Health Protection Service | health.act.gov.au <<http://health.act.gov.au/HPS/>>

Phone (02) 6205 4402

From: Kelly, Paul (Health)
Sent: Monday, 18 June 2018 8:29 AM
To: McNeill, Laura (Health) <Laura.McNeill@act.gov.au>
Cc: Barr, Conrad (Health) <Conrad.Barr@act.gov.au>; ED-HPS-Support <ED-HPS-support@act.gov.au>; Owen, Kimberly (Health) <Kimberly.Owen@act.gov.au>
Subject: Re: ACT Health Care Facilities Code of Practice 2001 [DLM=For-Official-Use-Only]

& if anyone was notified that "ACT gov spokesman" was going to comment on HPS advice re Charnwood childcare centre in ex fire station story (from 2014!) on front page of CT this morning.

Before I make waves...

Paul

On Jun 18, 2018, at 7:55 AM, McNeill, Laura (Health) <Laura.McNeill@act.gov.au> wrote:

Hi Conrad,

Could I get a quick update (via email) on how this is progressing?

Cheers

Laura

From: Dal Molin, Vanessa (Health)
Sent: Sunday, 17 June 2018 10:14 PM
To: McNeill, Laura (Health) <Laura.McNeill@act.gov.au <mailto:Laura.McNeill@act.gov.au> >; Kelly, Paul (Health) <Paul.Kelly@act.gov.au <mailto:Paul.Kelly@act.gov.au> >
Subject: ACT Health Care Facilities Code of Practice 2001 [DLM=For-Official-Use-Only]

Hi Paul and Laura,

DG has asked me to seek an update on progress with the review of the Code of Practice and regulatory framework for health care facilities. DG would like to understand what stage the review is up to please.

Many thanks

Vanessa

Vanessa Dal Molin | Business Manager
Office of the Director General, ACT Health

Ph: (02) 6207 9532 | M [REDACTED] [REDACTED] | Email: vanessa.dalmolin@act.gov.au
<<mailto:vanessa.dalmolin@act.gov.au>>

health.act.gov.au

Care p Excellence p Collaboration p Integrity

Moroney, Rebecca (Health)

From: Barr, Conrad (Health)
Sent: Monday, 18 June 2018 9:40 AM
To: Hudson, Lyndell (Health)
Subject: RE: Media on PFAS at Charnwood. [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Lyndell
 Thanks.
 Cheers
 Conrad



Conrad Barr | Executive Director
 Health Protection Service | health.act.gov.au
 Phone (02) 6205 4402

From: Hudson, Lyndell (Health)
Sent: Monday, 18 June 2018 9:36 AM
To: Barr, Conrad (Health) <Conrad.Barr@act.gov.au>
Subject: Re: Media on PFAS at Charnwood. [SEC=UNCLASSIFIED, DLM=For-Official-Use-Only]

Hi Conrad

I wasn't aware of a media statement but did get a call last week from EPSD asking about when testing requirements became standard.

This was asked regarding the comments we provided in the Charnwood DA asking for contamination testing to be done.

Lyndell

Sent from my iPhone

On 18 Jun 2018, at 9:25 am, Barr, Conrad (Health) <Conrad.Barr@act.gov.au> wrote:

Hi
 Were any of you approached /advised by EPA or EPSDD that they were going to be providing a media statement re PFAS at Charnwood?
 Cheers
 Conrad

[Sale of dirty site nets \\$2m](#)

<image002.jpg> **Conrad Barr AFSM**

Executive Director

Health Protection Service | Population Health | ACT Health
 25 Mulley Street Holder ACT | Locked Bag 5005 Weston Creek ACT 2611
 T 02 6205 4402 | E Conrad.barr@act.gov.au | Website | <image003.jpg>

Moroney, Rebecca (Health)

From: Moroney, Rebecca (Health)
Sent: Monday, 18 June 2018 10:36 AM
To: Barr, Conrad (Health)
Subject: FW: REFERRAL-ACT HEALTH-201731430-S141A & B-22/97 CHARNWOOD-comments overdue [SEC=UNCLASSIFIED]
Attachments: Referral-Health-Development Application - 201731430-22-97-Charnwood-01.pdf; Referral-Health-Development Application - 201731430-22-97-Charnwood-01 [SEC=UNCLASSIFIED]
Importance: High

Not the one you are after but here is another one....

Still looking for the other one....I'll find it 😊

 **Rebecca Moroney | Personal Assistant to Executive Director**
 Phone: 02 6205 4402 | Email: Rebecca.L.Moroney@act.gov.au
 Health Protection Service | Population Health Protection and Prevention | ACT Health | ACT Government
 25 Mulley Street, Holder ACT 2611 | health.act.gov.au/hps

From: Moroney, Rebecca (Health)
Sent: Wednesday, 26 July 2017 5:05 PM
To: Smith, Cathie (Health) <Cathie.Smith@act.gov.au>
Subject: FW: REFERRAL-ACT HEALTH-201731430-S141A & B-22/97 CHARNWOOD-comments overdue [SEC=UNCLASSIFIED]
Importance: High

Hi Cathie

Summary of this : EPD didn't receive our comments because it had been emailed to Environmental Health instead of EPD. (see attached email)

 They have it now .

Thank you - Bec 😊

Rebecca Moroney
 PA to Conrad Barr - ED HPS
 Phone : 02 6205 4402

From: Moroney, Rebecca (Health)
Sent: Wednesday, 26 July 2017 5:02 PM
To: Pradhan, Jyoti
Cc: Barr, Conrad (Health); Krsteski, Radomir (Health); Rogers, Keith (Health); Smith, Cathie (Health)
Subject: FW: REFERRAL-ACT HEALTH-201731430-S141A & B-22/97 CHARNWOOD-comments overdue [SEC=UNCLASSIFIED]
Importance: High

Good Afternoon Jyoti

Please see attached comments from HPS for this DA.

Our comments were originally sent on the 24th July, unfortunately to the incorrect email address which is why you did not receive them.

It is very important that you receive these comments as HPS does not agree to this application.

Rebecca Moroney
PA to Conrad Barr - ED HPS
Phone : 02 6205 4402

From: Moroney, Rebecca (Health) **On Behalf Of** Barr, Conrad (Health)
Sent: Wednesday, 26 July 2017 4:55 PM
To: Moroney, Rebecca (Health)
Subject: FW: REFERRAL-ACT HEALTH-201731430-S141A & B-22/97 CHARNWOOD-comments overdue [SEC=UNCLASSIFIED]

Thank you - Bec ☺

Rebecca Moroney
PA to Conrad Barr - ED HPS
Phone : 02 6205 4402

From: Pradhan, Jyoti
Sent: Wednesday, 26 July 2017 4:12 PM
To: Barr, Conrad (Health)
Subject: FW: REFERRAL-ACT HEALTH-201731430-S141A & B-22/97 CHARNWOOD-comments overdue [SEC=UNCLASSIFIED]

Good afternoon Mr Barr,

I refer to the subject DA for proposed childcare centre in Charnwood.

The applicant has provided further information in response to the concerns raised in the HPS advice. The information was referred to HPS on 3 July 2017 for further comments.

The comments are now overdue. Could you please check the attached info and provide your comments asap, preferably by Friday please.

Please note that EPA has supported the proposed development.

Regards,
Jyoti

Jyoti Pradhan

Assessment Officer | DA Merit Assessment - Commercial

(Working hours - Monday to Friday 8.00am - 2.30pm)

Phone 02 6207 1649 | Fax 02 6207 1856 |

Planning Delivery Division | Environment, Planning and Sustainable Development Directorate | **ACT Government**

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 1908 Canberra ACT 2601 | www.actpla.act.gov.au

From: EPD, Customer Services
Sent: Monday, 3 July 2017 9:45 AM
To: HPS
Subject: REFERRAL-ACT HEALTH-201731430-S141A & B-22/97 CHARNWOOD-01 [SEC=UNCLASSIFIED]

PLEASE IGNORE PREVIOUS EMAIL

DEVELOPMENT APPLICATION NO: 201731430 S141A & B

BLOCK: 22 **SECTION:** 97 **DIVISION:** CHARNWOOD

S141 Further Information prior to decision – PROPOSAL FOR NEW COMMERCIAL DEVELOPMENT - demolition of the existing buildings and construction of a childcare centre and pre-school, landscaping, surface car park, services infrastructure, signage and associated site works.

Pursuant to Section 148(1) of the Planning and Development Act 2007 the ACT Planning and Land Authority requests that you consider the above mentioned development application and provide any written advice no later than 15 working days after the date of this notice **(24/07/2017)**.

In accordance with Section 150 of the Planning and Development Act 2007 If advice is not received within the prescribed time it will be taken that you have supported the application.

Please forward any written advice via email to Customer Services

EPDcustomerservices@act.gov.au

Please use the following format in the subject line of the email when providing advice:

COMM-Agency Name-20080XXXX-Block XX Section XX SuburbXXXXX-01

Example: COMM-Heritage-200801234-Block 10 Section 10 Dickson-01

Kind Regards

Customer Services

Phone 02 6207 1923

Access Canberra | ACT Government

Dame Pattie Menzies House, Challis Street, Dickson | GPO Box 158 Canberra ACT 2601

Access Canberra is an ACT Government service that brings together customer and regulatory services, including the former Environment and Planning Directorates Customer Services Team. Access Canberra has been set up to make it easier for business, community organisations and individuals to work with ACT Government and deliver a more seamless experience.

www.planning.act.gov.au | EPDcustomerservices@act.gov.au



EPDcustomerservices@act.gov.au

Referral-Health-Development Application – 201731430-22-97-CHARNWOOD-01

Dear Sir/Madam,

Thank you for the documentation received on 3 July 2017 regarding a proposed childcare centre in Charnwood.

The Health Protection Service (HPS) notes that the proposed development will include demolition of an existing building on the site of a former Fire Brigade Depot, construction of a single storey, 1217 square meter childcare centre, and construction of 1157 square meter playground, site works and fencing.

Results obtained through the Land Development Agency indicate perfluorooctane sulphonate (PFOS) contamination in three soil samples tested 2015 at levels of between 1.06mg/kg and 1.92mg/kg.

Young children are particularly at risk for increased exposure to soil contaminants, such as PFOS and PFOA from pica (eating soil), greater hand-to-mouth activity (including crawling) and reduced hygiene (i.e. washing of hands). Assessment of the health risk to children of soil contamination at this site was undertaken using the 'Health Based Guidance Values for PFAS – For Use in Site Investigations in Australia,' recently released by the Australian Government Department of Health. These outline a PFOS tolerance value of 20ng/kg/day.

Preliminary calculations suggest a 10kg child (assuming a two year old) would exceed the PFOS tolerable daily intake by consuming just 100mg of soil from the site. A 2006 study conducted in the United States of America found that children aged between two and six years of age consume an average of 138mg/day of soil, or 193mg/day of soil and dust.

The applicant is advised that additional sampling must be undertaken to provide a more complete and up-to-date assessment of the site, focusing on areas likely to be exposed (including playgrounds and landscaped areas). The results and a map indicating sample sites must be provided to the HPS.

HPS requires that the applicant demonstrate suitable mitigation measures to eliminate the exposure of PFOS to vulnerable populations.

There are no other public health concerns in relation to the proposed development.

Please contact Keith Rogers on (02) 6205 1716 if you require any further information.

Yours sincerely



Conrad Barr
Executive Director
Health Protection Service

CB July 2017

Moroney, Rebecca (Health)

From: HPS
Sent: Monday, 24 July 2017 3:05 PM
To: Environmental Health
Subject: Referral-Health-Development Application - 201731430-22-97-Charnwood-01
[SEC=UNCLASSIFIED]
Attachments: Referral-Health-Development Application - 201731430-22-97-Charnwood-01.pdf

HPS input.



EPDcustomerservices@act.gov.au

Referral-Health-Development Application – 201731430-22-97-CHARNWOOD-01

Dear Sir/Madam,

Thank you for the documentation received on 3 July 2017 regarding a proposed childcare centre in Charnwood.

The Health Protection Service (HPS) notes that the proposed development will include demolition of an existing building on the site of a former Fire Brigade Depot, construction of a single storey, 1217 square meter childcare centre, and construction of 1157 square meter playground, site works and fencing.

Results obtained through the Land Development Agency indicate perfluorooctane sulphonate (PFOS) contamination in three soil samples tested 2015 at levels of between 1.06mg/kg and 1.92mg/kg.

Young children are particularly at risk for increased exposure to soil contaminants, such as PFOS and PFOA from pica (eating soil), greater hand-to-mouth activity (including crawling) and reduced hygiene (i.e. washing of hands). Assessment of the health risk to children of soil contamination at this site was undertaken using the 'Health Based Guidance Values for PFAS – For Use in Site Investigations in Australia,' recently released by the Australian Government Department of Health. These outline a PFOS tolerance value of 20ng/kg/day.

Preliminary calculations suggest a 10kg child (assuming a two year old) would exceed the PFOS tolerable daily intake by consuming just 100mg of soil from the site. A 2006 study conducted in the United States of America found that children aged between two and six years of age consume an average of 138mg/day of soil, or 193mg/day of soil and dust.

The applicant is advised that additional sampling must be undertaken to provide a more complete and up-to-date assessment of the site, focusing on areas likely to be exposed (including playgrounds and landscaped areas). The results and a map indicating sample sites must be provided to the HPS.

HPS requires that the applicant demonstrate suitable mitigation measures to eliminate the exposure of PFOS to vulnerable populations.

There are no other public health concerns in relation to the proposed development.

Please contact Keith Rogers on (02) 6205 1716 if you require any further information.

Yours sincerely



Conrad Barr
Executive Director
Health Protection Service

24 July 2017

ED-HPS-Support

From: Moroney, Rebecca (Health)
Sent: Monday, 18 June 2018 10:52 AM
To: Barr, Conrad (Health)
Subject: FW: Referral-Health-Development Application - 2017314430-22-97-Charnwood-03
Attachments: Referral-Health-Development Application - 2017314430-22-97-Charnwood-03.pdf

Importance: High

Hi Conrad
Signed letter attached

Rebecca Moroney | Personal Assistant to Executive Director
Phone: 02 6205 4402 | Email: ED-HPS-Support@act.gov.au
Health Protection Service | Population Health Protection and Prevention | ACT Health | ACT Government
25 Mulley Street, Holder ACT 2611 | health.act.gov.au/hps

From: Moroney, Rebecca (Health)
Sent: Wednesday, 26 July 2017 4:51 PM
To: Rogers, Keith (Health) <Keith.Rogers@act.gov.au>; Barr, Conrad (Health) <Conrad.Barr@act.gov.au>; Stedman, Andrew (Health) <Andrew.Stedman@act.gov.au>; Krsteski, Radomir (Health) <Radomir.Krsteski@act.gov.au>
Subject: FW: Referral-Health-Development Application - 2017314430-22-97-Charnwood-03
Importance: High

HPS sent the response on Monday 5th June as requested – by the due date

Rebecca Moroney
PA to Conrad Barr - ED HPS
Phone : 02 6205 4402

From: HPS
Sent: Monday, 5 June 2017 8:56 AM
To: EPD, Customer Services
Subject: FW: Referral-Health-Development Application - 2017314430-22-97-Charnwood-03
Importance: High

Hi there,

Please see attached response from HPS mailbox.

Kind regards

Health Protection Service



EPDcustomerservices@act.gov.au

Referral-Health-Development Application – 201731430-22-97-CHARNWOOD-03

Dear Sir/Madam,

Thank you for the documentation received on 12 May 2017 regarding a proposed childcare centre in Charnwood.

The Health Protection Service (HPS) notes that the proposed development will include:

- a. demolition of an existing building
- b. construction of a single storey, 1217 square meter childcare centre
- c. construction of 1157 square meter playground, site works and fencing.

The development proposes construction of a kitchen. The applicant is required to submit a food business registration and fit-out assessment application (with suitably detailed plans) to the HPS for the food business prior to construction. The applicant is advised to contact the HPS for further information.

The HPS supports the Environment Protection Authority's (EPA) endorsement of the report conducted by AECOM Australia Pty Ltd, but seeks further information regarding the results of the perfluorooctane sulphonate and perfluorooctanoic acid analysis of soil.

HPS also supports the EPA's recommendation that a site specific unexpected finds protocol be developed by a suitably qualified environmental consultant and implemented during development works at the site.

There are no other public health concerns in relation to the proposed development.

Please contact Faith Bvirakare on (02) 62059616 if you require any further information.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Conrad Barr'.

Conrad Barr
Executive Director
Health Protection Service

2 June 2017

White, Sarah-Jane (Health)

From: Barr, Conrad (Health)
Sent: Monday, 18 June 2018 11:47 AM
To: Kelly, Paul (Health)
Subject: FW: MO REQUEST - Brief on PFAS sites [SEC=UNCLASSIFIED]
Attachments: Gordon Ramsay MLA - PFAS contamination in the ACT 15062018.docx

FYI

As discussed.

Conrad

Conrad Barr | Executive Director

Health Protection Service | health.act.gov.au <<http://health.act.gov.au/HPS/>>

Phone (02) 6205 4402

From: Barr, Conrad (Health)
Sent: Friday, 15 June 2018 2:33 PM
To: Stefanovic, Vojkan (Health) <Vojkan.Stefanovic@act.gov.au>; Pengilley, Andrew (Health) <Andrew.Pengilley@act.gov.au>; Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au>
Cc: ED-HPS-Support <ED-HPS-support@act.gov.au>
Subject: FW: MO REQUEST - Brief on PFAS sites [SEC=UNCLASSIFIED]

Update on my email of last night. As per my original request advice back to Bec by COB Monday would be great.

Thanks.

Cheers

Conrad

Conrad Barr | Executive Director

Health Protection Service | health.act.gov.au <<http://health.act.gov.au/HPS/>>

Phone (02) 6205 4402

From: Sargent, Narelle

Sent: Friday, 15 June 2018 11:20 AM

To: Walters, Daniel <Daniel.WALTERS@act.gov.au>; Barr, Conrad (Health) <Conrad.Barr@act.gov.au>; Kelly, Paul (Health) <Paul.Kelly@act.gov.au>; Brown, Mark <Mark.Brown@act.gov.au>

Cc: Hudson, Lyndell (Health) <Lyndell.Hudson@act.gov.au>; Lewer, Kendall <Kendall.Lewer@act.gov.au>; Jones, Pat <Pat.Jones@act.gov.au>; Power, David <DAVID.POWER@act.gov.au>; Springett, Emily <Emily.Springett@act.gov.au>

Subject: MO REQUEST - Brief on PFAS sites [SEC=UNCLASSIFIED]

Hi Daniel, Conrad, Paul and Mark

Following yesterday's request, for input into the Ministers Brief on PFAS.

Can I please have your input into the attached draft by midday next Wednesday 20 June, so it can be cleared etc, to be in the Minister's Office by COB Thursday 21.

Please feel free to call if you have any questions.

Warm regards

Narelle

Narelle Sargent | Deputy Director Environment Protection (Environment Protection Authority)

Phone: 02 6207 5782 | Mobile [REDACTED] [REDACTED] Email: narelle.sargent@act.gov.au <mailto:narelle.sargent@act.gov.au>

Access Canberra | Chief Minister Treasury and Economic Development Directorate | ACT

470 Northbourne Avenue, Dickson | GPO Box 158 Canberra ACT 2601 | www.act.gov.au/accessCBR
<<http://www.act.gov.au/accessCBR>>

<<https://www.accesscanberra.act.gov.au/#/>>



**Chief Minister, Treasury and Economic
Development Directorate**

UNCLASSIFIED

To: Minister for Regulatory Services Tracking No.: Click here to enter text.

Date: 18 June 2018

CC: Minister for Planning and Land Management

From: Alison Purvis, Chief Operating Officer

Subject: PFAS Contamination in the ACT

Critical Date: 22 June 2018

Critical Reason: Must be considered prior to Estimates

Purpose

To provide an update on PFAS issues in the ACT.

Recommendations

That you:

1. Note the information contained in this brief.

Noted / Please Discuss

MLA/...../.....

Minister's Office Feedback

UNCLASSIFIED UNCLASSIFIED

Tracking No.: Click here to enter text. Tracking No.:

Background

1. Per- and polyfluoroalkyl substances (PFAS) are a diverse group of compounds resistant to heat, water, and oil. For decades, they have been used in aviation fire-fighting foams (AFFF) as well as being used in a range of industrial/manufacturing processes. The persistent nature of PFAS means it can bio-accumulate in organisms high up in the food chain (ie humans) which represents a potential long term issue.
2. PFAS containing AFFF are no longer used in the ACT by ACT firefighting agencies. The phasing out of AFFF concentrate by ACT Fire & Rescue commenced in September 2004. It was completely withdrawn from service in April 2005 and replaced with fluorine-free foam concentrate. ACT Fire & Rescue still carry nine (9) litre AFFF fire extinguishers on fire fighting vehicles, which are currently being replaced with fluorine-free alternatives.
3. Governments in Australia now work to a framework for PFAS management in accordance with the *Intergovernmental Agreement on a National Framework for Responding to PFAS Contamination* (February 2018) and the PFAS National Environment Management Plan (NEMP), adopted by all jurisdictions March 2018.
4. The NEMP details the concentrations of PFAS that are currently considered to represent human and ecological harm (essentially defines the level of PFAS in soil & water that is considered 'contamination'). The NEMP also details methods for site assessments, sampling protocols and analytical determinations.
5. The issues with PFAS that have been widely reported in other jurisdictions have involved direct contamination of drinking water and/or food supplies. Such issues are improbable in the ACT because of the remote catchments used for town water supply and the insignificant volume of food production in the ACT.
6. AFFF was specifically used to suppress flammable liquid fires and was also used in training exercises. There are a number of other facilities in the ACT that are likely to have stored or used AFFF and thus have the potential for PFAS contamination. These sites are listed in Table 1 below.

Table 1: Potential PFAS contaminated sites in the ACT

Facility	Location	PFAS Contamination
Commonwealth		
HMAS Harman	Woods Lane, Jerrabomberra, ACT	Potential
Duntroon Royal Military College	Staff Cadet Avenue, Campbell, ACT	Potential
RAAF Fairbairn/ Canberra Airport	Pialligo Avenue, Pialligo, ACT	Confirmed
Majura Firing range	Malcolm Vale Rd, Pialligo, ACT	Potential
Australian Federal Police Majura	1 Tambreet St, Majura, ACT	Potential
Canberra Deep Space Discovery Centre	Discovery Drive, Paddys River, ACT	Potential
ACT Government		
Charnwood fire station (former)	35 Lhotsky St, Charnwood, ACT	Confirmed
Greenway fire station (former)	201 Scollay St, Greenway ACT	Potential
Belconnen fire station	41 Rae St, Belconnen, ACT	Confirmed
Fyshwick fire station	1 Dalby St, Fyshwick ACT	Potential

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Gungahlin fire station	Anthony Rolfe Ave, Gungahlin ACT	Potential
Ainslie fire station	36 Wakefield Ave, Ainslie, ACT	Potential
Phillip fire station	Hindmarsh Dr & Botany St, Phillip ACT	Potential
Kambah fire station	500 Sulwood Dr, Kambah ACT	Potential
Mugga Lane Resource Recovery Facility	499 Mugga Lane, Jerrabomberra, ACT	Potential
West Belconnen Resource Management Centre	181 Parkwood Rd, MacGregor, ACT	Potential
Rail Depot Kingston	Cunningham Street, Kingston, ACT	Potential

7. The Emergency Service Agency (ESA) is seeking budget funding to undertake assessments of its sites to determine if contamination has occurred. These include the former Belconnen Fire Station and Training Centre, the current Fyshwick, Gungahlin, Chisholm, Ainslie, Phillip and Kambah Fire Stations, and the former fire station site Greenway.
8. Prior to adoption of the NEMP, the ACT EPA, in conjunction with the National Capital Authority and Icon Water, undertook sampling across ACT waterways to determine background levels of PFAS. The water sampling results did not detect PFAS in ACT waterways. This sampling was limited and further, more targeted, sampling will be undertaken in accordance with the NEMP.
9. The EPA is also investigating changes to landfill and sewage treatment plant licenses to incorporate sampling for PFAS's in the standard monitoring programs to determine if discharges or inflows of PFAS are occurring at the facilities. Landfills and sewerage treatment works are potential sources as they accumulate PFAS sources from household, commercial and industrial wastes and discharges.
10. The EPA and Environment Planning and Sustainable Development Directorate have developed a sampling program plan to characterise potential PFAS sources and movements in the ACT and ensure the ACT meets the requirements of the NEMP. The sampling plan will involve existing water monitoring sites as well as ACT landfill, fuel storage and sewage treatment plant sites as these are potential sources of PFAS from household, commercial and industrial activities. The detailed sampling program is expected to begin by November 2018.
11. CMTEDD is separately briefing the Chief Minister on issues with PFAS in Jervis bay Territory (JBT). ACT Health is currently working with NSW EPA to develop community health advice relating to the consumption of marine life in JBT as a result of Defence's ongoing PFAS investigation in JBT. A copy of this briefing will be provided to you when complete.

Issues

12. The ACT Government is unable to progress assessment or remediation at

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UNCLASSIFIED UNCLASSIFIED

Commonwealth sites because the Commonwealth is not bound by ACT legislation.

13. PFAS contamination was detected in the soil at the former Belconnen site and Charnwood site during the first phase of an assessment process for redevelopment.
14. The Belconnen site is a Government site currently not in use and is awaiting potential redevelopment. Further assessment, in accordance with the Environment Protection Authority (EPA) Contaminated Sites Environment Protection Policy 2017, will determine the level of management or remediation required before redevelopment occurs. There is groundwater extraction near the Belconnen site which used for car washing. This water is not used for drinking supply or agricultural production. Thus the exposure pathways to humans from potential PFAS contamination of groundwater at this site is a negligible risk.
15. At the Charnwood site the infrastructure has been removed and validated with the site being found suitable for community including childcare. The building owners have prepared an OEMP which was endorsed by the EPA on 15 March 2018. Prior to occupancy of the site the lease must be varied to include the approved OEMP and the EPA receive endorsement from a suitably qualified environmental consultant confirming that the mitigation measures required by the OEMP have been successfully installed.

Financial Implications

16. ESA to provide information

Consultation

Cross Directorate

17. ESA XXX and Daniel Walters, Senior Manager Environment Protection Policy, Environment, Planning and Sustainable Development Directorate have been consulted in the preparation of this brief

External

- 18.

Benefits/Sensitivities

- 19.

Media Implications

- 20.

Signatory Name:

Phone:

Action Officer:

Phone:

UNCLASSIFIED UNCLASSIFIED

Tracking No.: [Click here to enter text.](#) Tracking No.:

White, Sarah-Jane (Health)

From: Kelly, Paul (Health)
Sent: Monday, 18 June 2018 1:10 PM
To: Pengilley, Andrew (Health)
Cc: Barr, Conrad (Health); Hudson, Lyndell (Health)
Subject: FW: Updated Overarching PFAS points - covering all Directorates - attached [SEC=UNCLASSIFIED]
Attachments: Talking points _ PFAS contamination _ June 2018 - ACT Health edit.docx

Hi Andrew,

I will attend the proposed IDC (see separate email) in the first instance but then propose that you take the lead on this matter. Hard to tell how big it will get but there has been 3 2 page "investigative journalism" piece in the CT (and presumably other Fairfax media outlets) over the weekend, so I get the sense that this is moving apace away from a defence issue to a fire department issue and therefore from Commonwealth to states and territories

By you taking the lead I mean:

1. Getting across all (and there are many) PFAS documents
2. Contacting Martyn Kirk to get the national picture (he has also done literature reviews on testing)
3. Meeting with David Clapham at CMTEDD to get up to speed with the Commonwealth connection
4. Liaising closely with Conrad and myself on progress
5. Creating a dossier which is comprehensive and defensible and some simple messages from the health perspective.

I expect you do this work and produce some written guidance to me. No doubt the IDC will continue to be needed to be kept on track from the health perspective, there will be series of communications and briefing materials to multiple Ministers etc. We won't be lead on this but need the health component well documented in preparation: who said what to whom when, the science of PFAS/PFOA and the uncertainty of health and difficulty of proving the negative (eg in relation to cancer).

Much of this work has previously been done, but I need you to bring it together into a coherent whole.

Happy to discuss,

Thanks.


Paul

Dr Paul Kelly

ACT Chief Health Officer & Deputy Director-General |

Population Health | ACT Health Directorate

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 Paul Kelly - ACT CHO (@PKelly_ACTCHO) on **Twitter**

<http://www.health.act.gov.au/healthy-living/population-health>



From: Pulli, Tracey (Health)
Sent: Monday, 18 June 2018 12:25 PM
To: Springett, Emily <Emily.Springett@act.gov.au>
Cc: Kelly, Paul (Health) <Paul.Kelly@act.gov.au>; McNeill, Laura (Health) <Laura.McNeill@act.gov.au>
Subject: RE: Updated Overarching PFAS points - covering all Directorates - attached [SEC=UNCLASSIFIED]

Hi Emily – hope you had a good weekend.

Apologies for the late reply. Please see attached with an addition from ACT Health.

Also, just wondering if we get a little further information on this morning's front page or is this EPSD? Was this an FOI as HPS weren't aware of this one? Very happy to contribute to some media lines on this particular issue if needed but just need to know what documents Canberra Times have or ours.

Cheers
Trace

Tracey Pulli
Deputy Director of Media | ACT Health

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From: Springett, Emily
Sent: Monday, 18 June 2018 10:10 AM
To: Paviour, Mark <Mark.Paviour@act.gov.au>; Sloane, Brenton <Brenton.Sloane@act.gov.au>; Craig, Alexandra <Alexandra.Craig@act.gov.au>
Cc: Dolan, Fiona <Fiona.Dolan@act.gov.au>; Perkins, Anita <Anita.Perkins@act.gov.au>; Rutland, Kaylee <Kaylee.Rutland@act.gov.au>; Rogan, Nicole <Nicole.Rogan@act.gov.au>; Piper, Mayumi <Mayumi.Piper@act.gov.au>; Le, Joanna <Joanna.Le@act.gov.au>; Pulli, Tracey (Health) <Tracey.Pulli@act.gov.au>
Subject: Updated Overarching PFAS points - covering all Directorates - attached
Importance: High

Hi All

A few updates have been made to the TPs this morning, these are the latest version as at 18 June 2018.

Thanks

Emily

From: Springett, Emily
Sent: Friday, 15 June 2018 5:52 PM
To: Paviour, Mark <Mark.Paviour@act.gov.au>; Sloane, Brenton <Brenton.Sloane@act.gov.au>; Craig, Alexandra <Alexandra.Craig@act.gov.au>
Cc: Dolan, Fiona <Fiona.Dolan@act.gov.au>; Perkins, Anita <Anita.Perkins@act.gov.au>
Subject: Overarching PFAS points - covering all Directorates
Importance: High

Good evening

Please find attached some overarching TPs/key messages on PFAS which may support any follow up media/issues over the weekend/next week.

Happy to keep adding to them/updating as needed so if you see anything missing in the attached, please let me know.

Please forward the TPs on to other Ministers' Offices if appropriate.

Thanks

Emily

Emily Springett | Deputy Director, Strategic Communications and Media, Access Canberra

Phone: 6205 9093 | Mobile: [REDACTED] | emily.springett@act.gov.au

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Directorate: CMTEDD, Access Canberra
(EPA, WorkSafe), Health,
ESA, EPSDD

Date: 18 June 2018

SUBJECT: PFAS contamination

ISSUE: Recent commentary following an FOI release on sites impacted by PFAS in the ACT, UFU concerns

RESPONSE:

General points on PFAS

- Per- and polyfluoroalkyl substances (PFAS) are man-made chemicals that have been used in industry and consumer products worldwide since the 1950s.
- They have been used in aviation firefighting foams (AFF), non-stick cookware, water-repellent clothing, stain-resistant fabrics and carpets, some cosmetics, and products that resist grease, water, and oil.
- Firefighting foam concentrates used to suppress flammable liquid fires previously contained PFAS.
- These concentrates were completely phased out by ACT Fire & Rescue by in April 2005 and replaced with fluorine-free foam concentrate.

Health and PFAS

- PFAS are very stable compounds and do not break down in the environment (i.e. they persist in the environment and in human bodies for a long time).
- There is no conclusive proof that PFAS cause any specific illnesses in humans, including cancer.
- There is also no consistent evidence that PFAS causes adverse human health outcomes in pregnant women of their babies.
- Expert advice currently does not advise any specific biochemical or disease screening for groups exposed to PFAS outside of specific research studies.

PFAS nationally

- Governments in Australia work to a framework for PFAS management in accordance with the *Intergovernmental Agreement on a National Framework for Responding to PFAS Contamination* (February 2018) and the PFAS National Environment Management Plan (NEMP), adopted by all jurisdictions March 2018.
- The NEMP defines the level of PFAS in soil and water that is considered contamination.
- The NEMP also details methods for site assessments, sampling protocols and analytical determinations.
- Issues with PFAS that have been widely reported in other jurisdictions have involved direct contamination of drinking water and/or food supplies.