

Hello,

Please see answers below to Question on Notice, and Supplementary Questions.

I'm still waiting on answers back to Q13 and Q14, which I will have to you as soon as possible.

Thanks so much.

Kind regards,

Josh

Inquiry Into Pfas Contamination In Waterways And Drinking Water Supplies Throughout New South Wales

Hearing: 5 February 2025

SUPPLEMENTARY QUESTIONS

Cr Tiffany Galvin, Country Mayors Association of NSW PFAS contaminated water representative (Mayor, Gwydir Shire Council)

Cr Josh Black, Executive Board Member, Country Mayors Association of NSW (Mayor, Dubbo Regional Council)

Access to PFAS-Free Water in Regional Areas:

(1) Are there regional towns in NSW where residents have lost access to safe drinking water due to PFAS contamination?

This has occurred at Dubbo Regional Council (DRC). DRC has a combination of surface water (Macquarie-Wambuul River) and ground water (through a bore network over the Upper Macquarie Aquifer). One of the high yield bores has not been in operation for a number of years due to the source water being above the levels recommended in the Australian Drinking Water Guidelines.

For other Local Water Utilities this is unknown, however there is the growing potential for this to occur given surface water and ground water have the potential to contain PFAS.

(2) What financial impact has PFAS contamination had on local agriculture and livestock production in affected areas?

This is unknown; however, the potential exists for PFAS contamination to have a negative financial impact by making water bores unusable for stock and irrigation crop usage.

(3) Have state and federal governments provided enough financial support to councils dealing with PFAS-related water supply issues?

The management of PFAS in source water is relatively new. It would be expected that two of the main areas requiring financial support to councils from governments would be in remediating contaminated land and providing PFAS filtration plants.

(4) Should NSW introduce mandatory PFAS water filtration upgrades for all regional water treatment plants?

The introduction of mandatory PFAS water filtration upgrades would require significant financial assistance and would only be supported if this was fully funded by the State and/or Federal Governments. This will also add to the cost of producing water so regional, rural and remote areas of NSW may not be able to afford the operational costs and future renewal works that would be required at the end of the useful life of the asset.

The NSW Productivity and Equality Commission's *Review of Alternative Funding Models for Local Water Utilities* has identified challenges faced by Local Water Utilities in western NSW. One of these issues is the ability for small and remote LWU to afford the necessary investment for the supply of drinking water and these are in areas that service socio-economically disadvantaged communities in NSW.

One action that has been developed is the development of a strategic business case for a Community Service Obligations funding scheme which will require government financial assistance to support these LWU's. The addition of mandatory process will only add additional operational costs to the regional residents who are ultimately in a cost recovery model for the supply of drinking water.

Infrastructure Gaps in PFAS Management

(5) Do regional councils have the technical expertise and equipment needed to monitor and remove PFAS from water supplies?

While some regional Councils may have expertise in PFAS, generally this would not be applied across the majority of regional, rural and remote NSW Councils. Some regional Councils are in the early stages of monitoring for PFAS in the water supply as well as managing PFAS contaminated land.

The removal of PFAS from each location can be different based on levels, remediation action required and the ability to fund the removal of PFAS.

(6) Would Country Mayors Association support a statewide PFAS remediation fund to assist regional councils?

This would be supported with priorities set for the use of these funds. Higher level priorities would be source water management for drinking water, PFAS levels higher than recreational use in open space areas as an example.

(7) What support do smaller councils with limited budgets need to handle long-term PFAS risks?

Financial support would be required for the testing, monitoring, development of remediation action plans and for removal works to be undertaken. The support would also include the ability to buy in expertise, whether that be through a consultancy arrangement or from a division within government with expertise in this area.

(8) Are there supply chain or transport issues preventing rural councils from accessing PFAS removal technologies?

Not to my knowledge, however this may become an issue if there is a pulse in requiring equipment or process treatment plants for the removal of PFAS.

Legal and Insurance Risks for Rural Councils

(9) Do rural councils fear legal liability for PFAS contamination, even if they were not responsible for the pollution?

It is important to note that PFAS is generally not a result of a Council operation. This needs to be clear that the entity responsible for the PFAS contamination, for example contamination from fire fighting exercises, are to be held to account and provide the necessary actions to remove the PFAS as a result of their operations.

There could be liability where local water utilities are not able to produce drinking water within the limits of the *Australian Drinking Water Guidelines* noting that the water treatment process does not introduce PFAS into the water supply as it is contained within the source water.

(10) Should local councils be able to sue Defence, mining, or industrial companies for PFAS clean-up costs?

The costs of councils dealing with PFAS contamination should be borne by the polluter. There are also instances where fire fighting exercises were previously conducted over the water supply aquifer and it is only in recent times that the PFAS plumes have affected the ability for water utilities to extract water for drinking purposes.

Rather than suing an agency, where there would be substantial legal costs, mandating that the polluter is to be fully responsible for remediation would be a more appropriate course of action.

(11) Has PFAS contamination affected property values or investment in regional NSW communities?

Undoubtedly, property values in some communities, such as Williamtown, are well known to be impacted. Impacts on regional investment are more likely due to associated impacts on water security. This is likely to be an increasing problem as more testing is carried out due to greater awareness of PFAS contaminated aquifers.

(12) Do rural councils need stronger legal protections against being held responsible for legacy PFAS pollution?

Yes, especially as in most cases the Council is not responsible for the legacy PFAS pollution.

Coordination Between Governments and Agencies

(13) Has the NSW Government been transparent and responsive in helping regional councils manage PFAS contamination?

(14) Do rural councils believe the NSW EPA has provided adequate oversight and regulation to protect regional communities?

(15) Should there be a single agency responsible for all PFAS contamination response efforts, rather than fragmented oversight across multiple departments?

Yes, greater coordination by a central body would streamline the process. An individual agency with responsibility for PFAS may also assist to reduce agencies being on the defensive for past practices and deal with the issue at hand.

(16) How should state and federal governments work together to support regional councils in managing PFAS risks?

Many Councils simply don't have the expertise to manage PFAS risks on their own. The provision of funding and resources to manage PFAS would be appreciated amongst local government as PFAS is emerging as more detailed testing is undertaken. It is uncommon for roles specialising in PFAS management to be within Local Government so expertise needs to be brought in to manage sites when PFAS has been detected.

(17) If the NSW Government does not step up its response to PFAS contamination, what are the long-term risks for regional and rural communities in NSW?

Loss of drinking water security due to PFAS contamination of both groundwater and surface water supplies is one of the short, medium and long term risks for regional, rural and remote councils. This is further compounded with aging infrastructure and growing populations.

The ability to treat the source water as well as remediating the area/s contributing to the PFAS contamination is expensive and can be a long process to identify and treat the contamination site. These sources of pollution need to be remediated to prevent the movement of PFAS particularly within groundwater that supplies source water for drinking water.



Clr Josh Black
Mayor
Dubbo Regional Council