



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## Freedom of Information Disclosure Log Publication Coversheet

The following information is provided pursuant to section 28 of the *Freedom of Information Act 2016*.

Application Details	
Ref. No.	CMTEDDFOI 2024-349
Date of Application	31 October 2024
Date of Decision	10 January 2025
Processing time (in working days)	45
Fees	N/A
Decision on Access	Partial Release
<b>Information Requested (summary)</b>	Information prepared by ACT Government pertaining to Direct Sale of a property in Fyshwick.
Publication Details	
Original application	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision notice	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Documents and schedule	<input checked="" type="checkbox"/> Published <input type="checkbox"/> N/A
Decision made by Ombudsman	N/A
Additional information identified by Ombudsman	N/A
Decision made by ACAT	N/A
Additional information identified by ACAT	N/A

**From:** [CMTEDD FOI](#)  
**To:** [CMTEDD FOI](#)  
**Cc:** [CMTEDD FOI](#)  
**Subject:** CMTEDDFOI 2024-349 FW: Request for Access  
**Date:** Friday, 1 November 2024 10:47:31 AM  
**Attachments:** [REDACTED]

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OFFICIAL

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**From:** [REDACTED]  
**Sent:** Thursday, 31 October 2024 12:01 PM  
**To:** CMTEDD FOI <CMTEDDFOI@act.gov.au>  
**Cc:** [REDACTED]  
**Subject:** Request for Access

**Caution:** This email originated from outside of the ACT Government. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good morning,

Please see attached two separate letters seeking access to information under the FOI Act.

Thank you.



To  
FOI Coordinator, Information Access Team  
Chief Minister Treasury and Economic Development Directorate  
ACT Government  
GPO Box 158  
CANBERRA ACT 2601

Date  
31 October 2024

Subject  
Request for information - Block 12 and Block 13 Section 47 Fyshwick

1

To whom it may concern,

This letter sets out a request for access to information pursuant to Part 5 Division 5.1 Section 30 of the *Freedom of Information Act 2016* (the FOI Act). The table below identifies the specific documents in relation to which access is sought.

### Background

This application is made by [REDACTED] Block 11 & 12 Section 38 Fyshwick.

Blocks 11 & 12 Section 38 Fyshwick adjoins Block 12 Section 47 Fyshwick which adjoins Block 13 Section 47 Fyshwick.

On [REDACTED] Block 12 and Block 13 Section 47 Fyshwick (as is obligated by Condition 3 of DA202240586).

On [REDACTED] received a formal offer for the sale of the land.

In November 2022, a Freedom of Information request was made seeking access to the following:

*The information requested relates to the direct sale application submitted by [REDACTED] Part Block 11 Section 47 Fyshwick (Application [REDACTED]). The information requested is relevant to the time period 29 August 2022 to 25 October 2022. The information requested comprises the following:*

- *Copies of any documents (including drafts) being emails, meeting notes, file notes, briefing papers, minutes, working papers, reviews, assessments, reports or other written items prepared by Development and Implementation Strategic Projects EPSDD in relation to Application [REDACTED] within the relevant period.*
- *Copies of any documents (including drafts) being emails, meeting notes, file notes, briefing papers, minutes, working papers, reviews, assessments, reports or other written items prepared by other ACT Government entities in relation to Application [REDACTED] within the relevant period.*
- *Copies of any written communications or records of verbal communication between EPSDD and UGL and/or Transport NSW in relation to Application [REDACTED] within the relevant period.*
- *Copies of any documents (including drafts) being emails, meeting notes, file notes, briefing papers, minutes, working papers, reviews, assessments, reports or other written items relating specifically to the scope, objectives and time frames for the Executive inquiries in relation to Application [REDACTED] within the relevant period.*



This application was partially referred to Transport Canberra and City Services (TCCS).

In response, full access was granted to twenty six (26) EPSDD records, partial access was granted to five (5) TCCS records and ten (10) EPSDD records and access was refused to one (1) EPSDD records.

The reason provided in the decision letter for refusing access to one (1) record was as follows:

*I have decided to withhold access to document 37 from release. Document 37 relates to a draft document that will be considered by the Minister and is being prepared as a basis for intended deliberations. It would be contrary to the public interest to disclose the information given its deliberative nature and the works have not yet been achieved. At this time, I am satisfied that the nondisclosure factor under Schedule 2, 2.2(a)(xvi) outweighs the factors favouring disclosure.*

**Request for access**

Specific interest	Access request
FOI 22/141361	<p>Access to Document #37.</p> <p>Two years have passed since this decision. A document that was ‘draft’ and ‘pending deliberations’ at that time does not have the same status today, especially noting that the offer has now been received. In short, the reasons for refusal of access in 2022 do not exist today.</p>
26 October 2022 to 31 October 2024	<p>All records <b>prepared by or received</b> by ACT Government officers, specifically including those within:</p> <ul style="list-style-type: none"> <li>● Chief Minister, Treasury and Economic Development Directorate [including ACT Government Revenue Office and ACT Government Valuation Office]</li> <li>● Suburban Land Agency</li> <li>● Environment, Planning and Sustainable Development Directorate</li> <li>● Environment Protection Authority</li> </ul> <p>pertaining to [REDACTED] between 26 Oct 2022 to 31 Oct 2024.</p> <p>Specifically, but not limited to the following records:</p> <ul style="list-style-type: none"> <li>● Internal meeting minutes</li> <li>● Briefs to executive and / or ministers</li> <li>● Reports procured through consultants e.g. valuation reports or contamination reports</li> <li>● ACT Valuation Office valuations</li> </ul>

In all instances. Our use of the word records includes: meeting notes, file notes, records of conversations (including Microsoft Teams chat log or equivalent digital communications print out), emails, letters, reports, briefing papers and all related drafts / post it notes / mark ups which comprise editing, peer review or internal sign off. For clarity, “or received by” includes from any other person employed by the ACT Government, advisors to Government, ACT Government Solicitors and 3rd parties.

The applicant does not seek access to its ‘Own Records’. ‘Own Records’ meaning:

- Emails already exchanged with the applicant; and
- Documents already submitted and/or received by the applicant.

Out of Scope <sup>3</sup>



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

Our ref: CMTEDDFOI 2024-349



## **FREEDOM OF INFORMATION REQUEST – NOTICE OF DECISION**

I refer to your application under section 30 of the *Freedom of Information Act 2016* (the Act), received by the Chief Minister, Treasury and Economic Development Directorate (CMTEDD) on 31 October 2024.

Specifically, you have sought access to the following information:

*“All records prepared by or received by ACT Government officers, specifically including those within:*

- *Chief Minister, Treasury and Economic Development Directorate [including ACT Government Revenue Office and ACT Government Valuation Office]*
- *Suburban Land Agency*
- *Environment, Planning and Sustainable Development Directorate*
- *Environment Protection Authority*

*pertaining to [REDACTED] between 26 Oct 2022 to 31 Oct 2024.*

*Specifically, but not limited to the following records:*

- *Internal meeting minutes*
- *Briefs to executive and / or ministers*
- *Reports procured through consultants e.g. valuation reports or contamination reports*
- *ACT Valuation Office valuations*

*On 26 October 2022 to 31 October 2024.”*

### **Authority**

I am an Information Officer appointed by the CMTEDD Director-General under section 18 of the Act to deal with access applications made under Part 5 of the Act.

### **Timeframes**

In accordance with section 40 of the Act, CMTEDD is required to provide a decision on your access application within 30 days.

As this matter required third party consultation, the decision due date was extended by 15 working days, in accordance with section 40(2) of the Act.

Therefore, a decision is due by **10 January 2025**.

### **Decision on access**

The information provided are the documents held by CMTEDD, except for information that may be held by ACT Revenue Office, who I understand have responded to you separately.

Searches of CMTEDD records have identified five documents within the scope of your request.

I have decided to grant **partial access** to three documents and **full access** to two.

The records identified as relevant to your application are listed in the schedule enclosed at **Attachment A**. This provides a description of each document that falls within the scope of your request and the access decision for each of those documents.

### **Release of documents**

The information being released to you is provided at **Attachment B**.

### **Statement of Reasons**

In accordance with section 54(2) of the Act a statement of reasons outlining my decisions is below. In reaching my access decisions, I have taken the following into account:

- the Act
- the information that falls within the scope of your request
- *Human Rights Act 2004*

As a decision maker, I am required to determine whether the information within scope is in the public interest to release. To make this decision, I am required to:

- assess whether the information would be contrary to public interest to disclose as per **Schedule 1** of the Act.
- perform the public interest test as set out in section 17 of the Act by balancing the factors favouring disclosure and factors favouring non-disclosure in **Schedule 2** of the Act.

### **Public Interest Test**

The Act has a presumption in favour of disclosure. As a decision maker I am required to decide where, on balance, public interests lies. As part of this process I must consider factors favouring disclosure and non-disclosure.

In *Hogan v Hinch* (2011) 243 CLR 506, [31] French CJ stated that when 'used in a statute, the term [public interest] derives its content from "the subject matter and the scope and purpose" of the enactment in which it appears'. Section 17(1) of the Act sets out the test, to be applied to determine whether disclosure of information would be contrary to the public interest. These factors are found in subsection 17(2) and Schedule 2 of the Act.

## **Schedule 2: Factors to be considered when deciding the public interest.**

Taking into consideration the information contained in the documents found to be within the scope of your request, I have identified that the following public interest factors are relevant to determine if release of the information contained within these documents is within the 'public interest'.

### ***Factors favouring disclosure (Section 2.1)***

- *Section 2.1(a)(ii) - contribute to positive and informed debate on important issues or matters of public interest.*
- *Section 2.1(a)(iii) - inform the community of the government's operations, including the policies, guidelines and codes of conduct followed by the government in its dealings with members of the community.*
- *Section 2.1(a)(viii) - reveal the reason for a government decision and any background or contextual information that informed the decision.*

I have placed substantial weight on the above factors favouring disclosure. The release of this information can reasonably be expected to provide you background or contextual information on the decision made by the ACT Government relating to the property in Fyshwick.

I am satisfied that these factors favouring disclosure carry some weight. However, these factors are to be balanced against the factors favouring nondisclosure.

### ***Factors favouring nondisclosure (Section 2.2)***

- *Section 2.2(a)(ii) - prejudice the protection of an individual's right to privacy or any other right under the Human Rights Act 2004.*

When considering this information against the factors favouring nondisclosure, I am satisfied that the protection of an individual's right to privacy is a significant factor. The individuals identified in the information being released to you did not provide their consent to release their personal information. These individuals are entitled to expect that the personal information they have supplied as part of this process will be dealt with in a manner that protects their privacy.

Having applied the test outlined in section 17 of the Act and deciding that release of personal information contained in the documents is not in the public interest to release, I have chosen to redact this specific information in accordance with section 50(2). Noting the pro-disclosure intent of the Act, I am satisfied that redacting only the information that I believe is not in the public interest to release will ensure that the intent of the Act is met and will provide you with access to the majority of the information held by CMTEDD within the scope of your request.

## **Charges**

Processing charges are not applicable for this request because the number of pages released to you is below the charging threshold of 50.

## **Online publishing – Disclosure Log**

Under section 28 of the Act, CMTEDD maintains an online record of access applications called a [disclosure log](#).

Your original access application and my decision will be published on the CMTEDD disclosure log. Your personal contact details will not be published.

### **Ombudsman Review**

My decision on your access request is a reviewable decision as identified in Schedule 3 of the Act. You have the right to seek Ombudsman review of this outcome under section 73 of the Act within 20 working days from the day that my decision is provided to you, or a longer period allowed by the Ombudsman.

We recommend using this form [Applying for an Ombudsman Review](#) to ensure you provide all of the required information. Alternatively, you may write to the Ombudsman at:

The ACT Ombudsman  
GPO Box 442  
CANBERRA ACT 2601

Via email: [actfoi@ombudsman.gov.au](mailto:actfoi@ombudsman.gov.au)

### **ACT Civil and Administrative Tribunal (ACAT) Review**

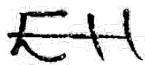
Under section 84 of the Act, if a decision is made under section 82(1) on an Ombudsman review, you may apply to the ACAT for review of the Ombudsman decision. Further information may be obtained from the ACAT at:

ACT Civil and Administrative Tribunal  
GPO Box 370  
Canberra City ACT 2601  
Telephone: (02) 6207 1740

<http://www.acat.act.gov.au/>

Should you have any queries in relation to your request please contact the CMTEDD FOI Team by telephone on 6207 7754 or email [CMTEDDFOI@act.gov.au](mailto:CMTEDDFOI@act.gov.au).

Yours sincerely



Emma Hotham  
Information Officer  
Chief Minister, Treasury and Economic Development Directorate

10 January 2025



**ACT**  
Government

Chief Minister, Treasury and  
Economic Development

## FREEDOM OF INFORMATION REQUEST SCHEDULE

WHAT ARE THE PARAMETERS OF THE REQUEST	Reference NO.
<p><b>Specific interest Access request</b></p> <p>All records prepared by or received by ACT Government officers, specifically including those within:</p> <ul style="list-style-type: none"> <li>• Chief Minister, Treasury and Economic Development Directorate [including ACT Government Revenue Office and ACT Government Valuation Office]</li> <li>• Suburban Land Agency</li> <li>• Environment, Planning and Sustainable Development Directorate</li> <li>• Environment Protection Authority</li> </ul> <p>pertaining to [REDACTED] between 26 Oct 2022 to 31 Oct 2024. Specifically, but not limited to the following records:</p> <ul style="list-style-type: none"> <li>• Internal meeting minutes</li> <li>• Briefs to executive and / or ministers</li> <li>• Reports procured through consultants e.g. valuation reports or contamination reports</li> <li>• ACT Valuation Office valuations</li> </ul>	<p>CMTEDDFOI 2024-349</p>

Ref No	Page number	Description	Date	Status	Reason for Exemption	Online Release Status
1	1-8	RE_ Contaminated Land Search - Application, W4MLBR6P, Katherine Hicks 3	30/10/2024	Full		Yes
2	9-10	RE_ Fyshwick Part Block 11 Section 47, 2	15/06/2023	Partial	Sch 2 s2.2 (a)(ii)	Yes
3	11-15	RE_ Fyshwick Part Block 11 Section 47	15/06/2023	Partial	Sch 2 s2.2 (a)(ii)	Yes
4	16	RE_ Fyshwick Part Block 11 Section 47_EPA comments	14/06/2023	Partial	Sch 2 s2.2 (a)(ii)	Yes
5	17-19	RE_ Notifiable Instrument Removal from Contamination Register Block 11 Section 38 Fyshwick	06/09/2024	Full		Yes
<b>Total No of Docs</b>						
5						

**From:** "Hicks, Katherine" <Katherine.Hicks@act.gov.au>  
**Sent:** 30/10/2024 12:04 PM  
**To:** "Jennings, RussellC" <RussellC.Jennings@act.gov.au>  
**Cc:** "Contaminated Sites" <ContaminatedSites@act.gov.au>  
**Subject:** RE: Contaminated Land Search - Application, W4MLBR6P, Katherine Hicks  
[SEC=UNCLASSIFIED, DLM=Sensitive: Personal]

OFFICIAL

Hi Russell

Thank you for your response.

Just to provide context, EPSDD Development and Implementation division, is selling Block 12 and 13 Section 47 Fyshwick to the developer that owns Block 11 Section 38. As part of the Contract for Sale prepared by the Government Solicitors Office (GSO), we are required to advise of all known reports (as best as possible) in relation to the land. We have provided the reports that our division is aware of, to the buyer, and we have provided the list of reports that the EPA is aware of.

GSO would like to include in the Contract for Sale that should the buyer seek a copy of the reports as listed by the EPA that the buyer can make that enquiry themselves and obtain the documents themselves (EPSDD does not want the documents).

Are there any reports that you have listed that are commercial in confidence? Could you advise which ones?

Thank you for your assistance

Regards  
Katherine

**Katherine Hicks**  
**Assistant Director | Development and Implementation | Strategic Projects and Land Governance**  
**email:** [Katherine.Hicks@act.gov.au](mailto:Katherine.Hicks@act.gov.au)  
**Environment, Planning and Sustainable Development Directorate | ACT Government**  
Level 2, 480 Northbourne Avenue, Dickson ACT 2602  
GPO Box 158 Canberra ACT 2601 | [www.planning.act.gov.au](http://www.planning.act.gov.au)

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**From:** Jennings, RussellC <RussellC.Jennings@act.gov.au>  
**Sent:** Wednesday, 30 October 2024 10:22 AM  
**To:** Hicks, Katherine <Katherine.Hicks@act.gov.au>  
**Cc:** Contaminated Sites <ContaminatedSites@act.gov.au>  
**Subject:** RE: Contaminated Land Search - Application, W4MLBR6P, Katherine Hicks [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]

OFFICIAL

Hi Katherine

Sorry I didn't reply earlier but I took leave yesterday.

All documents that are part of a legislated process, such as a statutory audit, are in the public domain and you may view the EPA's copies of them if you wish. I can send them to you digitally. This includes addendums and updates if the process is drawn out to numbers of years.

Any report that is in commercial confidence or provided only to the client will need authorisation.

Are there particular documents you wish to view or are you interested in everything listed in the contaminated land search?

Thanks

Russell C. Jennings | Environment Protection Officer

Phone: 02 6207 2157 | Email: [russellc.jennings@act.gov.au](mailto:russellc.jennings@act.gov.au)

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

Fourth Floor 480 Northbourne Ave. Dickson 2602 ACT | GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>

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.

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**From:** Hicks, Katherine <[Katherine.Hicks@act.gov.au](mailto:Katherine.Hicks@act.gov.au)>  
**Sent:** Monday, October 28, 2024 12:58 PM  
**To:** Jennings, RussellC <[RussellC.Jennings@act.gov.au](mailto:RussellC.Jennings@act.gov.au)>  
**Cc:** Contaminated Sites <[ContaminatedSites@act.gov.au](mailto:ContaminatedSites@act.gov.au)>  
**Subject:** RE: Contaminated Land Search - Application, W4MLBR6P, Katherine Hicks [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]

**OFFICIAL**

Dear Russell

Thank you for your response on the contaminated land search.

Is the EPA able to confirm that the documentation, as listed in your email, is publicly available and would therefore be made available to whomever asks for a copy?  
What timeframe is required for EPA to provide a copy, and what is the process to ask for a copy if the reports are required in the future?

Regards

**Katherine Hicks**

**Assistant Director | Development and Implementation | Strategic Projects and Land Governance**

**email:** [Katherine.Hicks@act.gov.au](mailto:Katherine.Hicks@act.gov.au)

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

Level 2, 480 Northbourne Avenue, Dickson ACT 2602

GPO Box 158 Canberra ACT 2601 | [www.planning.act.gov.au](http://www.planning.act.gov.au)

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**From:** Jennings, RussellC <[RussellC.Jennings@act.gov.au](mailto:RussellC.Jennings@act.gov.au)>

**Sent:** Friday, 11 October 2024 2:53 PM

**To:** Hicks, Katherine [Katherine.Hicks@act.gov.au](mailto:Katherine.Hicks@act.gov.au)

**Cc:** Contaminated Sites <[ContaminatedSites@act.gov.au](mailto:ContaminatedSites@act.gov.au)>

**Subject:** RE: Contaminated Land Search - Application, W4MLBR6P, Katherine Hicks [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]

**OFFICIAL**

Dear Mrs Hicks

**RE: CONTAMINATED LAND SEARCH**

Thank you for your search form request of 27/09/2024 enquiring about:

**Block 11 Section 47 Fyshwick Canberra Central**

**Block 12 Section 47 Fyshwick Canberra Central**

**Block 13 Section 47 Fyshwick Canberra Central**

Records held by the Environment Protection Authority (EPA) for the above block(s) indicate the following:

**CANBERRA CENTRAL SECTION 47 BLOCK 11**

This block is retired and is currently known as Block's 12, 13 and 14 Section 47 FYSHWICK.

At different times in the past this area was also known as Block 2, 3 and 5 Section 47 Fyshwick.

This retired block is recorded on the EPA's contaminated sites management database and geographic information system.

Block 11 Section 47 Fyshwick was known as the ACT Rail Land with activities including but not limited to, the Canberra Railway Station and associated rail yards, former Locomotive Refuelling Area, Historic Railway Society site, William Edmunds plumbing building and vehicle refuelling facilities and a historic Municipal landfill.

Landfills and fuel storage facilities associated with rail activities have been sources of contamination of the surrounding soils and groundwater which can result in the presence in soil and groundwater of elevated levels of hazardous substances potentially harmful to human health and the environment including volatile liquids and vapours both on and off-site.

The limited information recorded for the Rail Land landfill indicates it operated from the early 1950's through to late 1970's or early 1980's and was subject to the disposal of Household, Trade, Industrial and Builder's waste including spoil from the New Parliament House construction site.

There are records of vehicle fuel storage facilities adjacent to the William Edmunds plumbing building. The fuel storage facilities have been removed and an assessment and validation of the area undertaken. The excavation and imported fill associated with the fuel storage facilities was validated to sensitive land use criteria.

The rail land has previously been subject to an environmental assessment which included an extensive soil and groundwater investigation and independent audit. The results of the investigations indicate that elevated concentrations of hazardous materials and chemicals normally associated with rail activities and landfills are not present in significant quantities within the site or migrating from the site.

The reports were for the purpose of assessing the entire Rail land site including the rail corridor through Fyshwick to the ACT/NSW border. There were a number of potential areas of concern both from on-site and off-site activities identified and investigated.

The independent audit of the rail land site found the areas assessed are unlikely to present a significant risk to human health or the environment for the current land use and further assessment and remediation is not warranted.

The following reports are recorded for Block 11 Section 47 Fyshwick:

- "Underground Fuel Storage Tank Removal and Excavation Validation, Commonwealth Railyards, Kingston, ACT, 12 March 2002 by PPK Environmental & Infrastructure P/L";
- "Addendum: Major Site Environmental Audit - Canberra, 16 May 2001 by URS Australia P/L";
- "Addendum Report: Environmental Site Investigations and Site Remedial Works Canberra Railway Station Yards and Rail Corridor, 16 August 2001 by PPK Environmental & Infrastructure P/L";
- "Addendum Report: Environmental Site Investigations and Site Remedial Works Canberra Railway Station Yards and Rail Corridor, 16 March 2001 by PPK Environmental & Infrastructure P/L";
- "Major Site Environmental Audit - Canberra, 15 December 2000 by URS Australia P/L";
- "Report on Further Soil and Groundwater Investigations Canberra Railway Station and Rail Corridor, 14 January 1999 by PPK Environmental & Infrastructure P/L";
- "Report on Further Soil and Groundwater Investigations Canberra Railway Station and Rail Corridor, 17 December 1999 by PPK Environmental & Infrastructure P/L";
- "Phase II Environmental Site Assessment, Canberra Railway Station and Rail Corridor, 12 November 1998 by PPK Environmental & Infrastructure P/L";
- "Environmental Audit of the Australian National Facilities, Canberra Railway Station Yards and Rail Corridor, 16 March 1998 by PPK Environmental & Infrastructure P/L".

The EPA also reviewed the report titled "Phase 1 Contamination Investigation of Blocks 6, 7, 8, 9 & Southern Area of 11 of Section 47, Fyshwick and Blocks 21, 353, 2028 & A Section of Block 2066, Jerrabomberra, Canberra, ACT" dated September 2012 by Environmental Earth Sciences NSW.

The EPA assessed the report and supported the consultant's recommendations that assessment of the stockpiled material, the septic tank area and the sewage pumping station area is required prior to the site being used for other uses.

There are also a number of fuel storage depots located adjacent to the rail corridor.

The Act EPA Contaminated Sites Environment Protection Policy 2017 lists railways, landfills and fuel storage facilities as activities associated in the past with land contamination which may present a risk to human health or the environment.

Under the precautionary principal, all blocks adjacent to sites which contain fuel storage facilities are identified and persons making enquiries are made aware of potential for impacts from adjacent sites due to the ability of hydrocarbons and other contaminants to migrate through the environment.

The EPA received a contaminated land notification for the site under Section 23A of the Environment Protection Act 1997 (the Act) in January 2020. The notification identified hydrocarbon and PFAS impacts to soil and groundwater at the site.

The information detailed above only relates to records held by the EPA and may not represent the actual condition of the site.

At present the EPA has no information on contamination of the above block(s) other than as detailed above. However, this does not absolutely rule out the possibility of contamination and should not be interpreted as a warranty that there is no contamination.

I appreciate that this does not absolutely rule out the existence of contamination of the soils. If you or your clients wish to be completely sure you, or they, should arrange to conduct independent tests.

#### **CANBERRA CENTRAL SECTION 47 BLOCK 12**

This block is recorded on the EPA's contaminated sites management database and geographic information system.

This block previously part of Block 11 Section 47 FYSHWICK.

Block 11 Section 47 Fyshwick was known as the ACT Rail Land with activities including but not limited to, the Canberra Railway Station and associated rail yards, former Locomotive Refuelling Area, Historic Railway Society site, William Edmunds plumbing building and vehicle refuelling facilities and a historic Municipal landfill. The limited information recorded for the Rail Land landfill indicates it operated from the early 1950's through to late 1970's or early 1980's and was subject to the disposal of Household, Trade, Industrial and Builder's waste including spoil from the New Parliament House construction site.

There are records of vehicle fuel storage facilities adjacent to the William Edmunds plumbing building. The fuel storage facilities have been removed and an assessment and validation of the area undertaken. The excavation and imported fill associated with the fuel storage facilities was validated to sensitive land use criteria.

The rail land has previously been subject to an environmental assessment which included an extensive soil and groundwater investigation and independent audit. The results of the investigations indicate that elevated concentrations of hazardous materials and chemicals normally associated with rail activities and landfills are not present in significant quantities within the site or migrating from the site.

The reports were for the purpose of assessing the entire Rail land site including the rail corridor through Fyshwick to the ACT/NSW border. There were a number of potential areas of concern both from on-site and off-site activities identified and investigated.

The independent audit of the rail land site found the areas assessed are unlikely to present a significant risk to human health or the environment for the current land use and further assessment and remediation is not warranted.

The following reports are recorded for Block 11 Section 47 Fyshwick:

- "Underground Fuel Storage Tank Removal and Excavation Validation, Commonwealth Railyards, Kingston, ACT, 12 March 2002 by PPK Environmental & Infrastructure P/L";
- "Addendum: Major Site Environmental Audit - Canberra, 16 May 2001 by URS Australia P/L";
- "Addendum Report: Environmental Site Investigations and Site Remedial Works Canberra Railway Station Yards and Rail Corridor, 16 August 2001 by PPK Environmental & Infrastructure P/L";
- "Addendum Report: Environmental Site Investigations and Site Remedial Works Canberra Railway Station Yards and Rail Corridor, 16 March 2001 by PPK Environmental & Infrastructure P/L";
- "Major Site Environmental Audit - Canberra, 15 December 2000 by URS Australia P/L";
- "Report on Further Soil and Groundwater Investigations Canberra Railway Station and Rail Corridor, 14 January 1999 by PPK Environmental & Infrastructure P/L";
- "Report on Further Soil and Groundwater Investigations Canberra Railway Station and Rail Corridor, 17 December 1999 by PPK Environmental & Infrastructure P/L";
- "Phase II Environmental Site Assessment, Canberra Railway Station and Rail Corridor, 12 November 1998 by PPK Environmental & Infrastructure P/L";
- "Environmental Audit of the Australian National Facilities, Canberra Railway Station Yards and Rail Corridor, 16 March 1998 by PPK Environmental & Infrastructure P/L".

The EPA also reviewed the report titled "Phase 1 Contamination Investigation of Blocks 6, 7, 8, 9 & Southern Area of 11 of Section 47, Fyshwick and Blocks 21, 353, 2028 & A Section of Block 2066, Jerrabomberra, Canberra, ACT" dated September 2012 by Environmental Earth Sciences NSW.

The EPA assessed the report and supported the consultant's recommendations that assessment of the stockpiled material, the septic tank area and the sewage pumping station area is required prior to the site being used for other uses.

The EPA received a contaminated land notification for Section 47 Block 11 Fyshwick under Section 23A of the Environment Protection Act 1997 (the Act) in January 2020. The notification identified hydrocarbon and PFAS impacts to soil and groundwater at the site.

The ACT EPA GIS layer indicates that a former municipal landfill extends over this block.

The Act EPA Contaminated Sites Environment Protection Policy 2017 lists railways, landfills and fuel storage facilities as activities associated in the past with land contamination which may present a risk to human health or the environment.

Under the precautionary principal, all blocks adjacent to sites which contain fuel storage facilities are identified and persons making enquiries are made aware of potential for impacts from adjacent sites due to the ability of hydrocarbons and other contaminants to migrate through the environment.

The information detailed above only relates to records held by the EPA and may not represent the actual condition of the site.

At present the EPA has no information on contamination of the above block(s) other than as detailed above. However, this does not absolutely rule out the possibility of contamination and should not be interpreted as a warranty that there is no contamination.

I appreciate that this does not absolutely rule out the existence of contamination of the soils. If you or your clients wish to be completely sure you, or they, should arrange to conduct independent tests.

### **CANBERRA CENTRAL SECTION 47 BLOCK 13**

This block is recorded on the EPA's contaminated sites management database and geographic information system.

This block previously part of Block 11 Section 47 FYSHWICK.

Block 11 Section 47 Fyshwick was known as the ACT Rail Land with activities including but not limited to, the Canberra Railway Station and associated rail yards, former Locomotive Refuelling Area, Historic Railway Society site, William Edmunds plumbing building and vehicle refuelling facilities and a historic Municipal landfill. The limited information recorded for the Rail Land landfill indicates it operated from the early 1950's through to late 1970's or early 1980's and was subject to the disposal of Household, Trade, Industrial and Builder's waste including spoil from the New Parliament House construction site.

There are records of vehicle fuel storage facilities adjacent to the William Edmunds plumbing building. The fuel storage facilities have been removed and an assessment and validation of the area undertaken. The excavation and imported fill associated with the fuel storage facilities was validated to sensitive land use criteria.

The rail land has previously been subject to an environmental assessment which included an extensive soil and groundwater investigation and independent audit. The results of the investigations indicate that elevated concentrations of hazardous materials and chemicals normally associated with rail activities and landfills are not present in significant quantities within the site or migrating from the site.

The reports were for the purpose of assessing the entire Rail land site including the rail corridor through Fyshwick to the ACT/NSW border. There were a number of potential areas of concern both from on-site and off-site activities identified and investigated.

The independent audit of the rail land site found the areas assessed are unlikely to present a significant risk to human health or the environment for the current land use and further assessment and remediation is not warranted.

The following reports are recorded for Block 11 Section 47 Fyshwick:

- "Underground Fuel Storage Tank Removal and Excavation Validation, Commonwealth Railyards, Kingston, ACT, 12 March 2002 by PPK Environmental & Infrastructure P/L";
- "Addendum: Major Site Environmental Audit - Canberra, 16 May 2001 by URS Australia P/L";
- "Addendum Report: Environmental Site Investigations and Site Remedial Works Canberra Railway Station Yards and Rail Corridor, 16 August 2001 by PPK Environmental & Infrastructure P/L";

- "Addendum Report: Environmental Site Investigations and Site Remedial Works Canberra Railway Station Yards and Rail Corridor, 16 March 2001 by PPK Environmental & Infrastructure P/L";
- "Major Site Environmental Audit - Canberra, 15 December 2000 by URS Australia P/L";
- "Report on Further Soil and Groundwater Investigations Canberra Railway Station and Rail Corridor, 14 January 1999 by PPK Environmental & Infrastructure P/L";
- "Report on Further Soil and Groundwater Investigations Canberra Railway Station and Rail Corridor, 17 December 1999 by PPK Environmental & Infrastructure P/L";
- "Phase II Environmental Site Assessment, Canberra Railway Station and Rail Corridor, 12 November 1998 by PPK Environmental & Infrastructure P/L";
- "Environmental Audit of the Australian National Facilities, Canberra Railway Station Yards and Rail Corridor, 16 March 1998 by PPK Environmental & Infrastructure P/L".

The EPA also reviewed the report titled "Phase 1 Contamination Investigation of Blocks 6, 7, 8, 9 & Southern Area of 11 of Section 47, Fyshwick and Blocks 21, 353, 2028 & A Section of Block 2066, Jerrabomberra, Canberra, ACT" dated September 2012 by Environmental Earth Sciences NSW.

The EPA assessed the report and supported the consultant's recommendations that assessment of the stockpiled material, the septic tank area and the sewage pumping station area is required prior to the site being used for other uses.

The EPA received a contaminated land notification for Section 47 Block 11 Fyshwick under Section 23A of the Environment Protection Act 1997 (the Act) in January 2020. The notification identified hydrocarbon and PFAS impacts to soil and groundwater at the site.

The ACT EPA GIS layer indicates that a former municipal landfill extends over this block.

The Act EPA Contaminated Sites Environment Protection Policy 2017 lists railways, landfills and fuel storage facilities as activities associated in the past with land contamination which may present a risk to human health or the environment.

Under the precautionary principal, all blocks adjacent to sites which contain fuel storage facilities are identified and persons making enquiries are made aware of potential for impacts from adjacent sites due to the ability of hydrocarbons and other contaminants to migrate through the environment.

The information detailed above only relates to records held by the EPA and may not represent the actual condition of the site.

At present the EPA has no information on contamination of the above block(s) other than as detailed above. However, this does not absolutely rule out the possibility of contamination and should not be interpreted as a warranty that there is no contamination.

I appreciate that this does not absolutely rule out the existence of contamination of the soils. If you or your clients wish to be completely sure you, or they, should arrange to conduct independent tests.

Yours sincerely

**Russell C. Jennings | Environment Protection Officer**

Phone: 02 6207 2157 | Email: [russellc.jennings@act.gov.au](mailto:russellc.jennings@act.gov.au)

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

Fourth Floor 480 Northbourne Ave. Dickson 2602 ACT | GPO Box 158 Canberra ACT 2601 | <http://www.act.gov.au/accesscbr>

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.

**From:** [smartforms@act.gov.au](mailto:smartforms@act.gov.au) <[smartforms@act.gov.au](mailto:smartforms@act.gov.au)>

**Sent:** Friday, September 27, 2024 1:55 PM

**To:** Contaminated Sites <[ContaminatedSites@act.gov.au](mailto:ContaminatedSites@act.gov.au)>

**Subject:** Contaminated Land Search - Application, W4MLBR6P, Katherine Hicks [SEC=UNCLASSIFIED, DLM=Sensitive: Personal]

## Contaminated Land Search - Application

### Form data summary

<b>Customer details</b>	Katherine Hicks
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<b>Reference code</b>	W4MLBR6P
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For issues or questions relating to SmartForms please contact the Payment Services Integration Team on \*5 4607 or email [smartforms.admin@act.gov.au](mailto:smartforms.admin@act.gov.au).

**From:** "Contaminated Sites"  
**Sent:** 15/06/2023 2:04 PM  
**To:** Sch 2.2(a)(ii) >  
**Cc:** "Arul, Adrian" <Adrian.Arul@act.gov.au>; "EPAPanningLiaison" <EPAPanningLiaison@act.gov.au>  
**Subject:** RE: Fyshwick Part Block 11 Section 47  
**Attachments:** Causeway\_tip.jpg

**OFFICIAL**

There is another landfill on the other side of the wetland. Please refer to the attached image. Please also be aware that the landfill extent is only nominal.

Jianmin Zhang | Environment Protection Officer | Office of the Environment Protection Authority

Phone: 02 6207 2151 | Email: [jianmin.zhang@act.gov.au](mailto:jianmin.zhang@act.gov.au)

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

GPO Box 158, Canberra City, ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)

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---

**From:** Zhang, Jianmin **On Behalf Of** Contaminated Sites

**Sent:** Thursday, 15 June 2023 1:46 PM

Sch 2.2(a)(ii)

**Cc:** Arul, Adrian <Adrian.Arul@act.gov.au>; EPAPanningLiaison <EPAPanningLiaison@act.gov.au>

**Subject:** RE: Fyshwick Part Block 11 Section 47

**OFFICIAL**

Hi Sch 2.2(a)(ii)

You should submit a contaminated land search application for this enquiry. Having said, I can give you a brief description of the site:

Block 11 (formerly Block 2) Section 47 Fyshwick is known as the ACT Rail Land with activities including but not limited to, the Canberra Railway Station and associated rail yards, former Locomotive Refuelling Area, Historic Railway Society site, William Edmunds plumbing building and vehicle refuelling facilities and a historic Municipal landfill.

Landfills and fuel storage facilities associated with rail activities have been sources of contamination of the surrounding soils and groundwater which can result in the presence in soil and groundwater of elevated levels of hazardous substances potentially harmful to human health and the environment including volatile liquids and vapours both on and off-site.

The site audit report for Blocks 11 and 12 Section 38 Fyshwick provides a figure showing the suspected landfill extent. I've attached the figure for you information.

Regards

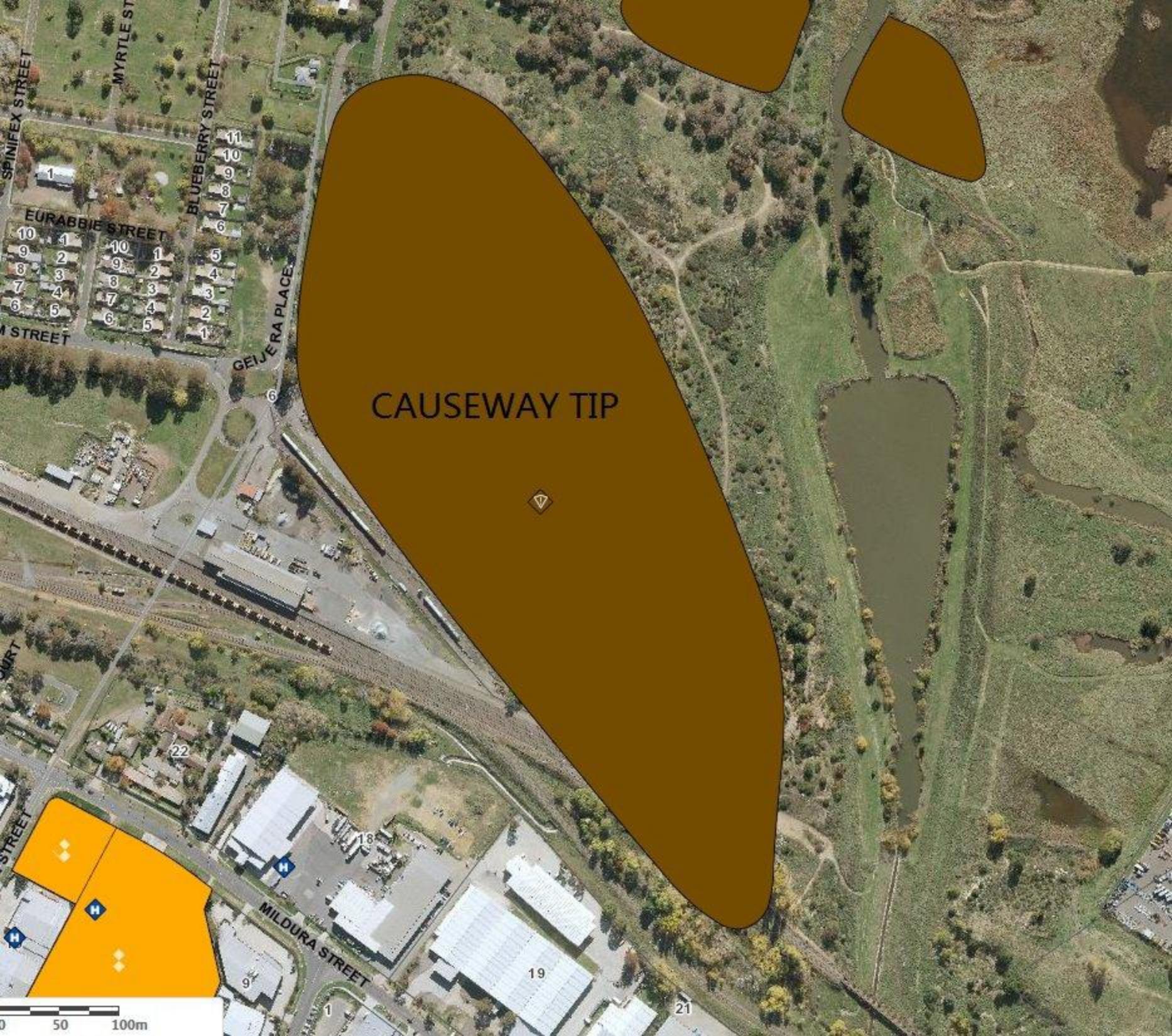
Jianmin Zhang | Environment Protection Officer | Office of the Environment Protection Authority

Phone: 02 6207 2151 | Email: [jianmin.zhang@act.gov.au](mailto:jianmin.zhang@act.gov.au)

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

GPO Box 158, Canberra City, ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)

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CAUSEWAY TIP

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MYRTLE STREET  
BLUEBERRY STREET  
EURABBIE STREET  
M STREET

GEIJE RA PLACE

WHEAT STREET

MILDURA STREET

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**From:** "Contaminated Sites"  
**Sent:** 15/06/2023 1:45 PM  
**To:** Sch 2.2(a)(ii)  
**Cc:** "Arul, Adrian" <Adrian.Arul@act.gov.au>; "EPAPlanningLiaison" <EPAPlanningLiaison@act.gov.au>  
**Subject:** RE: Fyshwick Part Block 11 Section 47  
**Attachments:** suspected landfill extentB11 S47 Fyshwick.jpg

OFFICIAL

Sch 2.2(a)(ii)  
Hi

You should submit a contaminated land search application for this enquiry. Having said, I can give you a brief description of the site:

Block 11 (formerly Block 2) Section 47 Fyshwick is known as the ACT Rail Land with activities including but not limited to, the Canberra Railway Station and associated rail yards, former Locomotive Refuelling Area, Historic Railway Society site, William Edmunds plumbing building and vehicle refuelling facilities and a historic Municipal landfill.

Landfills and fuel storage facilities associated with rail activities have been sources of contamination of the surrounding soils and groundwater which can result in the presence in soil and groundwater of elevated levels of hazardous substances potentially harmful to human health and the environment including volatile liquids and vapours both on and off-site.

The site audit report for Blocks 11 and 12 Section 38 Fyshwick provides a figure showing the suspected landfill extent. I've attached the figure for you information.

Regards

Jianmin Zhang | Environment Protection Officer | Office of the Environment Protection Authority  
Phone: 02 6207 2151 | Email: [jianmin.zhang@act.gov.au](mailto:jianmin.zhang@act.gov.au)

Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government  
GPO Box 158, Canberra City, ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)

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---

**From:** EPAPlanningLiaison <EPAPlanningLiaison@act.gov.au>  
**Sent:** Wednesday, 14 June 2023 3:28 PM  
**To:** Contaminated Sites <ContaminatedSites@act.gov.au>  
**Cc:** Sch 2.2(a)(ii) Arul, Adrian <Adrian.Arul@act.gov.au>  
**Subject:** FW: Fyshwick Part Block 11 Section 47

OFFICIAL

Hi Jianmin,

Could you please see below from Sch 2.2(a)(ii) and assist.





Cheers

Regards,

Robin Brown | Environment Protection Authority Planning Liaison



**Legend**

-  Site boundary
-  Cadastre boundary
-  ACT EPA supplied indicative landfill extent
-  Suspected landfill extent based on 1972 aerial imagery

**From:** Sch 2.2(a)(ii)

**Sent:** Wednesday, 14 June 2023 3:26 PM

**To:** Brown, Robin <[Robin.Brown@act.gov.au](mailto:Robin.Brown@act.gov.au)>

**Cc:** Arul, Adrian <[Adrian.Arul@act.gov.au](mailto:Adrian.Arul@act.gov.au)>

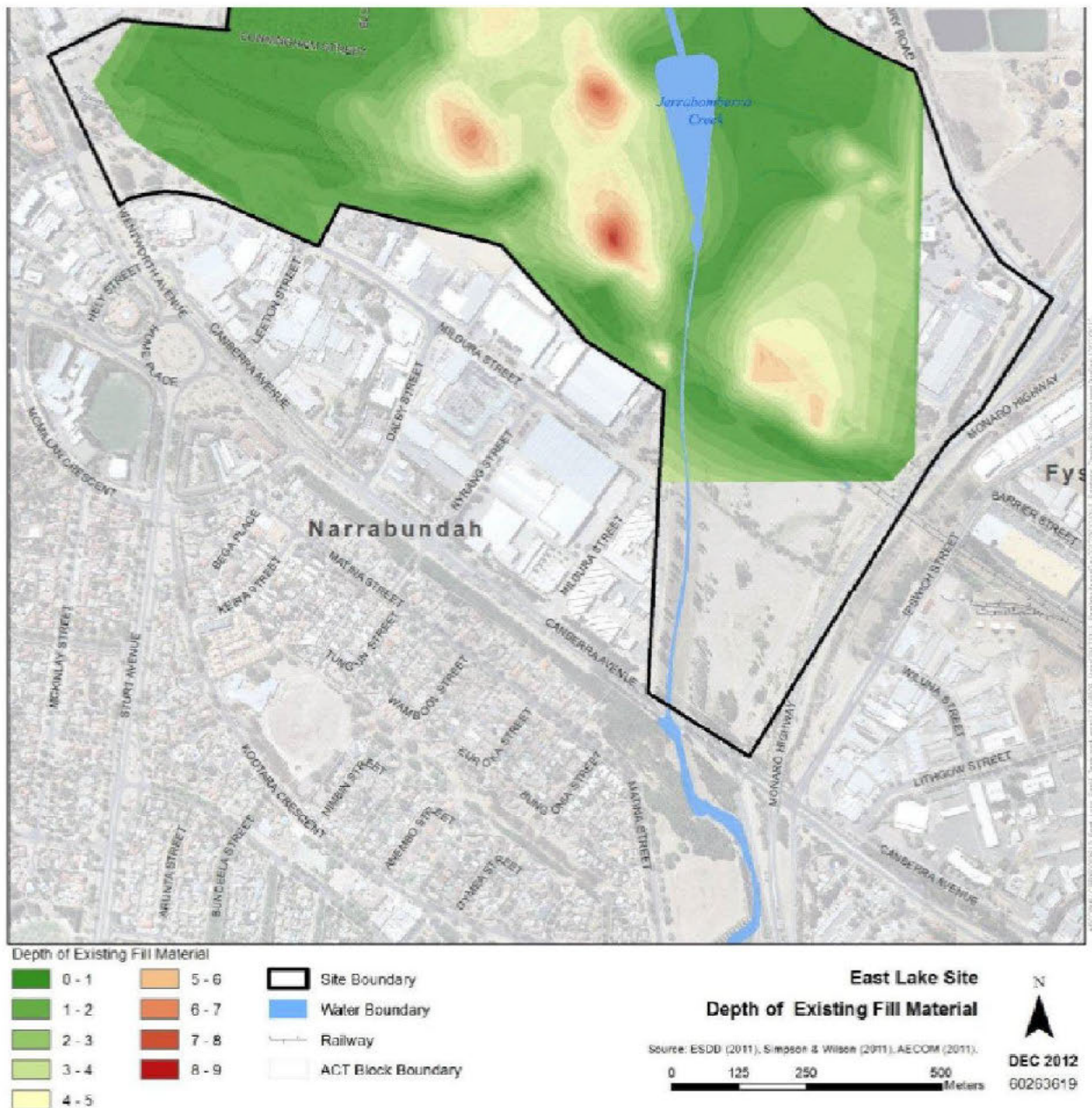
**Subject:** RE: Fyshwick Part Block 11 Section 47

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Hi Robin,

I apologise for

annoying you on this request, but I have almost completed my Site Investigation Report on this site for release and was just needing this final piece of the puzzle. I would appreciate any direction that you can provide. The best information that I have is the below screenshot from LRAC comments in relation to the extent of uncontrolled fill on the site.



Kind regards,

Sch 2.2(a)(ii)

**From** Sch 2.2(a)(ii)  
**Sent:** Tuesday, 6 June 2023 4:28 PM  
**To:** [Robin.Brown@act.gov.au](mailto:Robin.Brown@act.gov.au)  
**Cc:** 'Arul, Adrian' <[Adrian.Arul@act.gov.au](mailto:Adrian.Arul@act.gov.au)>  
**Subject:** RE: Fyshwick Part Block 11 Section 47

Hi Robin,

I'm just writing to follow up on the below request. I'd be happy to discuss if that's easier.

Kind regards,

Sch 2.2(a)(ii)

---

**From:** Sch 2.2(a)(ii)

**Sent:** Sunday, 28 May 2023 10:15 PM

**To:** [Robin.Brown@act.gov.au](mailto:Robin.Brown@act.gov.au)

**Cc:** 'Arul, Adrian' <[Adrian.Arul@act.gov.au](mailto:Adrian.Arul@act.gov.au)>

**Subject:** Fyshwick Part Block 11 Section 47

Hi Robin,

JPS Engineering Consultants are currently engaged by EPSDD to undertake a Site Investigation Report for Part Block 11 Section 47 Fyshwick. Attached is an image of the site in question. The developer's intention is to construct an on grade carpark with various park amenities – proposal also attached.

A private developer is intending to purchase the land in question from the ACT Government through a direct sale process and therefore the submission has been circulated through LRAC. Patrick Paynter highlighted that there is known contamination within this area, which is why I'm writing to you for your assistance in identifying the constraints on this site and therefore the risk on the ACT Government to sell this land unremediated.

I am aware of the Contaminated Land Search online request for information, which I use quite regularly, but was advised by Adrian Arul to contact you directly on this matter.

Please feel free to contact me should you wish to discuss.

Kind regards,

Sch 2.2(a)(ii)

**From:** "Arul, Adrian" <Adrian.Arul@act.gov.au>  
**Sent:** 14/06/2023 3:49 PM  
**To:** "EPAPanningLiaison" <EPAPanningLiaison@act.gov.au>; "Contaminated Sites" <ContaminatedSites@act.gov.au>  
**Cc:** [Redacted] Sch 2.2(a)(ii)  
**Subject:** RE: Fyshwick Part Block 11 Section 47/EPA comments

OFFICIAL

Thanks Robin

Hi Jianmin

Appreciate your (EPA's) input by assisting [Redacted] in this instance at your earliest convenience. FYI- EPSDD engaged [Redacted] to carry out a Site Investigation Report 1(SIR 1).

Also FYI- David Power called me briefly in early June 23 regarding this and I mentioned that we engaged [Redacted] to carry out SIR1. Also please discuss with him as well for the background. Thanks.

**Regards**

**Adrian Arul MIE Aust CPEng NER / Director**

**IMPLEMENTATION COORDINATION, DEVELOPMENT & IMPLEMENTATION**

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

**Gudgenby Level 2, 480 Northbourne Avenue Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.act.gov.au](http://www.act.gov.au)**

**T: 02 62071674**

**[adrian.arul@act.gov.au](mailto:adrian.arul@act.gov.au)**

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**From:** EPAPanningLiaison <EPAPanningLiaison@act.gov.au>  
**Sent:** Wednesday, 14 June 2023 3:28 PM  
**To:** Contaminated Sites <ContaminatedSites@act.gov.au>  
**Cc:** [Redacted] Sch 2.2(a)(ii) Arul, Adrian <Adrian.Arul@act.gov.au>  
**Subject:** FW: Fyshwick Part Block 11 Section 47

OFFICIAL

Hi Jianmin,

Could you please see below from [Redacted] and assist.

Cheers

Regards,

**Robin Brown | Environment Protection Authority Planning Liaison**

Phone 02 6207 5642

**Environmental Quality | Office of the Environment Protection Authority | Access Canberra | ACT Government**

470 Northbourne Ave Dickson ACT 2602 | GPO Box 158 Canberra ACT 2601 | [www.environment.act.gov.au](http://www.environment.act.gov.au)

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**From:** [Redacted] Sch 2.2(a)(ii)  
**Sent:** Wednesday, 14 June 2023 3:26 PM  
**To:** Brown, Robin <[Robin.Brown@act.gov.au](mailto:Robin.Brown@act.gov.au)>

**From:** "Storey, Kirstin" <Kirstin.Storey@act.gov.au> on behalf of "Contaminated Sites" <ContaminatedSites@act.gov.au>  
**Sent:** 06/09/2024 2:28 PM  
**To:** "Hicks, Katherine" <Katherine.Hicks@act.gov.au>; "Contaminated Sites" <ContaminatedSites@act.gov.au>  
**Cc:** "Power, David" <DAVID.POWER@act.gov.au>  
**Subject:** RE: Notifiable Instrument Removal from Contamination Register Block 11 Section 38 Fyshwick

**OFFICIAL: Sensitive**

Hi Katherine,

David is on leave this week, so I'm replying on his behalf. Block 11 Section 38 Fyshwick was subject to a contaminated land Site Audit. The Site Audit was a statutory audit in the meaning of the *Environment Protection Act 1997* (the Act) because it was triggered as a condition of the Notice of Decision for development application 201935743. As it was a statutory audit, the EPA was required by the Act to make an entry for the site on the register of contaminated sites. The Site Audit was completed in April 2022 and found that Block 11 Section 38 Fyshwick was suitable for all permitted uses under the site's zoning (CZ3) including those permitted as additional merit track development by the Fyshwick Precinct Code and Map, without the need for an environmental management plan. As the Site Audit found the site suitable for use, without the requirement for an environment management plan, the site was removed from the register of contaminated sites, when a site is removed the notice is a notifiable instrument.

In relation to Blocks 12 and 13 Section 47, EPA records indicate that a former municipal dump was present on the site, the status of the dump is unknown and there are no records that it has been investigated. This is a separate issue to the reasons that the Site Audit for Block 11 Section 38 was required. Prior to EPA supporting development at the site. The site should be subject to an environmental site assessment, from a contamination perspective, in the form of a preliminary site investigation and/or detailed site investigation. The site assessment should be submitted to the EPA in accordance with Contaminated Sites Information Sheet 11 – Environment Protection Authority Report Submission Requirements for review and endorsement.

If you have any further questions, please let me know.

Kind regards,  
Kirstin

**Kirstin Storey (she/her) | Environment Protection Officer | Office of the Environment Protection Authority**  
Phone: 02 6205 2951 | Email: [kirstin.storey@act.gov.au](mailto:kirstin.storey@act.gov.au)  
**Access Canberra | Chief Minister, Treasury and Economic Development Directorate | ACT Government**  
GPO Box 158, Canberra City, ACT 2601 | [www.act.gov.au/accessCBR](http://www.act.gov.au/accessCBR)

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.

---

**From:** Hicks, Katherine <Katherine.Hicks@act.gov.au>  
**Sent:** Wednesday, September 4, 2024 4:06 PM  
**To:** Contaminated Sites <ContaminatedSites@act.gov.au>  
**Cc:** Power, David <DAVID.POWER@act.gov.au>  
**Subject:** FW: Notifiable Instrument Removal from Contamination Register Block 11 Section 38 Fyshwick

**OFFICIAL: Sensitive**

Hi David

EPSSD Development and Implementation – direct sales team, is in the process of a direct sale of land being Block 12 and 13 Section 47 Fyshwick (previously known as part Block 11 Section 47 Fyshwick) and illustrated as pink parcel and thin strip between the pink and the green parcel .

The direct sale parcels of land adjoins Block 11 Section 38 Fyshwick ( green parcel), which belongs to the Molonglo Group and is the subject of the attached Notifiable Instrument.



Could you tell us a bit more about the notifiable instrument and how it was determined by the EPA that Block 11 Section 38 could be removed from the contamination register and what this means for the adjoining land that we are looking to sell and that we are aware does have contamination?

More than happy to meet on Teams to discuss if that is easier.

Thanks  
Katherine

**Katherine Hicks**

**Assistant Director | Development and Implementation | Strategic Projects and Land Governance**

**email: [Katherine.Hicks@act.gov.au](mailto:Katherine.Hicks@act.gov.au)**

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

Level 2, 480 Northbourne Avenue, Dickson ACT 2602

GPO Box 158 Canberra ACT 2601 | [www.planning.act.gov.au](http://www.planning.act.gov.au)

# Environment Protection (Register of Contaminated Sites) Notice 2022 (No 3)

## Notifiable Instrument NI2022—211

made under the

Environment Protection Act 1997, (21B Notification of making of certain entries in register)

---

### 1 Name of Instrument

This instrument is the *Environment Protection (Register of Contaminated Sites) Notice 2022 (No 3)*.

### 2 Commencement

This instrument commences on the day after its notification day.

### 3 Notification

The following entries have been removed from the Register:

#### Particulars of land

The following entries will be removed from the Register:

District	Division	Block	Section	Description
Canberra Central	Fyshwick	11	38	Former DAS Fleet Site
Canberra Central	Fyshwick	12	38	Adjacent to former DAS Fleet Site
Belconnen	Holt	71	51	Kippax Group Centre TPV Area

### 4 Inspection of documents

The documents mentioned in section 21B (2) may be inspected or obtained during business hours, at the office of the Environment Protection Authority, Dickson Office Building, 480 Northbourne Avenue, Dickson, ACT or are available on the Access Canberra website.

David Power  
Environment Protection Authority

22 April 2022