

## **Terms of Reference**

### **Independent Review of land uses around key Defence bases impacted by PFAS contamination**

#### **Introduction**

Communities across Australia have been impacted by contamination as a consequence of legacy firefighting foam containing specific per- and poly-fluoroalkyl substances (PFAS) compounds. Certain PFAS compounds were active ingredients found in legacy firefighting foams used by Defence, and which Defence began phasing out in 2004.

Communities around Defence bases impacted by PFAS contamination have continued to feel the impact of contamination since the Defence PFAS Investigation and Management Program commenced in 2015. This includes contamination of land used for residential, commercial, industrial and agricultural purposes.

#### **The Review**

The Independent PFAS Review will consider land use options around Defence bases with a view to assisting people and businesses who have been affected by PFAS contamination.

The Review will specifically explore use and voluntary repurposing of impacted land in an equitable and efficient manner, including repurposing land adjacent to Defence facilities for industrial use, particularly for defence industry.

The Review will focus on land and communities which are significantly impacted by PFAS contamination and have had class actions settled, namely RAAF Base Williamtown (NSW), RAAF Base Tindal (NT), and the Army Aviation Centre Oakey (QLD).

The Review will seek submissions from the public and key stakeholders, and will conduct public hearings.

The Review will work in consultation with relevant Commonwealth agencies including the Department of Defence, the Department of Climate Change, Energy, the Environment and Water, and the Department of Infrastructure, Transport, Regional Development, Communications and the Arts; State/Territory and local governments; landowners; industry; and traditional owners and communities.

The Review will seek information from relevant State/Territory and local government authorities to understand how information about PFAS contamination informs planning and development.

The Review will make recommendations in relation to decision-making for land use and zoning around Defence sites impacted by PFAS contamination. The Review will inform the Government's policy options for managing the impacts of PFAS contamination.

The Review will include consideration of:

- a. existing mechanisms for determining land uses in the context of PFAS environmental contamination;
- b. jurisdictional considerations for making decisions about future land use within the different states and territories, including land zoning;
- c. varying PFAS contamination management frameworks across different jurisdictions; and
- d. the profile of potentially impacted properties, and thresholds or criteria that would trigger an assessment of land use.

The review is expected to have implications for other Commonwealth sites, including leased federal airports.

### **Critical Information Requirements**

The Review will consider the Defence PFAS Investigation and Management Program. It will complement the Defence program focused on understanding the nature and extent of contamination, and remediation and management responses.

The Government acknowledges community concerns about broader impacts of PFAS contamination, including on health, the environment, and food sources. The Review will take into account the findings of, and avoid unnecessary duplication with, previous reviews and inquiries into PFAS contamination, where the latter are relevant to the understanding of repurposing of land adjacent to Defence bases and establishments.

### **Conduct of the Review**

A suitably experienced and qualified Review Lead will be appointed to prepare a report for consideration by the Assistant Minister for Defence.

A final report will be provided within six months of commencing the Review.