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Ms. Fachmann

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Department of Premier and Cabinet



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## Establishing the Broken Hill Environmental Lead Response Group

### Briefing for the Premier

#### Issue

In February 2023, the former Secretary supported DPC coordinating a refreshed whole-of-government approach for managing environmental lead in Broken Hill, at the request of the former Ministers for Health and Environment, and the former Premier's Office.

The Broken Hill Environmental Lead Response Group (the Response Group) will lead a whole-of-government response to address health, educational and social outcomes caused by environmental lead in Broken Hill. The Response Group will develop measures with a view to their simplicity, cost effectiveness, and scope of impact for the community.

The Premier's support for this work is sought noting government priorities may have changed since initial tasking.

#### Purpose

Various programs have been funded to manage the impacts of environmental lead in Broken Hill. Most recently, the Environmental Protection Authority (EPA) and NSW Health were funded \$13 million over five years to implement the Broken Hill Environmental Lead Program (BHELP) which monitored environmental dust, remediated land, educated the public, and tested blood lead levels, particularly in children. Funding for this program ceased on 30 June 2022.

While BHELP has had some success, blood lead levels in children have not significantly improved in the last 10 years, and are unlikely to improve without a more coordinated whole-of-government response that potentially includes more widespread remediation.

#### Background

Data on blood lead levels indicate environmental lead is an ongoing concern in Broken Hill due to legacy and ongoing mining activities

In 2022, 39% of children aged under 5 years living in Broken Hill had blood lead levels that exceed National Health and Medical Research Council guidelines ( $<5\mu\text{g/dL}$ ), with 66% of Aboriginal children aged under 5 years exceeding these levels. High blood lead levels are known to have a range of health, learning, and developmental impacts, and are likely to be contributing to socioeconomic inequality in the community, particularly for Aboriginal people.

The Response Group will drive a whole-of-government response, chaired by DPC and reporting to Ministers

The purpose of the Response Group will be to coordinate a strategic long-term, whole-of-government approach to reducing the community, health and societal impacts of environmental lead in Broken Hill, particularly for children.

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In DPC's view, the priority for this Group should be the specific issue of environmental lead. That is, how to manage legacy and future lead issues, how to ensure appropriate remediation of primary sources of lead, and how to minimise the health impacts on the local community.

Due to cross-portfolio implications, it is proposed that the activities of the Response Group be routinely reported to the Premier, Minister for Environment and Minister for Health.

Membership for the Response Group will be sought at Deputy Secretary or equivalent level from key government agencies including the EPA, Resources Regulator, Regional NSW, Aboriginal Affairs, and Health. Other representatives from agencies will be invited to join the Response Group's meeting where agenda items require their attendance

Membership is proposed to also include non-government representatives from Broken Hill City Council, Maari Ma Health Aboriginal Health Corporation and the two major mining companies. With their community knowledge, influence over policy levers including local planning, Aboriginal health service provision and mining, their engagement will support the Response Group to consider a holistic strategic response to lead issues. A full list of the proposed membership is at **Appendix 1, Attachment B**.

The first meeting is proposed for June 2023 to agree on the Response Group's:

- Terms of Reference (**Attachment B**)
- Strategic outcomes and scope (overview provided in **Attachment C**)
- Work plan which will delegate work streams to working groups.

Subject to the Premier's approval, the proposed membership of the Response Group will be discussed with Broken Hill City Council (specifically the Mayor) prior to its establishment. This commitment was given during a visit to Broken Hill in early March and will help avoid duplication with other existing local groups focused on this issue.

The Response Group will consider a range of measures that will form the long-term strategy to managing lead in Broken Hill

The Response Group will consider measures with a view to their simplicity, cost effectiveness, and scope of impact, noting the current fiscal environment. Measures will likely include:

- A data-driven, preventive zonal remediation strategy to proactively reduce exposure in the most lead affected areas, as opposed to the current approach of ad hoc remediation and abatement of homes where children are tested to have high blood lead levels.
- Reducing the blood lead level threshold to 3.5 ug/dL, and providing case management support for families of affected children. 3.5 ug/dL is lower than the National Health Medical Research Council guidelines and will capture more children in the management program, but is in line with other international jurisdictions and accepted evidence that there is no safe level of lead.
- Reviewing mining licence conditions and regulations and local controls to ensure lead dust emissions can be minimised now and in the future. A key focus will be to ensure alignment of different agency requirements (EPA, MEG etc) with an emphasis on measures to improve lead dust management.
- Considering town 'greening' measures through sustainable ground cover and vegetation that will naturally suppress and capture dust.

The Response Group and Working Groups will also seek to progress resolution of important related secondary issues. This could include finalising agreed rehabilitation and 'final form' plans for the mining sites in Broken Hill; agreement on these issues has been stalled for several years.

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Funding requests will be prioritised by the Response Group to ensure immediate service gaps are met while longer term financial sustainability is considered

With the funding for the previous lead management program (BHELP) having ceased in June 2020 (\$13 million over 5 years), both EPA and Health have been delivering lead testing related activities at a reduced capacity:

- EPA allocated \$1 million in 2022/23 to focus on community dust monitoring, home abatement and funding of two staff at Maari Ma Aboriginal Health Corporation to conduct blood lead screening and case management. No funding is available for 2023/24.
- Health currently spends \$290,958 per annum on lead screening. However, since BHELP ceased, Health's capacity to follow up with children with high blood lead levels through home visits, assessments, and case management for remediation and education programs has reduced.

While the Response Group is established, the EPA will progress an immediate extreme risk submission for the June/September Budget to ensure baseline activities to support children with high blood lead levels can be maintained. This is estimated to be around \$2 million for 2023/24, of which grants will be provided to Health and Maari Ma.

The Response Group's objective will be to develop a long-term strategy for managing lead, likely to result in a New Policy Proposal for 2024/25. To ensure financial sustainability, options to co-fund the implementation of this strategy will be discussed with the Broken Hill City Council and the two major mining companies.

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## Consultation

Since February 2023, DPC has been consulting with key government agencies and external stakeholders to understand the issues in more detail to inform a whole of government response. DPC Senior Executive visited Broken Hill in early March to meet key external stakeholders which included:

- The Mayor of Broken Hill City Council who wrote to the previous Ministers for Health and Environment seeking government support for lead management in Broken Hill
- Representatives from the two major mines in Broken Hill (CBH Resources and Perilya)
- Maari Ma Aboriginal Health Corporation that was funded by the previous lead management program (Broken Hill Environmental Lead Program)
- Compass Homes in Place, the largest social housing provider in Broken Hill
- Alma Public School, a local primary school.

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## Recommendations

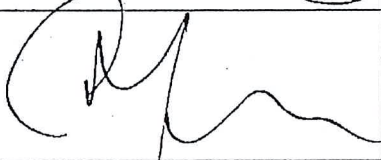
- **Sign the letter (Attachment A)** to the Mayor of Broken Hill confirming support for the whole-of-government approach to managing lead in Broken Hill which includes establishing the Broken Hill Environmental Lead Response Group.
- **Note** that the Response Group's functions will continue to be lead by DPC.
- **Note** work underway to establish the Response Group, with the Deputy Secretary, Policy Group to seek nominations to meet for the first time in June 2023 (Terms of Reference at **Attachment B** and overview of work at **Attachment C**).

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Approvals

DPC final approver
Approved: Acting Secretary (Peter Duncan)
Office of the Secretary

Premier's Office final action due date
31 May 2023

Premier's comments	Date	Approved/Not Approved/Noted
	13/6/23	

Responsible Officer
Ryan Broom, Director – Health & Education, Social Policy Branch, 0447 492 261

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**The Hon Chris Minns MP**  
Premier of New South Wales



Ref: A5762149

Councillor Tom Kennedy  
Mayor  
Broken Hill City Council  
Email: council@brokenhill.nsw.gov.au

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Re: Continuing support for managing environmental lead in Broken Hill

Dear Mayor Kennedy,

I understand you wrote to the previous Ministers for Environment and Health regarding the need for continued government support for managing environmental lead in Broken Hill. Thank you for raising your community's concerns and I would like to acknowledge the important work you do for the Broken Hill community.

I have been advised on this issue and ongoing impacts on the Broken Hill community. I agree this is a complex issue requiring attention and a whole-of-government response, noting the rich history of mining in Broken Hill, and its importance to the local community.

I have asked the Department of Premier and Cabinet (DPC) to focus on this issue by leading the coordination of a whole-of-government response to manage lead in Broken Hill. I am pleased to advise that DPC will chair the Broken Hill Environmental Lead Response Group which will drive a whole-of-government response to address health, educational and social outcomes caused by environmental lead in Broken Hill. Key personnel from DPC will be in contact with you shortly to discuss the composition and work of this Group going forward.

I look forward to working closely with you to address this issue for the benefit of the Broken Hill community.

Sincerely,



**Chris Minns MP**  
Premier of New South Wales

cc The Hon Penny Sharpe, Minister for Environment  
cc The Hon Ryan Park, Minister for Health

13/6/23