

Submission
No 3

FORMER URANIUM SMELTER SITE, HUNTER'S HILL

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NELSON PARADE RESIDENTS' SUBMISSION 20.6.08

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Submission submitted by Nelson Parade Residents Group Co-ordinator

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BACKGROUND

There are 29 properties in Nelson Parade, Hunters Hill. Many of the residents have lived in the street for more than 20 years, and have an extensive knowledge of the history of the contaminated sites, and health of current and former residents.

Several former residents of the street, who lived in Nelson Parade before 1960, are still in contact with their former neighbours, and discussions have been held with them to clarify details where needed.

The Nelson Parade Residents Group was formed on 19 February 2008 to represent the views of current residents in an informed and coordinated manner. The majority of residents in the street have attended meetings or are in contact with the Group. Properties 5 and 11 are currently vacant, and their owners are not in contact with the Residents' Group.

Residents have been outraged at the sensationalism and inaccurate reporting by the press about the contamination in Nelson Parade. For this reason, we strongly object to any further intrusion which would result from holding a session of the Inquiry in the street. Not only would it be completely impractical, but would lead to further media sensationalism of the situation.

Mrs Philippa Clark of 17 Nelson Parade was elected Coordinator for the Group, and has collated residents' views and information as author of this submission.

DISCUSSION OF THE TERMS OF REFERENCE OF THE INQUIRY

(a)any rehabilitation or remediation of the site previously undertaken.

A number of newspaper articles are attached dating from 1978, which describe the attempts to remediate the sites where contamination had been identified. (see appendix 1).

The main attempt at remediation has concerned properties 7, 9 and 11, which contained the main areas of contamination. Number 11 was resumed by the government and later sold as a decontaminated site. The contaminated soil was moved from this site to 7 and 9. These two sites were then planted out, fenced and locked. They are now completely covered in noxious weeds, are home to vermin, and are an eyesore in the streetscape.

There have been many promises to the Manusu and Frankland families with regard to the contamination on number 13 and it's foreshore.

- On 28 Oct 1977, a letter was received from the Health Department confirming contamination on number 13. This stated that under Section 55 of the Public Health Act, it would not be possible for the Health Commission to provide an unqualified certificate of clearance on the land (see appendix 2A).
- On 17 Jan 1978, a letter was received from the Health Commission stating that they had resolved to arrange for decontamination of number 13, at no cost to the owners (see appendix 2B).
- On 5 June 1991, a letter was received from the NSW Health Department advising that it was assessing several methods to handle the contamination.

- To this date, no contaminated soil has been removed. In addition, the Public Works Department wrote to the owners on 17 May 1994, and stated that the contamination was in fact below recommended level.
- The Nelson Parade Residents Group strongly recommends that new testing be undertaken on number 13, to finally resolve whether there is any contamination on the site. If any contamination is found, it should be removed.

(b) the extent of contamination and radioactivity levels

A number of residents recall testing of various properties in the street during the 1980s. No contamination has ever been found on properties on the high side of the street (even street numbers). A number of other properties on the same side of the street as the contaminated sites, are reported to have been tested, but residents have been given no records.

Residents believe that contamination has been found only on properties 5, 7 , 9, 11 and 13, including the foreshores.

(c)the impact of any contamination on public health and the environment

(1) Health of people who have lived on the contaminated sites:

The Sydney Morning Herald reported on 12.4.08, that as many as 5 deaths in the street were attributable to the contamination. A number of people were named in the article. These include Iris and Fabian McGrath, Andrew McClure, Archibald McClure, and Mrs Lucas. Residents have conducted searches of electoral rolls and land titles, and compiled histories of the owners of properties 7 and 9. Residents have found no records of any of these named people, and can not recall any of them living on the known contaminated sites. People living here from as early as 1951 can not remember any of those people named above.

There have been a number of residents who have lived on the contaminated sites for many years, and have continued to live healthy and long lives. They and the children they raised are still alive and well today.

The most directly affected person is considered to have been Mr Conlon. His family moved into number 9 in 1962, and lived for 16 years on the contaminated site. In 1972, he was diagnosed with leukemia. In a Sydney Morning Herald article on 15.1.78, he stated that he did not know if the contamination on his land had caused the disease. "I suppose it is possible but I have been told the type of leukemia I have cannot be contracted through exposure to radioactivity," he said. The newspaper article also reports that Mr Conlan's wife and his two children, Bernadette, 21 and Carmel, 8, had all been tested for leukemia but there were no signs of disease. (see appendix 1).

(2)Health of Nelson Parade residents not living on the contaminated sites:

Recent media reports concerning Nelson Parade have impacted on life for the residents. These reports are easily accessible on the Internet and will come up in a search on Nelson Parade. Some media reports claim that a family by the name of McGrath owned 21 Nelson Parade and undertook building work on the property. Both Mr and Mr McGrath apparently were affected by cancer and died in the mid 1970's after having lived in the property. One article also claimed that 21 Nelson Parade had also been known as Lot 17.

These media reports concerning 21 Nelson Parade have resulted in significant distress for the present owners who are currently rebuilding. They experienced difficulties in obtaining a loan using the property as security, and also finding a builder prepared to work on the property. The owners have had to pay a substantial sum for private, independent testing of the property to certify that the property is uncontaminated before building work could commence and a loan approved. No contamination was found on the property.

A search of historical records including the title deed of the property (1948 to 1987) and also the NSW Electoral Roll (1958 to 1975) failed to reveal any evidence that the McGrath Family owned or lived at the property or the Hunters Hill area in the purported time frame. It did however show that 21 Nelson Parade had been known as number 21 since at least 1958. This would call into question the veracity of some of the media claims.

Number 21 is over 100 metres from any known contamination. If the contamination was a factor in the deaths of Mr and Mrs McGrath,

then the majority of the residents in the street could also be similarly affected. The publicity and credence given to these claims by the media and politicians, has made us all extremely anxious.

The constant media and politicians' discrediting of the Health Department testing has undermined our confidence in the Health Department's reassurances. The misinformation and sensationalism of many of the media articles and politicians' statements, have made residents angry and distrustful of the media. Examples include the reference to the site as a nuclear waste dump, and a photo was published as the Nelson Parade clock factory, when in fact it was a photo of the factory in Kelly's Bush.

Many residents have moved into the street in recent times, and had been unaware of the problems of the contamination. The revelation of the issue and accompanying negative media campaign, have made these residents particularly distressed. Residents have felt victimised and harassed by the constant media attention and community misinformation on the issue.

None of the current residents has reported any concerns for their physical health as a result of the contamination, as far as we know.

(d) the appropriateness of the Government's planned remediation strategy

The Department of Health spokesperson and the environmental engineering consultant group GHD (contracted to remediate the contamination) addressed the Nelson Parade Residents Group on 19 February 2008. The process for the clean-up of the site and the removal of contaminated waste was detailed. The Group agreed that this was a positive step forward after decades of talks and inaction by successive state governments.

The clean-up was recognised as mandatory under Section 21 of the Contaminated Lands Management Act 1997, and therefore the environmental issues would finally be resolved. The Group was confident that the clean-up would be carried out in a professional and safe manner and would follow the strict guidelines that the law imposed. It was recognised that many industrial sites around Sydney have been satisfactorily remediated in this way.

The Group wrote to the Hon Frank Sartor, Minister for Planning, to urge him to expediate the remediation of the site and the removal of the contaminated waste. The Group supported the government's planned remediation strategy to completely remove all contamination from the sites. If all sites are not completely remediated and the waste is not disposed of, the vacant land would continue to be a scar on the urban landscape and would continue to be an issue for government to manage and maintain.

The Group considers that if the waste is deemed not suitable to be transported and treated in a specialised waste disposal facility then it should not be kept in an inner city residential area.

(e)disposal of waste from the site:

At the meeting on 19 February 2008 with GHD, residents supported the proposal to remove the waste to the appropriate licensed disposal facility. We were confident that the GHD remedial proposal would adhere to all regulatory requirements with regards to safety and public health.

The Group was concerned that all sites be cleaned up, including the foreshore areas owned by the Maritime Services Board. These areas had not been included in the GHD proposal we had discussed on 19 February.

Residents of Nelson Parade have been promised remediation of the contaminated sites for over 40 years. Now that the cleanup process is mandatory under the Contaminated Lands Management Act 1997, we urge the government to take immediate action and fulfil its obligations.