

**INQUIRY INTO INQUIRY INTO PFAS CONTAMINATION  
IN WATERWAYS AND DRINKING WATER SUPPLIES  
THROUGHOUT NEW SOUTH WALES**

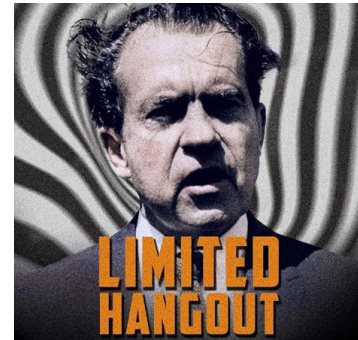
**Name:** Ms Lynda Newnam  
**Date Received:** 27 November 2024

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Partially  
Confidential

**Submission to NSW Legislative Council Inquiry into PFAS contamination in waterways and drinking water supplies throughout New South Wales – Lynda Newnam 27 November 2024**

Thank you for the opportunity to make a submission to this Inquiry. I am providing a case study which I think identifies inadequacies to addressing PFAS contamination. Those inadequacies concern the authority of the NSW EPA in Major Projects planning assessment; resourcing of key agencies such as NSW EPA but also Water NSW, Sydney Water, Health; shortcomings in community consultation processes; lack of easily accessible information; documents that are misleading; lack of full disclosure. “Limited hangout” strategy applies, and it appears that some major actors regard that as normal and acceptable. <sup>i</sup>



**Case Study: State Significant Infrastructure Kamay Ferry Wharves SSI-10049 on public exhibition 14/7/2021-11/8/2021, proponent Transport for NSW on behalf of National Parks with Arup responsible for the Environmental Impact Statement (EIS) and ERM providing reports on contamination.**

I’m providing a timeline of some of the key events to explore how contamination was dealt with. It is an account of my experience with I have reduced substantially for this exercise.

I was limited to documents in the public domain with no GIPAs. Both MPs for Kurnell, Mr Morrison and Mr Speakman<sup>ii</sup> supported the project. Randwick City Council objected. Fisheries in their submission, stated that they could not support it<sup>iii</sup>.

SEARs (Planning Secretary’s Environmental Assessment Requirements) Version 3 were issued 4/5/2021. Version 1 had been issued 1/7/2020. This contained the basic requirements to address EPA contamination concerns.

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSI-10049%2120210504T064528.843%20GMT>

11/8/2021 NSW EPA made their submission

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=PAE-24087355%2120210811T113541.567%20GMT>

The EPA stated in the submission:

*“The EIS and the supporting TSI and PSI reports have not satisfactorily addressed the requirements of the SEARs as the nature and extent of contamination have not been fully assessed. Furthermore, the reports do not identify mitigation and management measures to safeguard the environment and people during construction and operation.”* Amongst a number of recommendations the EPA recommended a DSI (Detailed Site Investigations) and

asked for the Sampling and Analysis Quality Plan (SAQP) which had not been submitted with the EIS. There is also a reference to PFAS, in bold:

***PFAS in groundwater and surface water will need to be assessed.***

In the Response to Submissions (RTS) from Transport/Arup the SAQP

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSI-10049%2120220504T032330.782%20GMT>

was provided along with other documents, such as the Marine Biodiversity Offset Strategy<sup>iv</sup>, These had not been provided when the EIS was on exhibition. The SAQP was provided, missing an Appendix that was referenced in the main document.

In the Response Report section, specific to EPA concerns, dated October 2021

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=EXH-22051261%2120211020T045049.235%20GMT>

Transport/Arup/ERM wrote:

*The level of investigation, and proposed mitigation and management measures are proportionate to the risk and scale of proposed construction activities.*

*Groundwater and surface were not sampled for PFAS. Rather, soil and sediments were sampled. PFAS was not detected in marine sediments and only detected in soil at La Perouse, but below screening criteria as stated. If groundwater is encountered, it would be stored, tested and disposed of appropriately (therefore no risk of spreading PFAS). If PFAS was present in marine water at such a concentration to be detected, then this would be an existing widespread issues for La Perouse and Kurnell water users. The project will not contribute to any existing concentrations of PFAS.*

In response to the EPA request for a DSI they wrote:

*The Targeted Site Investigation serves the same purpose as a Detailed Site Investigation. The Targeted Site Investigation concluded that management measures for contamination management be included in a management plan and that further testing of materials when encountered would be required to determine their waste classification and appropriate disposal pathway.*

Planning NSW did not make any further requests from Transport to provide additional information. They did for other agencies – Fisheries, Heritage, Environment - see

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=RFI-32073750%2120211119T002239.634%20GMT>

**This was a signal that the EPA concerns had been dismissed.**

The community depends on experts in Government agencies to ensure the best possible science is applied when assessing development impacts. The EIS was more than 4700 pages,

with over 900 pages on contamination. There were no community consultation briefings by the EPA on contamination and the EIS was released during a Covid lockdown when individuals were not allowed to meet up. All Randwick City Council premises were closed so there was no access to hard copies and individuals were obliged to read these documents on their personal devices. In some cases that was a phone with limited bandwidth.

After being alerted by the EPA submission, a neighbour 'painstakingly' went through the Contamination Report and the SAQP that was released with the RTS. The neighbour contacted me by phone to discuss this along with other contamination issues in Botany Bay. I have been a member of Orica community committees for over 20 years and was one of the two community members on the EPA's Steering Panel 2013-2016 overseeing the investigation of offsite mercury from the former ICI site.

<https://www.epa.nsw.gov.au/working-together/community-engagement/updates-on-issues/orica-botany-bay-incident/orica-botany/independent-review-orica-botany> I have also regularly attended the Botany Industrial Park (BIP) meetings so was aware of investigations that had taken place in 2016. <https://botanyindustrialpark.com.au/pfas-investigations/> I was aware that Botany Bay was identified as a PFAS hotspot.

I also spoke about the Ampol (formerly Caltex) Environmental Protection Licence(EPL) at Kurnell. For the benefit of the Committee, I am providing the link and key points:

Ampol Environmental Protection Licence (EPL) 837 for Kurnell Version 8/11/2024  
<https://app.epa.nsw.gov.au/prpoeoapp/ViewPOEOLicence.aspx?DOCID=322248&SYSUID=1&LICID=837> Note Condition E4 SC E20: PFAS Risk Monitoring and Remediation Works.

Notes on the EPL:

*31<sup>st</sup> March 2017: SC E11: "Polyfluoroalkyl substances (PFAS) Data Gap Investigation To address data gaps identified in relation to the PFAS assessment undertaken at the site."*

*30<sup>th</sup> October 2019: SC E13: Per- and Poly-fluoroalkyl substances (PFAS) Investigations To prepare a PFAS Action Plan to delineate the extent of PFAS contamination offsite, assess risks to offsite receptors and prevent further offsite migration of PFAS from the site.*

*28<sup>th</sup> June 2019: SC E14: PFAS Sampling and Analysis Quality Plan To identify, respond and report on PFAS that has the potential to migrate off the site via groundwater and/or stormwater.*

*30<sup>th</sup> April 2024 SC E15: PFAS Sampling and Analysis Quality Plan To implement the PFAS Sampling and Analysis Quality Plan dated December 2022 to assess PFAS contamination offsite, risks to offsite receptors and provide an update on remediation work.*

There were very good reasons why the EPA would be concerned about contamination and particularly about PFAS.

12/12/2021: I wrote to the Minister for Planning (then Mr Stokes) and the Minister for Environment (then Mr Kean) to voice concerns about the EPA being 'sidelined'. see Appendix 2. On 20/12/2021 Mr Stokes was replaced by Mr Roberts. Mr Kean was replaced by Mr Griffin. I wrote to Mr Griffin and copied the Heads of EPA and NPWS. I eventually received a reply from Planning on 19/1/2022 stating:

*The Department is satisfied with the Proponent's assessment of the potential impacts and proposed mitigation measures.* Link to letter: <https://laperouseheadland.com/wp-content/uploads/2022/04/mdpe21-3417-ms-lynda-newnam..pdf>

The neighbour who had worked through the contamination report had been in contact with Carrie Fellner, the journalist who had been investigating PFAS contamination for about 10 years<sup>v</sup>. Ms Fellner published an article on 24/1/2022 about the wharves. Full text Appendix 1 begins:

*NSW government agencies are at odds over steps needed to safeguard the public from toxic contamination as a result of a proposal to resurrect a ferry service in Botany Bay.*

Ms Fellner facilitated contact between my neighbour and Dr Bill Ryall, a contaminated sites expert and witness at the Western Tunnel Beaches Link Inquiry 17/9/2021 alongside marine scientists Professor Maria Byrne and Dr Pat Hutchings.

25/2/2022, Dr Ryall provided, pro bono, his opinion on the marine sediments sampling and testing. Report at this link

<https://laperouseheadland.com/wp-content/uploads/2022/04/bill-ryall4.pdf>

He stated:

*I disagree with Arup's contention that the SEARS were met and I agree with the EPA's submission to the EIS that the SEARS were not met by the reports prepared by ERM.*

*In my opinion, the Department of Planning must not approve the ferry installation works described in the EIA until the following have been reviewed and certified as suitable by the Site Auditor and by the EPA: • The existing PSI and any revisions required; • A revised SAQP to guide the implementation of the DSI; • The report of the completed DSI; and • The water quality monitoring plan to apply during construction activities.*

4/3/2022: Contamination issues were raised by Hon Mr Banasiak at Budget Estimates for Minister Elliott's Transport portfolio

<https://www.parliament.nsw.gov.au/lcdocs/transcripts/2873/Transcript%20-%20CORRECTED%20-%20PC6%20-%20Transport,%20Veterans%20-%204%20March%202022.pdf>

The relevant extract from the Transcript and from Questions on Notice appear in Appendix 4. The QON responses also in Appendix 4 could be regarded as an example of stonewalling.

9/3/2022: I phoned the NSW Planning Director Transport Assessments. It had been suggested in the letter I received 19/1/2022 that I should ring if I had further questions. I had tried earlier but the officer had been on leave. During the conversation he accused me of harassment and implied racism. Given the most conspicuous supporters of this project were some members of the La Perouse Local Aboriginal Land Council such accusations were not unusual.<sup>vi</sup> I followed up the call same day with an email to the Team Leader handling this DA. It served as a personal record. I have removed names of officers as well as phone numbers – Appendix 3.

26/4/2022 Randwick City Council passed a unanimous resolution to write to Minister Roberts about concerns and requirements for additional testing. My neighbour spoke to the motion. Dr Ryall's report was referenced. <https://laperouseheadland.com/wp-content/uploads/2022/04/rcc-contamination-motion.pdf>

27/4/2022 I spoke to a then NSW Minister who said it was a 'crock of a project' and wouldn't be funded. At that time, I understand from a range of sources that it was not going ahead primarily because it didn't have a sustainable business case with the added complications being the removal and offsetting of rare and threatened seagrass (*Posidonia australis*) and contamination.

23/5/2022 The Federal Labor Government was elected, and various senior departmental appointments were announced during June. (Photo: 29/4/2018 when State Federal \$50million funding announced for Kurnell upgrades, artworks, and wharves which were then identified as costing \$18million). Some different actors mid 2022, some the same. Support appeared bi-partisan but limited.



15/6/2022 Letters were sent by Planning to some people who made submissions. Not everyone who made a submission received a letter. The subject was "Kamay Wharves-Sampling and Analysis Quality Plan Geotechnical Investigation Methodology". It was Appendix B of Appendix F of the SAQP that had not been released when the SAQP was made available with the RTS. I didn't receive a letter. I had made a submission. I had been given written approval to submit a few days late but when I did submit within the period allowed Planning refused to upload it. I made another submission on a Major Project at the DP Terminal 12/12/2021 and it was accepted as an attachment for context to my main submission.<sup>vii</sup> Randwick City Council was also sent the letter but to the general postal address, not directly to Planning staff dealing with the project. There was only a short timeframe for responses. When I phoned Randwick

CC Planning to ask if they would make their submission available to community, I found the relevant officer knew nothing about it. The letter was eventually found but too late for a submission and I was told Planning would not grant an extension. My submission on the SAQP Geotechnical Investigation Methodology is at Appendix 5.

18/7/2022 I noticed that on the Planning website, the DA had moved from being in Assessment to Recommendation and I advised Randwick Councillor Veitch.

26/7/2022 Randwick City Council

RESOLVED: (Veitch/Said) that the following matter be considered as urgent business.  
UB48/22 Cr Philpa Veitch - Kamay Ferry Wharves Proposal, DA SS1-10049. EPBC 2020/8825 (F2019/01408) 173/22 RESOLUTION: (Veitch/Said) that Council:

- 1. acknowledges ongoing community environmental and contamination concerns<sup>viii</sup> regarding the construction and operation of the Kamay Ferry Wharves. Council formally opposed the proposal in its August 2021 EIS submission and has taken further actions to address these matters following several Council resolutions;*
- 2. notes that threatened species will be impacted and under the EPBC Act, this proposal has been deemed a 'controlled action' EPBC 2020/8825. This requires the approval of the Federal Minister for the Environment, in addition to the NSW Planning Minister. The proposal has completed assessment stage and is currently with both ministers awaiting a determination;*
- and 3. writes to the Federal Minister for Environment, the Hon Tanya Plibersek MP by 29th July 2022, forwarding the relevant background information provided, and requesting that the Minister reviews and closely scrutinises the manner in which impacts on the four listed threatened species were assessed, avoided, mitigated and offset as required by the Environment Protection and Biodiversity Conservation Act (EPBC Act) 1999. MOTION: (Veitch/Said) CARRIED UNANIMOUSLY*

28/7/2022: When I checked the Planning website the DA was no longer showing as Recommendation but in Assessment.

2/8/2022 I checked the Planning website. The DA was still under "Assessment" and had not progressed to "Recommendation" stage again. I phoned another section of Planning to ask if they could check and they checked by email and communicated back to me by email. The Planner handling the DA wrote: "...The change of status was inadvertently made to "recommendation" and has since been reverted back to "assessment". Should the project progress to the next stage, subscribers would be alerted via a notification."

3/8/2022 I checked in the morning and the DA was still under Assessment. In the afternoon it moved from Assessment, skipped Recommendation onto Final Determination as Approved. The Approval signed by Minister Roberts was dated 21/7/2022. The contract with McConnell Dowell was signed 29/7/2022. Conditions of Consent  
<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?>

[AttachRef=SSI-10049%2120220803T043231.847%20GMT](#) required a Site Auditor but the scope for the Site Auditor, as with all projects, is provided by the proponent not the EPA. This is a shortcoming in the current system. If 100 hours is required to do a job effectively and efficiently and only 20 hours are allocated/paid for, then the obvious question is what gets cut and is this best practice.

The DA still required final approval from Minister Plibersek under EPBC 2020/8825. The determination was due in September.

14/9/22 I put a post on a Facebook page I coordinate

*"A big thankyou to those who have called out Transport for NSW for their inadequate Kamay Ferry Wharves EIS Contamination Report. The EPA first raised the alert in their submission in August when they clearly stated that Transport had not met SEARs (the basic requirements). They were largely ignored by Transport in the Response to Submissions and Planning in correspondence confirmed they were supporting Transport. However, extensive analysis of the report by a local resident prompted media attention from Carrie Fellner of the [The Sydney Morning Herald](#). Questions were asked in Parliament at Budget Estimates and a highly respected Contaminated Sites expert Dr Bill Ryall provided a damning opinion which supported the EPA. <https://laperousemuseum.files.wordpress.com/2022/04/bill-ryall4.pdf> Randwick City Councillors voted unanimously to write to both the Planning and Environment Ministers requesting appropriate action. <https://laperousemuseum.files.wordpress.com/2022/04/rcc-contamination-motion.pdf> In the Instrument of Approval signed 21st July, <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SSI-10049%2120220803T043231.847%20GMT> Planning have included a number of Conditions to ensure that SEARs are met. Now it will be all eyes on the Site Auditor."*

"Ensure that SEARs are met" was not entirely correct. It was a better outcome but not what had been required. At this point, however, it was better to focus on the Site Auditor. Over the previous months there had been correspondence and phone conversations with staff in the EPA and a recognition that there are limits given their level of resourcing.

18/9/22, the EPBC decision was postponed until 15/11/22. There had been correspondence directed to Ms Plibersek from individuals and Randwick City Council (as per resolution of 26/7/22) about contamination and other impacts.

October 2022 the final decision may not have been a foregone conclusion though one of the most prominent local supporters<sup>ix</sup> did write in a comment on the Save the Bay(from Cruise Terminal) group: "fact is it is going ahead". In response to comment I made on this 5000+ member group page I was told by the same person: "you have been a consistent pest to most Agencies or organisations ever since you blew into La Perouse a few years back<sup>x</sup> and



that's why a high percentage of your correspondence gets a simple thanks for your letter and nothing more. You probably should of been told many years ago that very few care or even consider what you have to say, you're a drama queen and a pot stirrer, nothing more".<sup>xi</sup> In response to another member the same person wrote: "xxxxxx, Yes, that is correct in regards to the environmental offsets, the area will be better in the long term, that is the information that I'm privy to by those in research who have been working on habitat restoration in the bay for years, long before this proposal so yes, I trust their word because they are independent of any Govt body."

The marine scientists who had been active in promoting protection of the marine environment of La Perouse and Kurnell during the Energy Australia Botany Bay Cable project, including through the modifications processes, were conspicuously absent during this project. [redacted] was a co-author of the MBOS. There have been research projects funded in conjunction with this project. One might appear 'independent' of a Government body, but is it genuine 'independence'.<sup>xii</sup>

11/11/2022: There was a notice on EPBC website that the decision was extended to 16/12/2022. No decision appeared 16/12/2022 but there was an extension on 16/1/2023 until 28/2/2023 notified for the Final recommendation report.

27/2/2023: EPBC notice signed 23/2/2023 published advising that the timeframe had been extended to 17/3/2023.

16/3/2023 approval was granted and then published 21/3/2023, 4 days before the NSW State election.

[https://epbcpublicportal.environment.gov.au/\\_entity/sharepointdocumentlocation/e7b49229-7a39-ed11-9db1-00224818abd2/2ab10dab-d681-4911-b881-cc99413f07b6?file=2020-8825-Approval-Decision.pdf](https://epbcpublicportal.environment.gov.au/_entity/sharepointdocumentlocation/e7b49229-7a39-ed11-9db1-00224818abd2/2ab10dab-d681-4911-b881-cc99413f07b6?file=2020-8825-Approval-Decision.pdf) Transport/Arup/ERM had been required to provide evidence of further testing to satisfy concerns about contamination impacts on threatened species. A Statement of Reasons was published by the Commonwealth 14/06/23.

[https://epbcpublicportal.environment.gov.au/\\_entity/sharepointdocumentlocation/2bb2e0b3-440a-ee11-8f6d-000d3a794f5a/2ab10dab-d681-4911-b881-cc99413f07b6?file=2020-8825-Statement-of-Reasons.pdf](https://epbcpublicportal.environment.gov.au/_entity/sharepointdocumentlocation/2bb2e0b3-440a-ee11-8f6d-000d3a794f5a/2ab10dab-d681-4911-b881-cc99413f07b6?file=2020-8825-Statement-of-Reasons.pdf)

In one of the references to contamination in that document:

*9. On 22 November 2022, a delegate requested further information from the proponent under section 132 of the EPBC Act for the purposes of making a decision on whether to approve the proposed action. On the same day, the final decision timeframe was paused. This request for further information was informed by the Department's Environmental Contamination, Advice, and Standards Section (ECASS) advice regarding gaps in information about the potential for contamination to occur during development works, and the potential for mobilisation and redistribution of contaminants. On 30 January 2023 the proponent*

*provided the requested additional information, regarding further sampling that was undertaken at La Perouse and Kurnell.*

March 2023: The Sydney Institute of Marine Science(SIMS) released *Science of Gamay<sup>xiii</sup>: A systematic review of current knowledge of Botany Bay* [https://sims.org.au/wp-content/uploads/2023/02/Gamay-Botany-Bay\\_report\\_WEB\\_Nov16.pdf](https://sims.org.au/wp-content/uploads/2023/02/Gamay-Botany-Bay_report_WEB_Nov16.pdf) I first saw the report 23/3/2023.

There are about 68 pages of text minus images and 68 for references. 42 scientists are named as authors, including one who is a recognised expert on PFAS. Various contaminants are mentioned in this 'systematic' review including Orica's infamous HCB and EDC of Aquifer contamination fame. PCE (Tetrachloroethylene) which is likely the most stubborn of the contaminants in the Aquifer is not listed. Mercury is mentioned but references appear dated with the work during the 2013-2016 review not included.

Most surprisingly **there is no mention of PFAS/PFOS (Polyfluoroalkyl Perfluoroalkyl).**

This document lists highly credentialed scientists and might well be assumed to be an 'authority' on Botany Bay. UNSW, once hosted a Botany Bay Studies Unit <http://www.bbsu.unsw.edu.au/> with \$1.5million tentatively allocated for research under a Botany Bay Strategy 2004-5. In the later part of 2005<sup>xiv</sup> that funding was reallocated by the State Government for the establishment of SIMS on Sydney Harbour. The Botany Bay Strategy(BBS) had evolved from the Botany Bay Plan (jointly funded by State and Commonwealth) which had drawn together stakeholders, including researchers, post the Healthy Rivers Commissions and other Bay and River health exercises. Stakeholders of the BBS recognised that there needed to be major research on Bay processes, contamination and marine species particularly given the significant developments ahead which at that time were the Port Botany Expansion, Desalination Plant at Kurnell and Pipeline through Botany Bay, the Botany Bay Cable from Kurnell to La Perouse, the containment of ICI legacy contamination and clean up of Penrhyn Estuary. The Clean Up Notice had been issued September 2003. PFAS/PFOS was not a concern at this point. I have provided this very brief 'context' to impress upon the Committee that the Bay needed serious research, particularly with regard to historic and ongoing contamination. Instead, the SIMS document looked like a bid for grants in selected areas but not necessarily priorities for Botany Bay. It is disappointing, arguably a lost opportunity at best, misleading and another barrier to achieving better outcomes at worst in meeting the contamination challenges, including PFAS.

## CONCLUSION

I don't think any of the actors in this little 'drama' set out to compromise community safety. The project started with a budget of \$18million which increased to \$34million when the

Government got serious about its cruise proposal. There was probably only a modest provision for the contamination assessment with an assumption that the scale of the project didn't warrant what the EPA required. With projected costs escalating, to \$65 million<sup>xv</sup> around the time the contract was signed, it is 'understandable' from the point of view of the proponent that there would be resistance. But for Planning to accept Transport's recalcitrance is entirely another matter. Knowledge about contamination in Botany Bay has been built up mainly as a result of EIS<sup>xvi</sup>, EPL and Clean Up Notice requirements. Planning, the EPA and Health are not well armed and what they have got at their disposal needs to be wielded for the 'greater good', openly proudly and without dispute. I've often speculated that if the work put into erecting barriers to transparency and accountability was directed to actually doing the job required, we would collectively be so much better for it.

I am very happy to extrapolate and/or be corrected on anything I have written. Please do not hesitate to contact me.

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<sup>i</sup> [https://en.wikipedia.org/wiki/Limited\\_hangout](https://en.wikipedia.org/wiki/Limited_hangout) At Budget Estimates public servants are sworn to ‘tell the truth, the whole truth, and nothing but the truth’. In the Behaving Ethically Guidelines, 2022 [https://www.psc.nsw.gov.au/sites/default/files/2022-08/nsw\\_psc\\_behaving\\_ethically\\_2022.pdf](https://www.psc.nsw.gov.au/sites/default/files/2022-08/nsw_psc_behaving_ethically_2022.pdf) which sit underneath the Government Service Employees Act they are required to provide ‘frank and fearless’ advice. The term appears 22 times. I first heard it, in relation to this project, when a public servant said to me ‘I can still give frank and fearless advice’. It should be the norm, not a novelty.

<sup>ii</sup> The section from Budget Estimates (Infrastructure) 6/9/2022 page 10 onwards not only illustrates a high level of obfuscation but also contains this observation about Mr Speakman’s interest in the project. Mr ROB STOKES: It could be; it’s not a matter that I’m directly familiar with, other than obviously knowing that the **member for Cronulla is particularly animated about the issue.** <https://www.parliament.nsw.gov.au/lcdocs/transcripts/2989/Transcript%20-%20PC%206%20-%20Infrastructure,%20Cities,%20Active%20Transport%20-%206%20September%202022%20-%20CORRECTED.pdf>

<sup>iii</sup>

<https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=PAE-24087351%2120210810T041929.198%20GMT>

<sup>iv</sup> I subsequently made a submission to the Upper House Inquiry into Offsets Integrity about the MBOS on ‘integrity’ grounds [https://www.parliament.nsw.gov.au/lcdocs/submissions/78763/0104%20Lynda%20Newnam\\_REDACTED.pdf](https://www.parliament.nsw.gov.au/lcdocs/submissions/78763/0104%20Lynda%20Newnam_REDACTED.pdf)

<sup>v</sup> Ms Fellner recently featured in a Stan documentary on this and won Wakeley Awards for her work.

<sup>vi</sup> LPLALC had an animation on their official facebook around November 2019 which had a ferry running from La Perouse to Kurnell. During that period, late 2019, the then Secretary of Planning Industry and Environment spent a couple of days at La Perouse and the Secretary of Premiers and Cabinet also visited. The Cruise Terminal proposal also progressed from Strategic to Preliminary with the former Project Manager for the Port Botany Expansion engaged as a consultant. Note that not all members of the LPLALC were supporters. On Australia Day 2024 at La Perouse the main singer and headline act well recognised Elder pointed across to the wharf under construction and spoke negatively about it, including the unnecessary destruction of seagrass.

<sup>vii</sup> Submission that was accepted by Industry section of Planning but not Transport section. <https://majorprojects.planningportal.nsw.gov.au/prweb/PRRestService/mp/01/getContent?AttachRef=SUB-33413018%2120211212T112651.033%20GMT>

<sup>viii</sup> Councillor Veitch was privy to concerns that I was not, and I understand that some of these concerns arose because of connections with the Wreck Bay community. The community featured in articles by Ms Fellner and in the Stan documentary on PFAS.

<sup>ix</sup> From an organisation established with Federal funding of \$1.4million announced November 2018 shortly after Mr Morrison became Prime Minister. Further funding of more than \$3million was provided July 2021.

<sup>x</sup> I moved here with family in 2000.

<sup>xi</sup> I did follow up with a senior member of NPWS and local politicians re possible breaches of confidentiality but more importantly these comments and others with a similar theme presented an opportunity to explore further leads to ‘truth points’. I considered this important given it was a project driven by political imperatives rather than a clearly identified transport need. In the period after Premier Berejiklian, Minister Constance and other key actors were no long in political or bureaucratic positions it

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appeared this project was not going ahead. At least that was the message coming out at the time and later confirmed, including by the Deputy Secretary Transport at Budget Estimates and others.

xii

<sup>xiii</sup> Gamay is not a registered/recognised name for Botany Bay. The name Kamay Botany Bay National Park was approved by the Geographical Names Board in 2018 but only for the park, not the Bay. The name is based on one occurrence of Kamay in a Dawes word list for western bay and also used to denote spear, hence possibly the Spear people of the area. The likelihood of the 2 or more language groups around Botany Bay having one name for a body of water 3x Sydney Harbour is unlikely. In non-written form gamay and kamay are interchangeable as g is voiced and k is unvoiced. The SIMS document uses Gamay extensively, and in some cases juxtaposed with names such as Cooks and Georges. The scientific activity, Botany, gets replaced while Captain Cook, King George and in the case of the Harbour and SIMS, Lord Sydney, remain. Gamay is a French grape used in Beaujolais. It was odd that Scientists were not insisting on accuracy.

<sup>xiv</sup> In late July 2005 the Premier Bob Carr resigned, a few days later the Deputy Premier Andrew Refshauge resigned closely followed by the Planning Minister, Craig Knowles. Both Refshauge and Knowles had been involved in the Strategy, while Carr's electorates covered most of the north of Botany Bay.

<sup>xv</sup> \$78 million in May 2023 according to Minister Haylen in Parliament.

<sup>xvi</sup> and Conditions of Consent