

**15.11 RAIL SIDING CONTAMINATION TARAGO - ADDITIONAL INFORMATION**

**Author:** Warwick Bennett, General Manager

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**Attachments:** Nil

<b>Link to Community Strategic Plan:</b>	C03 – Our community – Healthy and safe community
<b>Cost to Council:</b>	Not applicable at this time
<b>Use of Reserve Funds:</b>	Nil

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**REPORT**

Last Friday 28 February 2020, we had a telephone conference with representatives of Transport NSW and a representative from the Minister of Regional Transport and Roads. In the meeting was Mrs Wendy Tuckerman MP Member of Goulburn, Deputy Mayor Peter Walker, Director Planning & Environment Scott Martin, Business Manager Environment and Health Sarah Ainsworth and General Manager Warwick Bennett. This meeting was organised by Mrs Wendy Tuckerman MP.

The timeline that we understand has occurred onsite is as follows:

July 2019	Construction of the Rail Passing Loop commenced
October 2019	Work on this Rail Passing Loop was completed
January 2020	Testing of Rail Siding Site and Old Station Masters Residence
20 February 2020	Positive results of lead contamination return to Transport NSW

Concerns:

1. Transport NSW were aware of the lead contamination prior to commencing work in July 2019 but made the call to proceed with construction without doing wide ranging testing to understand the effect or the spread of the lead contamination. They developed a Plan of Management internally and did not share that Plan of Management with any other organisation or Government agency.
2. Construction finished in late October 2019 and it was not until January 2020 that they returned to the site to do further testing. There has been no explanation given of what triggered the need for further testing in January 2020.
3. Transport NSW have stockpiled contaminated soils in the Tarago yards but it is unclear how that stockpile is being managed in terms of containment especially windblown soil. They to remove the stock pile in April 2020 but as yet have not determined how it will be treated or where it will be relocated to.
4. The occupants of the Old Station Masters Residence have been relocated to Goulburn even though in Transport NSW opinion lead levels are well below public health and safety thresholds. The occupants have been relocated to Goulburn and their 5 year old child is being transported to the Tarago School by teachers.

5. Transport NSW have had discussions with the Tarago Primary School and advised them that any lead contamination is not of any concern to that school. Testing results on the school site has proved to be minimal. The Council representatives and Mrs Tuckerman MP will question with School Principal the level of that consultation as we are firmly of the opinion that any form of lead contamination in a school ground would raise a red flag and be a cause of concern.
6. The rain water tank at the Old Station Masters Residence has been tested for the presence of lead and as yet the results are unavailable.
7. Transport NSW have not undertaken any other testing within Tarago that is in close proximity to the contaminated site including a number of dwelling, Police Residence Men's Shed, and Tarago Public Hall.
8. When the lead contamination was first discovered it is of major concern that Transport NSW did not notify any other Government agencies (including the EPA) or their political leaders. No discussion was held with Council or the community. The Department of Health, who are a key player in this, only found out about the lead contamination last week and it was through the Department of Health that Council became aware of this contamination.
9. If this was a minor issue why has the EPA issued a 'Draft Declaration of Significantly Contaminated Land'? It is clear, in our opinion, (Mrs Tuckerman MP and Council representatives) that other Government agencies
10. Council is just a concerned, but important, stakeholder on behalf of the community. Council continue to have this discussion in closed session? We have only known about this for a few days and already we are feeling very uncomfortable that this serious public health risk is being kept from the community. Does Council wish to be party to retaining this information from the community? Council has limited ability to regulate the contaminator of the public health risk but rather advocate for what is best for the community such as this.

## Summary

Transport NSW have a lot of questions to answer on their actions to date. It is certainly clearly obvious to those involved in the telephone conference on Friday that they have not undertaken proper due diligence on the contamination prior to commencement of the commencement of the physical works for the rail loop nor have they undertaken that due diligence testing after the work has been completed.

There is a lack of information being provided to us particularly between October 2019, when the work was completed, and late January 2020 when further testing was undertaken. Mrs Tuckerman MP will be contacting the occupants of the Old Station Masters Residence and it is hoped that feedback will be available at Council for this meeting.

Following the report sent to Councillor on Friday we now include in this report revised recommendations following on from the telephone conference with Transport NSW on Friday. The changes to the recommendation are highlighted in yellow.

Council has been invited to attend consultation strategy meetings with Transport NSW this week and we have accepted that offer. The date and times of the meeting are yet to be established. However any attendance at these meetings we will be making it very clear that we accept no responsibility for the lack of action of Transport NSW.