

25 Catalina Drive Office Development draft Major Development Plan

Canberra Airport Pty Ltd

Conditions of Ministerial Approval

Per and poly-fluoroalkyl substances (PFAS)

- (1) To manage the risks associated with PFAS:
 - (a) Canberra Airport Pty Ltd must conduct a Tier 1 Preliminary Site Investigation that meets the requirements of the *National Environment Protection (Assessment of Site Contamination) Measure 1999* (ASC NEPM) (see Schedule A to the ASC NEPM).
 - (b) The investigation required must include a desktop historical review of past practices.
 - (c) Other site investigations and assessments must, when required, be conducted in accordance with the requirements of Schedules A and B to the ASC NEPM.
- (2) If the site investigations and assessments required in condition (1) confirm the presence of PFAS, or if they conclude that PFAS are likely to be encountered during the construction or ongoing operations in the project area, Canberra Airport Pty Ltd must:
 - (a) prepare a construction environmental management plan containing a section on PFAS management, or a separate PFAS management plan; and
 - (b) not commence the action until the Environment Minister has approved the management plan, in consultation with the Minister for Infrastructure, Transport and Regional Development; and
 - (c) implement the approved management plan; and
 - (d) publish the management plan on the website:
 - (i) no later than seven (7) business days after commencement of the action; and
 - (ii) until three (3) months after completion of the action.
- (3) The CEMP required under condition (2) must:
 - (a) Contain procedures that must be followed for assessing and managing contamination of soil and water by PFAS; and
 - (b) be consistent with the National Water Quality Management Strategy, including the Australian and New Zealand Guidelines for Fresh and Marine Water Quality; and
 - (c) be consistent with the PFAS National Environmental Management Plan (HEPA 2018), including its guideline values, as amended from time to time; and
 - (d) include:
 - (i) project scope and boundaries; and
 - (ii) roles and responsibilities; and
 - (iii) the site conceptual model - including maps and any monitoring data - identifying the extent and concentrations of possible contamination within the project footprint and nearby; and
 - (iv) possible exposure pathways and ecological receptors - both directly within the project area and also from the project area to any nearby receptors; and
 - (v) the site-specific risk assessment identifying possible risks tailored to the reported or expected PFAS concentrations, exposure pathways, and potential receptors on and off the project area; and
 - (vi) procedures for the management or remediation of PFAS contamination within the project area; and

- (vii) strategies to reduce runoff and migration of contamination within and off the proposed project area; and
- (viii) operational procedures for managing earthworks and the stockpiling or storage of contaminated water / soil / rock / concrete / tarmac / etc, including in relation to encapsulation, bunding, leachate control and disposal; and
- (ix) if necessary, a contingency action plan for unexpected PFAS contaminant discoveries; and
- (x) any one-off or ongoing soil and water monitoring requirements and testing procedures, and their relevant quality assurance/quality control procedures; and
- (e) impose the following requirements:
 - (i) Any PFAS contaminated material (including but not limited to excavated soil or sediment, leachate from soil or sediment, water arising from de-watering of soil or sediment, concrete, tarmac, appliances, pumps, pipes, hoses, fittings) must be handled appropriately and disposed of in an environmentally sound manner such that potential for the PFAS content to enter the environment is minimised; and
 - (ii) Any PFAS contaminated material with a PFOS, PFHxS or PFOA content above 50 parts per million must be stored or disposed of in an environmentally sound manner that will achieve nil environmental release of its PFAS content; and
- (f) detail how materials at the concentrations listed at condition (3)(e)(ii), if encountered, would be handled to achieve zero environmental release.

Height of development

- (4) The height of the development must not exceed either of 590.5 metres AHD (Australian Height Datum) or 27 metres above ground level.
- (5) Before commencing construction of the development, Canberra Airport must:
 - (a) give the Minister and Airservices Australia a statement in writing confirming that the development will comply with condition (4); and
 - (b) give the Minister and Airservices Australia a copy of the CAD (computer-assisted design) file for the development's final design which shows that the development will comply with condition (4).
- (6) Within four weeks of completion of construction of the development, Canberra Airport must obtain, and give to the Minister and Airservices Australia, a survey report prepared by an independent and suitably qualified person confirming that the development complies with condition (4).

Definitions

- (7) In these conditions:
 - (a) **action** means the major airport development the subject of the major development plan.
 - (b) **business day** mean a day that is not a Saturday, a Sunday or a public holiday in the Australian Capital Territory.
 - (c) **CEMP** means Construction Environmental Management Plan.

- (d) **cleared / clearance** means cutting down, felling, thinning, logging, removing, killing, destroying, poisoning, ringbarking, uprooting or burning of vegetation (but does not include weeds – see the Australian Weeds Strategy 2017–2027 for further guidance).
- (e) **commence**, in relation to the action, means the first instance of any activity associated with the action including the clearance of vegetation, construction of infrastructure and any works that have the potential to disturb areas of known or potential PFAS contamination. Commencement does not include minor physical disturbance necessary to:
 - (i) undertake pre-clearance surveys or monitoring programs; or
 - (ii) install signage or temporary fencing to prevent unapproved use of the development site; or
 - (iii) if agreed in writing by the Department of the Environment and Energy—protect environmental and property assets from fire, weeds and pests, including by:
 - (A) installing fencing and signage; and
 - (B) maintaining or using existing access tracks.
- (f) **development** includes any extensions, parapets, hoardings, signage or other protrusions connected to or associated with the development.
- (g) **Environment Department** means the Australian Government department responsible for the *Environment Protection and Biodiversity Conservation Act 1999* (Cth).
- (h) **Environment Minister** means the Minister administering the *Environment Protection and Biodiversity Conservation Act 1999*, and includes a delegate or agent of the Minister.
- (i) **PFAS** means perfluoroalkyl and polyfluoroalkyl substance(s) and includes PFOS (perfluorooctane sulfonate), PFOA (perfluorooctanoic acid), PFHxS (perfluorohexane sulfonate) and the direct and indirect precursors of those substances.

Note: Precursors can contribute to the total load of PFOS, PFOA and PFHxS in the environment over time and should be considered to the fullest extent possible. Analytical methods, including limits of reporting, must meet the requirements of the PFAS NEMP (HEPA 2018). Where the identities of PFOS, PFOA and PFHxS precursors and other PFASs are unknown, the standard suite of 28-33 analytes, may be used for the measurement of the sum of PFAS substances and may be reported as, for example, “sum of PFAS (n=33)”.
- (j) **project area** means the area in which the development will occur, identified in the major development plan at figure 1.
- (k) **website** means a set of related web pages located under a single domain name attributed to Canberra Airport Pty Ltd and available to the public.