

Frequently Asked Questions

Why is DHA commencing legal proceedings against Blacktown City Council?

DHA will commence legal proceedings in the NSW Land and Environment Court to resolve outstanding approvals and subdivision certificates for undeveloped areas of its Akuna Vista, Nirimba Fields development.

These delays are impacting the delivery of new housing and essential infrastructure, including community facilities.

The Court will determine matters relating to approvals and agreements for future stages of the development.

DHA is not seeking to reopen or challenge approvals relating to completed stages of the development, where more than 800 homes have already been delivered.

When was PFAS identified at Akuna Vista, Nirimba Fields?

PFAS was not identified as a contaminant of concern by the Environmental Protection Agency when DHA acquired the Akuna Vista, Nirimba Fields site in 2015. PFAS was identified at the site in 2017, and remediation has since been completed and independently validated.

Early stages of development received subdivision consent in 2019 following these remediation works, and further testing and independent reviews have since been completed.

Is PFAS present at the site, and does it pose a risk?

Testing identifies PFAS at low levels consistent with broader environmental conditions in the region. Based on available evidence and expert advice to date, these levels do not present a risk to human health and support the suitability of the land for its intended residential and recreational uses.

For context, PFAS levels at Akuna Vista, Nirimba Fields are approximately 1,000 and 10,000 times lower than those detected in groundwater at Williamstown and Richmond RAAF bases.

Is it safe for residents to live at Akuna Vista, Nirimba Fields?

Yes. Based on extensive testing and expert advice by the NSW Environment Protection Authority, DHA's position is that Akuna Vista, Nirimba Fields is suitable for residential use. Residents can continue to live in, use, and enjoy their homes and surrounding areas with confidence. Expert advice to date confirms there is no evidence of a risk to human health.

DHA continues to own land within the Akuna Vista development to provide housing to Defence families, demonstrating our ongoing confidence in the community and its future.

Where did the PFAS come from?

Low levels of PFAS are associated with historical defence activities and broader environmental sources, including groundwater and surface water inflows from surrounding areas.

Has the site been properly tested?

Yes. DHA has undertaken years of extensive testing of soil, groundwater, and surface water, supported by independent expert review by NSW Environment Protection Authority (EPA)-accredited site auditors to confirm the land is suitable for residential and recreational use.

DHA voluntarily agreed to undertake additional environmental assessment work, which saw testing beyond the minimum regulatory requirements. Independent NSW EPA-accredited experts were engaged as part of the testing program and verified that results are within acceptable levels for residential and recreational use. Reports and evidence support the continuation of development activities.

The NSW EPA has not identified grounds for further intervention and the site is not identified as a focus site for PFAS investigation.

Has the New South Wales Environmental Protection Agency reviewed the Akuna Vista site? What is Blacktown City Council's role?

The NSW Environment Protection Authority (EPA) is the primary environmental regulator for land contamination matters in New South Wales; however, responsibility is split using a two-tier EPA and Council management framework.

The NSW EPA's accredited auditors have issued site suitability statements for residential and recreational development at Akuna Vista and have continued to repeatedly test and assess areas for future development.

Because detections in soil levels fall below regulatory thresholds, NSW EPA has not issued further site-specific direction or regulation.

Council acts as the second-tier regulator and can rely upon the site audit statements provided by the accredited and independent NSW EPA site auditors to issue development approvals and certificates.

Why was this prior contamination not disclosed to current residents?

The detections of PFAS are low and they do not trigger the need for extra reporting to the NSW Environmental Protection Authority.

When subdivision of initial stages was complete, Council approved a subdivision certificate which enabled the new residential lots to be registered. Once registration has occurred there is no further reason to disclose precertification analysis or remediation, especially when there is no reason to doubt the suitability of the land for its intended use.

Is this PFAS matter a part of the current Commonwealth legal action against 3M?

No, this matter at Akuna Vista, Nirimba Fields is not a part of current legal proceedings regarding PFAS at Defence sites around the country, which are outlined alongside the relevant Defence bases in this government media release: Legal proceedings against 3M Company and 3M Australia Pty Ltd | Defence Ministers.

Further, the NSW Environment Protection Authority is leading an investigation program to assess the legacy of PFAS use across NSW. Current investigations focus on locations where large quantities of PFAS are likely to have been used. Akuna Vista, Nirimba Fields is not identified as a current NSW Environment Protection Authority focus site for PFAS investigation.

Why is DHA sharing this information?

DHA will commence legal proceedings due to delays with its Akuna Vista, Nirimba Fields site. We have made this information readily available so that current and future interested residents can understand how DHA has arrived at this point whereby new approvals and certificates are being withheld.

We are openly providing a detailed history of the site and the years-long work undertaken, including independent expert review, so the community can understand the evidence supporting site suitability and how DHA has arrived at this point.

DHA stands by its processes, including the comprehensive and repeated independent tests and audits undertaken and which have been made publicly available.

We remain committed to delivering the remaining lots and associated infrastructure at Akuna Vista to support a thriving community.