

INQUIRY QUESTION

Senator Lidia Thorpe asked the Department of Defence the following question, upon notice, on 5 September 2025:

1. Can you please provide a breakdown of legal costs of PFAS legal cases that Defence has incurred to date, including:
 - a. Settlement amounts.
 - b. Department's legal costs.
 - c. Number of ongoing class actions
 - d. Payments for claims made outside of class actions.
2. Can you please provide copies of any briefings that you have provided to the Minister on litigation against PFAS manufacturers here and overseas?
3. What legal avenues are available to the federal government to litigate against PFAS manufacturers, particularly if they are found to have knowingly covered up scientific findings on the impacts of PFAS on health and the environment?
4. What actions has Defence taken to address the concerns of the Wreck Bay community around PFAS contamination since January this year (which is when this committee visited the community)?
5. Back in January, it was criticised that there haven't been any community engagement sessions in years.
 - a. Have you since held a community engagement session?
 - b. What was discussed during this session?
6. Have you made any changes to how you engage with the Wreck Bay community since then?

Defence provides the following answer:

As at 30 September 2025, Defence has paid \$408.3 million (rounded) in PFAS related settlement payments consisting of litigated claims, including class actions and non-litigated claims.

As at 25 September 2025, Defence has paid \$78 million (rounded) in PFAS related legal costs. Such costs cover external legal advice, representation and disbursements for litigated claims including class actions and non-litigated claims.

As at 30 September 2025, Defence is not a party to any PFAS related class actions.

As at 30 September 2025, in response to question 1d, Defence has paid \$41.1 million (rounded) in PFAS related settlement payments (this amount is also included in the \$408.3 million amount provided in response to question 1a).

Defence continues to consider all options that may be available to it in connection with PFAS manufacturers.

Wreck Bay

Defence is progressing its remediation program at Jervis Bay Range Facility and at the headwaters of Mary Creek. Remediation works include the excavation and offsite disposal of PFAS-impacted soils and infrastructure such as concrete, asphalt and tanks to remove primary and secondary sources of contamination. Civil works have diverted clean surface water away from impacted areas, and allowed for capture of contaminated groundwater and surface water for treatment. These measures aim to reduce the movement of PFAS into the Mary Creek catchment and surrounding environment.

Two temporary water treatment plants operate on-site until a permanent treatment plant is installed. As of August 2025, over 30 million litres of water has been treated, with weekly testing confirming no PFAS detections above laboratory reporting limits.

Since January 2025, Defence has held two community engagement sessions with the Wreck Bay community. In February 2025, Defence hosted a community barbeque at the request of the Wreck Bay community, and in July 2025 Defence met with the Wreck Bay Aboriginal Community Council Board (WBACC). Defence conducts monthly walkovers of the Mary Creek PFAS remediation site for WBACC representatives. The walkovers provide opportunities for community to see the works, receive updates, and ask questions. In May 2025, Defence delivered training and equipment to support WBACC Rangers to undertake independent PFAS sampling at off-base locations of community interest.

Defence is working collaboratively on signage; WBACC Rangers are installing temporary precautionary signage. Co-design work is underway with WBACC Junior Rangers and Wreck Bay Primary School students to develop new signage that reflects community feedback. Defence recently distributed a community survey to understand how residents interact with the environment to update the Human Health Risk Assessment and signage strategy. The survey remains open while WBACC Rangers continue gathering feedback.