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# Print form

Reference number: M162428893200

Thank you for taking the time to complete our online complaints form. A member of our team will be in touch soon regarding your complaint.

If you wish to speak with us in person please contact the contact centre on 1300 735 135

Print

Contact details	
Do you want to make an anonymous complaint?	No
Title	Dr
Family name (surname)	██████

complained to IBAC about this matter?	No
Have you complained previously to another agency about this matter?	No
Which Victorian Government office or body are you making a complaint about?	State government department/agency
Please provide details of your complaint	<p>UNKNOWN</p> <p>Rapid turnover of staff combined with "whole of government" approach makes it difficult to pinpoint actual person who suppressed environmental test result that could seriously compromise the intellectual development of infants and toddlers.</p> <p>The departments involved include Earth and Energy Resources, Environment Protection Authority, Department of Health and Human Services, Solicitor General's Office and possibly the City of Greater Bendigo Council. Any of those bodies could have intervened and prevented the exposure of children to Lead near the costerfield mine outside Heathcote Victoria. From the community level it is impossible to accurately determine at what level decisions were being made but it appears to be at the level of Department Head possibly Ministerial Level.</p>
What is the corrupt conduct or police personnel misconduct you believe occurred?	<p>Misconduct in public office by omission to perform function professionally or with diligence potentially resulting in harm to individuals.</p> <p>see detail</p>
When did the conduct occur?	Around June 2014
Did the conduct you are complaining about occur more than 12 months ago?	Yes
Please explain why you did not make this complaint to IBAC sooner?	<p>Facts that have become evident in the report by Golder and associates called "Costerfield Health Risk Assessment" presented to Earth and Energy Resources in April 2016. This revealed data of Lead contamination collected at Costerfield in June 2014 but not publicly presented UNTIL the April 2016 report.</p> <p>It was suspected this data had been collected when performing other tests but this could not be substantiated.</p> <p>It is unclear whether the first Golder Report of June 2014</p> <p>SUMMARY REPORT A RAPID ASSESSMENT OF ANTIMONY LEVELS AT COSTERFIELD VICTORIA Prepared by: John Frangos, Principal Toxicologist, Golder Associates Pty Ltd</p> <p>was deliberately and unilaterally suppressed by Golder or the evidence of Lead contamination or whether they were under instruction from outside the Company eg. DSDBI as it was known at the time or another Department.</p>

Suburb/town	Unknown - error of omission endangering health - without documents one cannot pinpoint location.
Location/station	Costerfield Township exposed to health risk. 10 km north of Heathcote in Victoria
Do you have any other information you wish to provide?	Yes more extensive information in email format including .pdfs not suitable for this method of submission.
What was the impact of the conduct you are complaining about?	<p>Potential Life long Intellectual impairment of children.</p> <p>The results in 2014 results should have triggered an urgent response to control contamination, warn nearby residents of risk and the immediate protection of most vulnerable. Instead the data appears in a report 21 months later stating there is NOW no risk.</p> <p>It would appear on the limited data available there was a substantial risk between 2012 and May 2014. Any opportunity to confirm that risk and attenuate resulting problems was prevented by the delay in data release. It beggars belief this was not a deliberate action by someone around that June 2014 period. In June 2014 alarm bells should have been raised to test children for serious Lead exposure. It is not possible to do this retrospectively months or years later.</p> <p>This "misconduct" was not witnessed but widely suspected by many people, including myself, but there was no substantial evidence to point to in support.</p> <p>The conduct was of omission. There is no witness to omissions. Also specific event timing is impossible especially if a single verbal instruction to suppress the contamination data was given by a single individual.</p>
Did anyone else witness the conduct?	No
What outcome are you seeking by making this complaint?	<p>This form of conduct (ignoring/denying) warning signs of potential health risks is common around sites of mine pollution in Victoria eg. Woodvale Ponds near Bendigo and the Stawell Tailings Facility, Stawell. This involves carcinogenic heavy metals. The legacy of which will not be evident for 10-20 years</p> <p>Perhaps this report will be warning shot to those failing to protect health (severe long term effects) of communities ahead of the economic imperative. Most departments involved around mining facilities operate under the overriding legislation of the precautionary principle.</p> <p>Please excuse any typo's this format is not my preferred method of communication.</p> <p>With Kind Regards</p> <p>██</p> <p>██</p>

Further Requirements	
Do you need an interpreter or translator?	No
Do you need a communication aid?	No

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Our ref: CF/16/2291

CD/16 [REDACTED]

**Your complaint**

I refer to your complaint received on 29 August 2016.

After careful consideration of the information you provided, IBAC has decided not to investigate or refer your complaint to another agency for investigation. In reaching this decision, IBAC has exercised its discretion pursuant to the *Independent Broad-based Anti-corruption Act 2011* (IBAC Act) and, in particular, has been guided by the matters set out in Section 67. You should be aware that IBAC is only able to investigate a very small number of matters.

IBAC assesses whether matters it receives are or involve protected disclosures. IBAC has determined that your complaint is not a 'protected disclosure complaint' under the *Protected Disclosure Act 2012* (PD Act). This means IBAC may provide your identity or contents of the complaint to other agencies as appropriate and in accordance with legislation. Although IBAC has determined your complaint is not a protected disclosure complaint, you may still be entitled to the protections under Part 6 of the PD Act.

To better understand IBAC's assessment process and the definition of 'corrupt conduct' and the thresholds for IBAC to investigate corruption, you may wish to visit our website [www.ibac.vic.gov.au](http://www.ibac.vic.gov.au).

Yours sincerely

  
**Tony Gaylard**  
Acting Manager, Assessment & Review Unit