

ASSPED 222 /2003

The Secretary
Parliamentary Standing Committee on Public Works
Parliament House
CANBERRA ACT 2600

Dear Ms Courto

**RANDWICK BARRACKS SITE REMEDIATION AND INFRASTRUCTURE
DEVELOPMENT**

You referred Submission No 13 from the Communications, Electrical and Plumbing Union (CEPU) dated 24 March 2003 to Defence for comment.

The CEPU submission makes a number of observations suggestions for the Parliamentary Standing Committee of Public Works' consideration. The National Secretary of the CEPU and signatory to the submission, Mr Peter Tighe, is a local resident residing in Bundock Street and he has a strong association with the Moverly Precinct Committee.

The primary issues raised by the CEPU include:

1. Whether the Department of Defence (Defence) can provide an unqualified guarantee that Site works will pose no risk to construction workers and future residents;
2. The degree to which the Site is contaminated, including groundwater contamination, and the process by which the remediation of the Site has been undertaken to date;
3. The Union's involvement in ensuring proper process has been followed in the demolition of the asbestos cement clad Naval Store buildings;
4. Questions over Defence's reason for attempting to re-use soil contaminated with asbestos cement fragments as fill; and
5. Suggests there is a lack of consultation and transparency with respect to the work being undertaken on the Site.

DEFENCE RESPONSE

Comment 1

- The assessment of on-site contamination and the management of remediation have been, or are being undertaken by appropriately qualified environmental consultants and occupational hygienists. All testing and reporting is reviewed by an Environment Protection Authority (EPA) accredited Site Auditor prior to the issue of a Site Audit Statement under the *Contaminated Land Management Act* certifying that an area is suitable for its intended use.

- All remediation (and demolition) work is being undertaken in accordance with relevant statutory regulations, codes and guidelines. All work is reviewed by an independent environmental consultant appointed by the NSW Labor Council. An Environmental/Community Liaison Officer also reports to Randwick City Council (Council).
- Additionally, the NSW Labor Council, WorkCover and ComCare have reviewed project documentation, remediation processes and works in progress raising no issues which have prevented works from proceeding on-site.
- In the Master Plan for the Site, Council requires remediation to “...*the maximum standard for residential and other sensitive land uses ... where no standard exists the Site is to be remediated to an asbestos free level or to a level where no unacceptable risk remains as confirmed in writing by the relevant State and/or Commonwealth Government Authority*”. Following a review of the Site Audit Report, the NSW Dept of Health has formally advised that “*the risk to people’s health, if indeed a risk exists at all, is so small that it need not be considered further*”. This advice was accepted by Council and allowed the residential development of Stage 1A to proceed.
- Neither Defence nor any other landowner can provide an unqualified guarantee that works will pose no risk to health. The best that can be done is to remediate the Site according to approved processes and to have both the process and Site assessed by an independent, EPA accredited Site Auditor.
- The Commonwealth has also irrevocably and unconditionally indemnified Council against any legal liability which Council may incur for a period of 40 years arising from or incurred in connection with any soil or groundwater contamination in the Stage 1A Site. All reports relating to the Stage 1A validation, including the Site Audit Report and the letter from the NSW Dept of Health has been provided to Mr Tighe. Mr Tighe has also been provided with the Notice of Intention submitted to Environment Australia which encompasses the Commonwealth site works. Many other reports have also been made available to Mr Tighe.

Comment 2

- Defence agrees that the Site is extensively contaminated though not highly contaminated. The vast majority of contamination is in the form of bonded asbestos cement fragments.
- The remaining ground water contamination on the Site has been occurred from a leaking sewer main that will be replaced during the development of the Site. The contaminant has been unequivocally identified as dry cleaning fluid from a source to the north of the Site and has been brought to the attention of Council. All other possible known sources of groundwater contamination have been removed.
- Contamination, if and when found, is managed in accordance with a site specific remedial action and management plan, re-assessed and signed-off by the Site Auditor;
- Whilst the CEPU would prefer to see the whole Site remediated in one line, this is not standard industry practice. The CFMEU has accepted a staged remediation process. Appropriate buffers and controls have been established to ensure that cross contamination does not occur.

Comment 3

- The CEPU claims to represent the view of ‘the unions’ however the views of the NSW Labor Council (particularly the CFMEU), who have appointed an independent environmental expert to monitor site activities, are more accepting of Defence’s proposed remediation processes.

- The NSW Labor Council's experts have been involved in the review of contractor safe works method statements and environmental management plans prior to the works proceeding.
- There has been no formal notification from any Union to stop work on-site.

Comment 4

- It is proposed to bio-remediate some of the contaminated soil. The remediation of contaminated soil is a standard industry practice.
- A Site specific Asbestos Management Policy has been developed to manage all asbestos-related issues on Site. This Policy adopts all relevant codes of practice and identifies strict management procedures for the site works including boundary air monitoring.
- A minimum of five air monitors are used during any remediation works and are located close to the work area and on the boundary fences. During the demolition of the asbestos cement clad Naval Stores, air monitoring was undertaken 24 hours a day. The results of the air monitoring are analysed in AirSafe's laboratory – formally accredited by the National Association of Testing Authorities (NATA). In addition to this, personal air samplers were worn by demolition personnel during roof sheet removal works. The results from these personal samplers were analysed in Noel Arnold & Associates' laboratory which is also NATA accredited. All results have been less than the detection limit; indicating no measurable concentrations of asbestos fibres were obtained.
- Soil contaminated with asbestos cement fragments will be screened. The screening process to remove fragments has undergone extensive trials (following the review of works documented by the Labor Council) and stringent scientific analysis under review of the Site Auditor. The trials have been found to be highly successful and the process has set a new standard for asbestos remediation.

Comment 5

- Defence had made all documentation available to the Unions and the community. A catalogue of all project documentation in regard to contamination assessments was provided to the NSW Labor Council. Copies of the Stage 1A validation report and Site Audit Statement have also been provided to Mr Peter Tighe. The NSW Labor Council, WorkCover and ComCare have attended meetings to discuss the remediation processes. The CFMEU also undertakes ad-hoc inspections.
- The Department regularly issues a Neighbourhood Newsletter to the surrounding residents prior to the commencement of significant site works. The newsletter provides a detailed outline of the works proposed and the safety and environmental safeguards established to protect both the workers on-site and the surrounding residents. Eight newsletters have been issued over the past 18 months.

Yours sincerely



MICHAEL PEZZULLO
Assistant Secretary
Strategic Planning and Estate Development

4 April 2003