

24 March 2003

The Secretary
Public Works Committee
Parliament House
CANBERRA ACT 2600

PUBLIC WORKS COMMITTEE

28 MAR 2003

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SUBMISSION13.....



CEPU

COMMUNICATIONS
ELECTRICAL
PLUMBING
UNION

**Re: Site Remediation and Construction of Infrastructure
for the Department of Defence Site
at Avoca & Bundock Sts Randwick, Sydney, New South Wales**

Dear Madam,

The Communications, Electrical and Plumbing Union (CEPU) wishes to make a submission to the Parliamentary Standing Committee on Public Works in relation to the above works proposed by the Department of Defence. The CEPU is a registered organisation (Trade Union) under the terms of the Workplace Relations Act 1996. Members of the CEPU will be involved in the construction and installation of the infrastructure services at the site. As a consequence of further development proposals, we will also be involved in any building and construction work that will take place on site.

Of paramount concern to the union is the occupational health and safety of our members who will be engaged on work on site and the health risk to the local community. It is estimated that the site contains over 35,000 cubic meters of contaminants. Given the serious threat to health and safety that this high level of contamination represents, the CEPU is of the view that the Public Work Committee should not approve any infrastructure or development work unless the Department of Defence gives an unqualified guarantee that there is no health risk to construction workers and the local community.

To date, undertakings given to my union from the Department of Defence have been of the nature of what is best described as mitigation of risk to an 'acceptable' level. When dealing with the lives of workers and their families there is no such thing as 'acceptable' level.

Please find attached the submission of my organisation on the matter to be considered by the Committee. The CEPU will be more than happy to support our submission with verbal evidence directly to the Committee if required.

Yours faithfully,

Peter Tighe
NATIONAL SECRETARY

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Communications Electrical
Electronic Energy
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Plumbing and Allied
Services Union of Australia

Submission to the Parliamentary Standing Committee on Public Works
from the
COMMUNICATIONS ELECTRICAL AND PLUMBING UNION (CEPU)
On the site remediation and construction of infrastructure
for the Department of Defence Site
at Avoca and Bundock Sts Randwick Sydney, NSW

INTRODUCTION

1. The major issues of concern of the CEPU with respect to the Department of Defence proposal can be summarised as follows:
 - ◆ Can the proponent give an unqualified guarantee that all construction workers involved in remediation and infrastructure construction work will face NO risk to their health?
 - ◆ Can the proponent give an unqualified guarantee that in further site development after the initial infrastructure work, building workers involved in the construction of new development work will face no risk to their health?
 - ◆ Can the proponent give the same assurance required above to the local community and any new residents who may subsequently inhabit the site as a consequence of further residential development?

It would be our submission that if the proponent cannot give the unqualified guarantees sought by the union on behalf of its members and local residents then the Committee should not approve the proposed works, irrespective of potential economic gain of the Commonwealth.

THE SITE AND THE LEVEL OF CONTAMINATION:

2. The land area affected by the proposal is some 49 ha in size, which is 75% of the total land at the Randwick Defence site, a very large site in the densely populated eastern suburbs of Sydney. The site has been continually used for defence purposes for over a century. During that time, the site has been used as a rifle and small arms range, a facility for grenade testing, a war gas testing facility, armaments storage, bulk fuel storage,

engineering workshops and a naval storage facility. The land was also subject to sand mining for a period in excess of fifteen years.

3. During its 100 year use by Defence the site became comprehensively contaminated by a variety of contaminants including known carcinogenic substances. In its submission of Notice of Intention (NOI) to Environment Australia by the Department of Defence in August of 2001, the Department identified an estimated thirty five thousand cubic meters of contaminants on site¹. The Department in the NOI identified the following typical contaminants²:

- ◆ Heavy metals
- ◆ Petroleum hydrocarbons
- ◆ Polycyclic Aromatic Hydrocarbons (PAH's) including Benzo (a) Pyrene
- ◆ Asbestos cement sheeting fragments and asbestos fibres
- ◆ Slag fragments
- ◆ Metallic wastes

These contaminants are widespread across the proposed site (see Attachment 1). The majority of these contaminants produce serious health risks or are known carcinogens. Examples found on site include, heavy metals (arsenic, mercury, lead) carcinogens (PAH's, PCB's, Benzenes, Asbestos).

REMEDICATION WORK TO DATE

4. In its submission to the Parliamentary Standing Committee on Public Works (PWC), the Department of Defence cites prior approval of the PWC to allow Defence to undertake "*work to remediate a discrete portion of the surplus area*"³. This application was made contrary to the wishes of unions and the local community who requested of Defence that it take a whole of site strategy for the remediation of contaminants on site.

It was the view of the unions that the location of all specific contaminates could not be identified if work commenced on a piecemeal basis. Further, there would be substantial

¹ Notice of Intention, Table 3.3

² Notice of Intention, Para 3.12 Land Contamination

³ Statement of evidence and supporting plans for presentation to the Parliamentary Standing Committee on Public Works, Para 16

- risk of recontamination of clean areas if a piecemeal approach was adopted and not well policed. The likelihood of recontamination is real, given that the sources of groundwater contamination have not been fully identified, and that a large amount of earthwork is required for geo-technical adjustment.
5. During the preliminary 'discrete portion' remediation approved by the PWC, a number of hot spots of contamination were identified. These hot spots were identified only after the unions, through the auspices of the NSW Labor Council, required intense grid testing in this so called discrete portion. The preliminary 'discrete' work also required the removal of a number of fibro-asbestos clad storage shed structures. This work, while eventually completed, was delayed until the unions could be satisfied that work method statement for the demolition, safety procedures and air monitoring was raised to an appropriate standard. During this preliminary work the unions had cause to continually raise issues such as dust suppression, working in windy conditions and adequate monitoring of sub contract labour in relation to the protective equipment use.
 6. This continued need for safety policing work does not give the CEPU confidence that Defence can assure an eventual safe remediation of the site to level that is acceptable. There appears to be a prevailing viewpoint by the proponent that safety and risk have reconciled in economic terms. An example of this is the continuing argument with Defence that stockpiled soil, which is prima facie contaminated, be removed from site rather than attempts be made by Defence to re-use it as fill. If there is not a commitment by the Government and Defence to fully remediate the site, regardless of budgetary constraints, then this site will be a figurative land mine for the Commonwealth in the future.

TRANSPARENCY AND CONSULTATION

7. To date there has been much to be desired in relation to consultancy and transparency with respect to the work to be undertaken on the Defence site. Despite continual requests for all information to be provided prior to any decision making process there is a continuing history of information either not being provided or being provided after the event. The unions, including the CEPU, are often informed about work schedules in relation to preliminary work after the commencement or completion of that work.

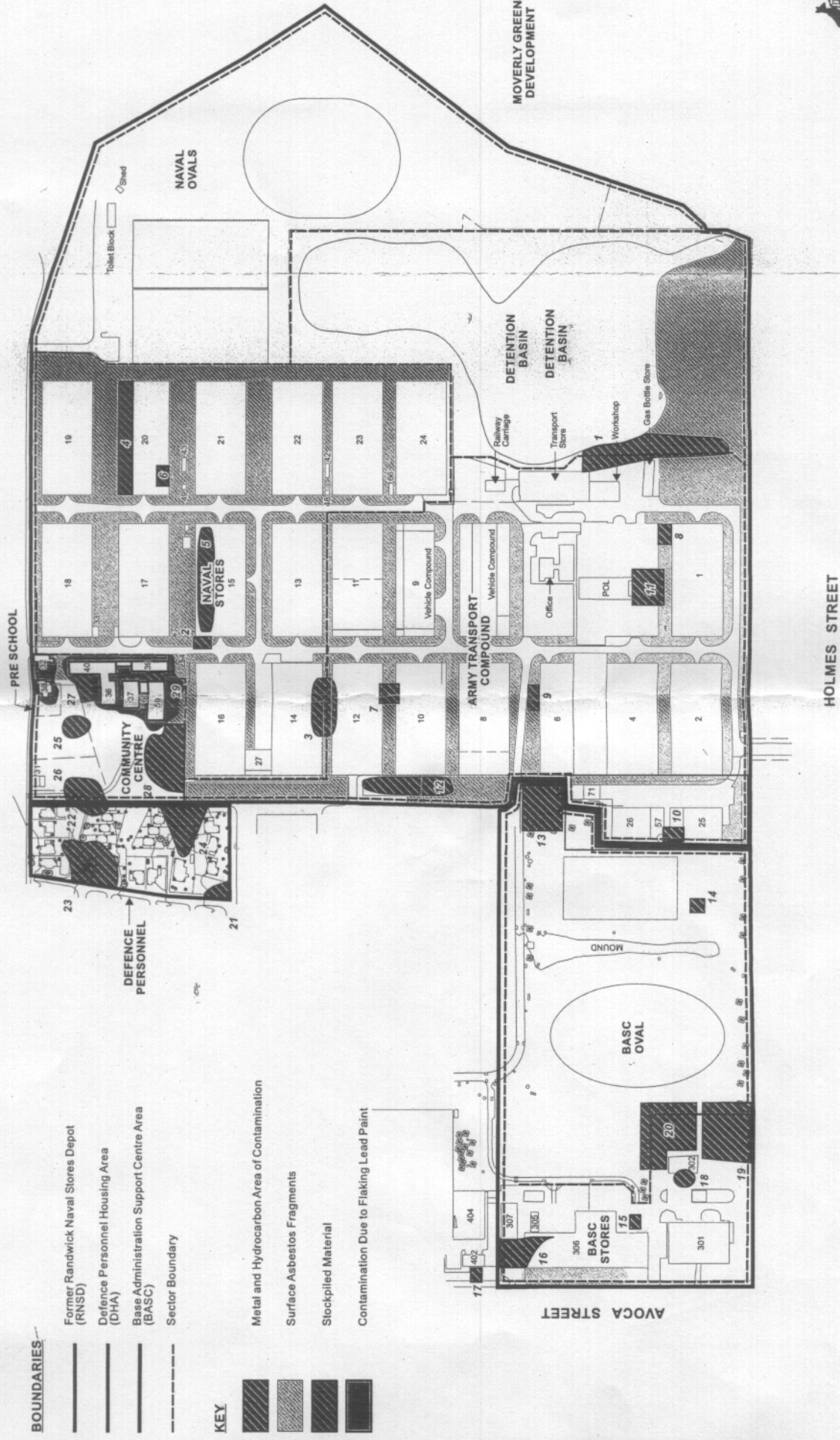
8. This approach does not reassure the CEPU that all issues in relation to contamination have been canvassed in a transparent manner. The union has the perception that we are not fully informed about all contamination as it is identified and to what extent it has been remediated and within what safety risks or constraints. If this approach persists, it will eventually lead to industrial unrest on the site due to the safety fear of our members that may be real or imagined. If the union is kept fully and honestly informed, then it can reassure workers on site of their concerns.

SUMMARY

9. If the proponent cannot respond to the questions raised by the CEPU in the introduction to this summary at paragraph 1 in a positive and complete way, it is the submission of this union that authority to move past the preliminary work should not be approved by the Committee. The primary concern of the Commonwealth should be the protection and wellbeing of local and future residents of the site. As attractive as the financial return on the sale and development of this site may be, unless the safety of workers and the community can be guaranteed, then no amount of financial return can be considered worth the risk.

APPROXIMATE EXTENT OF CONTAMINATION

NOTICE OF INTENTION, DEFENCE LAND, BUNDOCK STREET, RANDWICK



BOUNDARIES

- Former Randwick Naval Stores Depot (RNSD)
- Defence Personnel Housing Area (DHA)
- Base Administration Support Centre Area (BASC)
- - - Sector Boundary

KEY

- Metal and Hydrocarbon Area of Contamination
- Surface Asbestos Fragments
- Stockpiled Material
- Contamination Due to Flaking Lead Paint



Date : 6 July 2000

File Name : VAO110_NOI_03.cdr

HOLMES STREET

AVOCA STREET

MOVERLY GREEN DEVELOPMENT



Department of Defence

Figure 3.3