
 <p data-bbox="422 250 612 376">Adelaide Plains Council</p>	<p data-bbox="791 271 1072 300">5. CONFIDENTIAL ITEM</p>
<p data-bbox="687 465 906 495">8 November 2018</p>	

5.1 Stony Point - Historical Asbestos Finding and Site Remediation

RECOMMENDATION

“that:-

1. Pursuant to section 90(2) of the *Local Government Act 1999*, the Council orders that all members of the public, except Chief Executive Officer, General Manager – Development and Community, General Manager – Finance and Economic Development, Acting General Manager – Infrastructure and Environment, Governance Officer/Minute Taker and Executive Assistant be excluded from attendance at the meeting of the Council for Agenda Item 5.1 – *Stony Point - Historical Asbestos Finding and Site Remediation*;
2. Council is satisfied that, pursuant to section 90(3)(b)(i) of the *Local Government Act 1999*, Agenda Item 5.1 – *Stony Point - Historical Asbestos Finding and Site Remediation* concerns information the disclosure of which could reasonably be expected to prejudice the commercial position of Council, being information relating to a potential contractual dispute, and would, on balance, be contrary to the public interest; and
3. Council is satisfied that the principle that Council meetings should be conducted in a place open to the public has been outweighed by the need to keep the information, matter and discussion confidential.”

 Adelaide Plains Council	5.1	Stony Point – Historical Asbestos Finding and Site Remediation
	Department:	Executive Office
	Report Author:	Chief Executive Officer
Date: 8 November 2018	Document Ref:	D18/52781

OVERVIEW

The Chief Executive Officer recently provided Council Members, by way of email communications dated 30 October 2018 (**Attachment 1**) and 2 November 2018 (**Attachment 2**), with a status update in relation to site remediation at Stony Point.

This report seeks to place on the Council record the outcome of negotiations with the Environment Protection Authority (EPA) and McMahons, which have yielded substantial savings than what may otherwise have been the case.

With a negotiated outcome now agreed, Council can commence the process of advancing the site remediation works in strict accordance with the Greencap report and the EPA direction.

RECOMMENDATION

“that Council, having considered Item 5.1 - *Stony Point - Historical Asbestos Finding and Site Remediation*, dated 15 October 2018, receives and notes the report and in doing so endorses the negotiated outcomes achieved by the Chief Executive Officer in finalising this matter.”

Attachments

1. Email from Chief Executive Officer to Council Members dated 30 October 2018
2. Email from Chief Executive Officer to Council Members dated 2 November 2018

References

Legislation

Environment Protection Act 1993

Council Policies/Plans

Nil

From: James Miller
Sent: Tuesday, 30 October 2018 12:23 PM
To: AU_APC_Council_Members
Cc: AU_APC_General_Managers; Andrea Post; Alyssa Denicola
Subject: Fwd: Site Assessment and Action Plan - Cnr of Shannon & Dublin Roads, Dublin [DLM=For-Official-Use-Only]

Good afternoon all

I am pleased to advise that the EPA in communications sent this morning (see below) has formally resolved that the Stony Point site may be capped and revegetated in strict accordance with the Greencap report. This is by far and away the most cost effective outcome for APC and a great outcome all round.

My next discussion will be with McMahons as I attempt to get a reduction to the invoice already sent and for the further works to be completed (capping of the site) at a discounted rate.

Note I have already had cordial discussions with their management and will work towards another positive outcome in an expenditure sense.

Tom - let's now discuss what is needed to close out the site.

Good news all.

J

James Miller | **Chief Executive Officer**
Adelaide Plains Council | P: 8527 0200 | E: ceo@apc.sa.gov.au
 PO Box 18, Mallala SA 5502 | www.apc.sa.gov.au

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Begin forwarded message:

From: James Miller <jcmiller@apc.sa.gov.au>
Date: 30 October 2018 at 12:11:27 pm ACDT
To: "Cummings, Courtney (EPA)" <Courtney.Cummings@sa.gov.au>
Cc: Tom Jones <TJones@apc.sa.gov.au>, "Barry, Stephen (EPA)" <Stephen.Barry@sa.gov.au>, Andrew Durand <Andrew.Durand@greencap.com.au>, Alyssa Giannoni <Alyssa.Giannoni@greencap.com.au>, Jess Miller <Jess.Miller@greencap.com.au>, Andrea Post <apost@apc.sa.gov.au>
Subject: Re: Site Assessment and Action Plan - Cnr of Shannon & Dublin Roads, Dublin [DLM=For-Official-Use-Only]

Good afternoon Courtney (and Barry)

Thank you for your email communication which confirms the EPA's position on matter - much appreciated.

Council will now commit to closing out the matter in strict accordance with the EPA's recommended course of action and as presented in the final Greencap report.

Management of APC will now liaise with McMahon's with a view of advancing the site remediation works.

Regards

J

James Miller | **Chief Executive Officer**
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On 30 Oct 2018, at 11:04 am, Cummings, Courtney (EPA) <Courtney.Cummings@sa.gov.au> wrote:

For Official Use Only

Hi all,

Sorry I couldn't attend the recent site visit out to Dublin. After discussing the matter with Steve, I can confirm that the EPA approves the updated Site Assessment and Action Plan when the EPA have received the ongoing Asbestos Management Plan for the site that details, as recommended by Greencap:

"...the mechanisms and procedures in place for managing the ACM impacted soil at depth into the future and that access to the site remains limited. The asbestos management plan or similar, should outline relevant parties responsible securing this site and for maintaining any cover and ensuring that the area where the asbestos impacted materials are retained is able to be identified in the future, by way of an asbestos register, Council contaminated sites register, note on the title or similar."

Note that the existing Clean Up Order issued by the EPA will remain in place until the site has been remediated to the satisfaction of the EPA.

Let me know if there any queries.

Kind regards,
Courtney.

Courtney Cummings
Environment Protection Officer

Regulation | Investigations and Waste Compliance
Environment Protection Authority

Work Phone (08) 846 33415 | Mobile 0434 351 215
211 Victoria Square Adelaide 5000

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Please consider the environment before printing this e-mail.

From: Jess Miller [<mailto:Jess.Miller@greencap.com.au>]
Sent: Thursday, 25 October, 2018 1:35 PM
To: TJones@apc.sa.gov.au; jcmiller@apc.sa.gov.au
Cc: Barry, Stephen (EPA) <Stephen.Barry@sa.gov.au>; Cummings, Courtney (EPA) <Courtney.Cummings@sa.gov.au>; Andrew Durand <Andrew.Durand@greencap.com.au>; Alyssa Giannoni <Alyssa.Giannoni@greencap.com.au>
Subject: Site Assessment and Action Plan - Cnr of Shannon & Dublin Roads, Dublin

Hi everyone,

As per the site meeting held this morning, following discussions with APC and the SA EPA it was determined that 'Option 3' in the attached Site Assessment and Action Plan for the site would be implemented.

Also, as discussed, I have slightly amended section 7.3.3 – Option 3 to include a recommendation that asbestos removal works (emu picking) be undertaken while the ACM impacted material is being handled / placed into the current excavation.

It was agreed that 'Option 3' would be the most practical and cost effective option to manage the asbestos related issues on the site. Given that the site will not be used in the future and provided the asbestos impacted materials are covered with layer of clean fill material (approximately 200-400mm) and the area re-vegetated, the risks are considered appropriately managed.

As noted in the Action Plan an asbestos management plan should be developed for the site to ensure that mechanisms and procedures are in place for managing the ACM impacted soil at depth into the future and that access to the site remains limited. The asbestos management plan or similar, should outline relevant parties responsible securing this site and for maintaining any cover and ensuring that the area where the asbestos impacted materials are retained is able to be identified in the future, by way of an asbestos register, Council contaminated sites register, note on the title or similar.

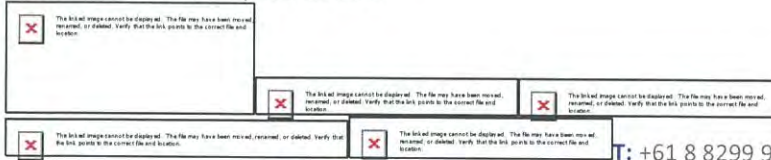
Please let me know if you have any further questions.

Regards,

Jess Miller

Senior Environmental Scientist | Greencap

12 Greenhill Road, Wayville SA 5034



6518 | **M:** 0404 110 240 | **E:** jess.miller@greencap.com.au

T: +61 8 8299 9955 | **D:** +61 8 8378

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From: James Miller
Sent: Friday, 2 November 2018 12:53 PM
To: AU_APC_Council_Members
Cc: AU_APC_General_Managers; Andrea Post; Alyssa Denicola
Subject: Stony Point - Negotiated Outcome Achieved with McMahon's

Good afternoon all

After our win last week with the EPA and the capped solution to thus save APC significant costs in dredging out further asbestos material from Stony Point, I am pleased to advise I have had further success with McMahon's this morning.

McMahon's have agreed to deploy staff, machinery and equipment to carry out the capping works at NO CHARGE as well as dispose of any surface material to a licensed asbestos receptor site. In addition, they will spread and cap the site with approximately 1000 tonnes of clean fill that APC will source and deliver to the site - the cheapest of the three options Greencap put to the EPA.

In terms of the outstanding invoice, they have agreed to a five per cent discount on the 'overrun invoice' for want of a better word.

In all, a pretty good outcome for the site and for our ratepayers with significant savings achieved. Let's now move into the next 'asbestos free chapter' of APC with confidence that we have uncovered every last remnant of historic asbestos.

If I never hear the word 'asbestos' ever again it will be too soon!

Regards

J

James Miller | **Chief Executive Officer**
Adelaide Plains Council | P: 8527 0200 | E: ceo@apc.sa.gov.au
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RECOMMENDATION

“that Council, having considered the matter of Agenda Item 5.1 – *Stony Point – Historical Asbestos Finding and Site Remediation* in confidence under sections 90(2) and 90(3)(b)(i) of the *Local Government Act 1999*, resolves that:-

- 1. The agenda item, report and any other associated information submitted to this meeting and the minutes of this meeting in relation to the matter remain confidential and not available for public inspection until further order of Council;**
- 2. Pursuant to section 91(9)(a) of the *Local Government Act 1999*, the confidentiality of the matter will be reviewed every 12 months; and**
- 3. Pursuant to section 91(9)(c) of the *Local Government Act 1999*, Council delegates the power to revoke this confidentiality order to the Chief Executive Officer.”**