

Broderick Road – project FAQs

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Broderick Road Clean Up Project

In April 2019, EPA began a project to clean up an estimated 286,200 m³ of waste stockpiled at 300–400 Broderick Road in Lara. The site's previous operator had let the amount of waste grow to dangerous levels.

EPA removed all waste offsite in June 2022. EPA tested and surveyed the site, and the site was also assessed by an independent occupational hygienist. The site no longer poses an unacceptable risk to human health or the environment.

More information about the project can be found at epa.vic.gov.au/broderick-road



EPA staff assess the stockpiles of waste before the start of the cleanup

How was the waste removed?

The waste was removed in three stages.

Stage one (September 2019 – April 2020) – processing and removing about 26,600 m³ of timber. Stage one started in September 2019 and was completed in April 2020. The timber was chipped into mulch, which was transported offsite for use in vegetation projects.

Stage two (November 2019 – December 2019) – removing about 7,600m³ of contaminated soil. Stage two started in November 2019 and was completed in December 2019. A licensed

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asbestos removalist transported the waste offsite.



The Broderick Road site in April 2019, before the clean up started



The Broderick Road site in April 2020, after the removal of 26,600m³ of timber and 7,600m³ of soil

Stage three (June 2020 – June 2022) – removing the remaining 252,000m³ of mixed construction and demolition waste onsite, spread across four main stockpiles. Sampling showed the presence of small, widespread asbestos in the majority of waste being removed in stage three. A licensed asbestos removalist transported the waste offsite to licensed landfills.



The Broderick Road site in April 2020, before the start of stage three clean up works



The Broderick Road site in June 2022, with all waste removed

How do you know the site is now safe? Is there still contamination?

EPA’s role at Broderick Road was to ensure the site no longer posed an unacceptable risk to human health and the environment in the event of a fire by cleaning up the waste stockpiles.

The waste stockpiles have now been removed from the site.

The site has been tested and surveyed, including soil and water testing and drone surveillance with ground penetrating radar.

All data collected indicates the site no longer poses an unacceptable risk to human health and the environment.

What did EPA find in the waste?

The stockpiles of waste contained a mix of construction and demolition waste, including:

- timber
- concrete
- bricks
- soil
- plaster
- plastic
- glass
- ceramics.



The stockpiles contained a mixture of construction and demolition waste

How much was recycled?

Throughout the project EPA recycled almost 10% of the waste onsite, including about 22,000m³ of timber, 2000m³ of concrete and 70 large tyres. The majority of waste onsite was contaminated with small pieces of asbestos, and therefore could not be recycled.

Where was the waste taken?

All waste removed from the site was subject to a strict sampling and categorisation process, to ensure it was handled correctly and disposed of at appropriately licensed landfills. The receiving landfills also undertook their own reviews of the categorisations. EPA tracked all waste from the site to its destination.

How much did the project cost?



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Broderick Road – project stages



The final cost of the project will be determined once all contractors have demobilised from the site and the project is officially closed out.

Project spend as at May 31 2022 was approximately \$71M.

How did EPA prevent offsite impacts during the works?

EPA worked with all contractors onsite to ensure there was minimal impact to the local community, businesses and the environment.

The controls in place to reduce impacts from the site included:

- high volume water and fog cannons, to wet the pile down
- exclusion zones set up for all works
- personal protective equipment for all employees
- air quality monitoring along all fence boundaries
- additional monitoring at exclusion zones and within the work area, monitored by an independent occupational hygienist
- truck washing, including a wheel-wash system for vehicles leaving the site
- security monitoring 24/7, with CCTV and thermal image cameras
- a traffic management offsite impact assessment and noise assessments.



A wheel wash system helped reduce offsite impacts

Were other agencies involved in the cleanup?

EPA established an interagency operations team at the start of the project to minimise risks to the community and the environment through coordinated action.

The team included members from Fire Rescue Victoria, The City of Greater Geelong (the council), Victoria Police, WorkSafe, Department of Health and the Department of Families, Fairness and Housing.

The interagency team worked together to minimise the risk of fire at the site and to keep the community safe.



EPA used its powers to step in to conduct a clean up of the site in April 2019



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How will EPA recover the costs of the cleanup?

In 2020, EPA was successful in a Supreme Court case involving the Broderick Road site.

The Supreme Court win confirmed the liquidators of The Australian Sawmilling Company Pty Ltd (TASCO), Price Waterhouse Coopers (PWC), are the occupiers of the land owned by TASCO at Broderick Road, Lara, and may be pursued for recovery of the clean up costs for the site.

Given a limitation placed by the court on the extent of recovery against the liquidators, it may mean that not all of those clean up costs will be recovered.

The liquidators appealed the Supreme Court decision. The Court of Appeal handed down its judgement in November 2021 and upheld the Supreme Court decision that the liquidators were occupiers of the land.

In 2022 the liquidators pursued the final avenue for appeal of this decision by way of an application for special leave to appeal to the High Court. EPA and the State opposed this application. In April 2022 the High Court denied the application for special leave to appeal.

EPA is continuing to work to recover costs associated with the clean up by pursuing the site’s former owners, occupiers and other relevant parties. Cost recovery actions are ongoing.

What will happen to the site now?

Now the project is complete, and the site no longer poses a risk to human health and the environment, EPA will demobilise from the site.

The site, and site management, remains under the control of the liquidators appointed to the company that owns the land, Price Waterhouse Coopers.

The City of Greater Geelong is the responsible authority for planning matters for the site. The

site is located within an Industrial Zone 2. EPA is not aware of any change, or proposed change, to the site’s planning controls.

How did the site become a fire risk?

City of Greater Geelong (the Council) issued a temporary permit for a small recycling facility at the site in 2013.

The operator, C&D Recycling, consistently breached the planning permit conditions. The council worked for several years to have the facility brought into compliance or cease operating.

In 2016 the council applied to have the planning permit revoked. However, VCAT ordered the council to issue a permanent planning permit. VCAT issued enforcement orders for planning permit compliance. The operator continued to breach the orders. Court action has been taken on several occasions.

In 2019, C&D recycling and the site's owners went into liquidation. We used our powers to enter the site and undertake a clean up project in April 2019.



EPA staff walk through the stockpiles of waste in April 2019, before the start of clean up works

What fire prevention measures were used during the project?



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Broderick Road – project stages



EPA stepped in to clean up the site due to the unacceptable risk it posed to the community and the environment in the event of a fire.

EPA worked with Fire Rescue Victoria and an independent fire engineer throughout the project to ensure oversight related to fire and emergency management.

Measures in place to reduce fire risk and manage potential fires while the waste was removed included:

- an onsite water truck
- improved road access for firefighters
- one million litres of tank water to supplement other supplies
- heavy machinery to help with firefighting
- hydrant lines along site boundary
- site security
- CCTV cameras with infrared
- drone monitoring with thermal capabilities
- secure perimeter fencing.

How did EPA inform the community about the progress of the project?

EPA engaged regularly with relevant stakeholders throughout the project, including community members and neighbouring businesses.

Newsletters and email updates were issued during key project milestones.

EPA also kept stakeholders up to date through media releases, advertising, website, social media, Youtube, phone calls, business drop ins, flyers, posters and signage.

What measures are in place to prevent future waste crime?

Since 1 July 2021, EPA has increased powers to prevent harm to public health and the environment from pollution and waste.

EPA is using the enhanced powers from the *Environment Protection Act 2017* to prevent risks to the environment and human health. We're able to issue stronger sanctions and penalties to hold environmental polluters to account.

The General Environmental Duty (GED) is a centrepiece of the new laws. It applies to all Victorians. If you conduct activities that pose a risk to human health and the environment, you must also understand the risks. You must also take reasonably practicable steps to eliminate or minimise them.

In an Australian first, the GED is criminally enforceable. More information about the new laws is available at www.epa.vic.gov.au/about-epa/laws/new-laws

Contact us or find out more

Contact EPA on 1300 372 842 (1300 EPA VIC) or epa.vic.gov.au

or visit epa.vic.gov.au/Broderick-road



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