



Environment Protection Authority

GPO Box 2607 Adelaide SA 5001

T (08) 8204 2004

Country areas 1800 623 445

EPA FOI-24-04

[REDACTED]
C/o Johnston Withers Lawyers
PO Box 6321
Halifax Street ADELAIDE SA 5000

Via email only: [REDACTED]

Dear [REDACTED]

I refer to your application under the *Freedom of Information Act 1991* (FOI Act), received by the Environment Protection Authority (EPA) on 28 February 2024 for:

All information and documents referencing the use or presence of asbestos at the former Incitec-Pivot Plant, Port Adelaide, including but not limited to:

- (a) Asbestos registers and/or order reports;*
- (b) Asbestos management plans;*
- (c) Applications and permits for the removal of asbestos; and*
- (d) Airborne fibre monitoring results.*

For the period 1970 to present.

Determination

I have determined that the documents that fall within the scope of your application are those listed in the attached Document Schedule. I have considered each of the documents and have made the following determination.

I determine to:

- Grant full access to 2 documents.
- Refuse access to 6 documents.

I have determined to refuse access to Documents 3 to 8 in accordance with section 20(1)(b) of the FOI Act – Refusal of access. These documents are available from the EPA's public register and were provided to you on 18 March 2024.

Documents 1 and 2 were also provided to you on 18 March 2024.

Right of Appeal

If you are dissatisfied with this determination you are entitled to apply for an internal review in accordance with Section 29 of the FOI Act. To make an internal review application, please either write a letter or send the attached form to the Chief Executive of the EPA, Dr Jon Gorvett PSM, within 30 (calendar) days after you receive this letter. Should you submit an application for an Internal Review, please include an application fee of \$40.75.

In accordance with the requirements of Premier and Cabinet Circular PC045, details of your FOI application, and the documents to which you are given access, may be published in the EPA's FOI disclosure log. A copy of PC045 can be found at [PC045-Disclosure-Logs.pdf \(dpc.sa.gov.au\)](https://dpc.sa.gov.au/PC045-Disclosure-Logs.pdf)

For further information on this matter, please contact Su Fernando via email EPA.FOI@sa.gov.au

Yours sincerely



Erin Walker
Accredited FOI Officer
Principal Adviser, Office of the Chief Executive
ENVIRONMENT PROTECTION AUTHORITY

Date: 2/4/24

All information and documents referencing the use or presence of asbestos at the former Incitec-Pivot Plant, Port Adelaide, including but not limited to:

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For the period 1970 to present.

Document No	Date of Document	Description	Determination	Reason for Partial Access or Refusal
1	31/10/2005	Construction Environment Management Plan	Full Access	This information was provided to the applicant on 18/03/2024
2	13/10/2007	Remediation Management Plan	Full Access	This information was provided to the applicant on 18/03/2024
3	1/05/2012	Consolidated Asbestos Register, Incitec Pivot	Access refused	Pursuant to section 20(1)(b) of the Freedom of Information Act 1991 - Refusal of access. This information is available from the EPA's Public Register and was provided to the applicant on 18/03/2024
4	25/06/2013	Environment Site Assessment - Limited Phase 2	Access refused	Pursuant to section 20(1)(b) of the Freedom of Information Act 1991 - Refusal of access. This information is available from the EPA's Public Register and was provided to the applicant on 18/03/2024
5	9/12/2013	Notice of legal effect of agreement to assume liability for site contamination	Access refused	Pursuant to section 20(1)(b) of the Freedom of Information Act 1991 - Refusal of access. This information is available from the EPA's Public Register and was provided to the applicant on 18/03/2024
6	15/01/2014	S 103E (Environment Protection Act) Deed between Top Australia Ltd and Urban Renewal Authority	Access refused	Pursuant to section 20(1)(b) of the Freedom of Information Act 1991 - Refusal of access. This information is available from the EPA's Public Register and was provided to the applicant on 18/03/2024
7	24/01/2022	Site Contamination Audit (Restricted Scope) Objectives	Access refused	Pursuant to section 20(1)(b) of the Freedom of Information Act 1991 - Refusal of access. This information is available from the EPA's Public Register and was provided to the applicant on 18/03/2024
8	28/01/2022	Site Contamination Audit Notification	Access refused	Pursuant to section 20(1)(b) of the Freedom of Information Act 1991 - Refusal of access. This information is available from the EPA's Public Register and was provided to the applicant on 18/03/2024