

Site Contamination, Site History and Site Contamination Audit Reports

What is Site Contamination?

Site contamination exists when chemical substances or materials, including building materials and other solid waste, are detected on or below the surface of the site in concentrations that have resulted in actual or potential harm to public health, safety, and/or the environment.

Site Contamination is usually the result of historic industrial activities (including market gardens) when work practices around the disposal of industrial waste and chemical substances were not carried out to the standards they are today. It can exist for many years without being detected. This is the case for some areas within the Council area given its railway heritage, market garden history and significant changes to the urban landscape.

Site contamination is often identified when there are plans for a site to be re-developed and an assessment of the site is conducted. Australia has nationally agreed standards about how site contamination is assessed.

How do I determine if a site is contaminated?

If the site was ever previously used for non-residential purposes, or Council and/or the Environment Protection Authority (EPA) are aware that there may be contamination on the site, a site history report and assessment of soil contamination will be required as part

of your Development Application. This will involve undertaking research on all previous uses on the site, as well as soil testing for contamination.

You will need to engage a qualified environmental consultant as recognised by the EPA to undertake this work on your behalf in accordance with Schedules B2 and B9 of the National Environment Protection (Assessment of Site Contamination) Measure 1999 (NEPM).

What happens if soil testing reveals contamination?

The discovery of contamination does not necessarily mean there is a risk of harm to public health, safety, and/or the environment, including water bodies. When chemical substances are found, site specific investigations are needed to determine the extent and nature and level of risk associated with each case and accordingly whether site contamination as defined by the Environment Protection Act 1993 exists. The National Environment Protection

(Assessment of Site Contamination) Measure 1999 (NEPM) provides a guideline of what

concentrations of chemical substances are within safe levels for residential development. Your environmental consultant will provide a

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report against the NEPM standards. If the consultant identifies that the site is within the relevant NEPM levels or has 'low' likelihood of contamination under the relevant NEPM, Council will engage an independent environmental consultant to review the report. If Council's independent environmental consultant concurs with the applicant's report that it is within the NEPM or there is 'low' likelihood then it will be accepted that the land is suitable for the use.

If the concentrations of chemical substances on the site are found to be above the NEPM standard for the type of use you are proposing on the land, you will be required to engage a Site Contamination Auditor accredited by the EPA in South Australia. The Site Contamination Auditor will need to undertake a Site Contamination Audit Report (SCAR). In order to obtain a Development Plan Consent from Council, you will require an interim audit report. The Interim audit report will need to be prepared and endorsed by the EPA (SA). Any Development Plan Consent that is granted will include a reserved matter that a full Site Contamination Audit Report (SCAR) be prepared by the Site Contamination Auditor, submitted to Council and approved by the EPA.

What is an Interim Audit Report?

There are many techniques used to contain or remove contamination present on a site. This will depend on the type of contamination, the concentration of the substance and the type of land use proposed on the site. The interim audit report will examine:

- The nature and extent of any site contamination present or remaining on or below the surface of the site;
- The suitability of the site for the intended use;
- What remediation is, or remains, necessary to be undertaken to ensure that the site will not affect public health, safety, and/or the environment in respect to the proposed use on the site;
- The likelihood of achieving the desired audit outcome (i.e. that the site is suitable for its intended use);
- Provide guidelines on how any remediation/ management methods / plans are to occur on the site.

The Interim Audit Report prepared by the Site Contamination Auditor will then be submitted to the EPA for their endorsement. Once this has occurred, the Interim Report can be submitted to Council as part of the Development Application. This needs to occur before Council can issue any Development Plan Consent (any such Consent will be subject to the final SCAR being undertaken and approved by the EPA).

What is a Site Contamination Audit Report (SCAR)?

A Site Contamination Audit Report (SCAR) is prepared by a Site Contamination Auditor that is accredited by the EPA. The SCAR includes but is not limited to the following:

- States that the site is suitable for the proposed use(s); and
- States any conditions pertaining to the proposed use(s) – note that audit conditions are separate from any conditions that may be imposed by Council in relation to the Development Application and are not enforced by Council.

The SCAR, once finalised by the Site

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contamination Auditor, is submitted to the EPA for their approval and then forwarded onto Council. Any reserved matter placed onto a Development Plan Consent in relation to site contamination will not be satisfied until the EPA has approved the final SCAR.

For further information in relation to Site Contamination, Site History Reports, Site Contamination Auditors, Interim Audit Report and Site Contamination Audit Reports please contact the EPA on 1800 623 445 or visit their website at <http://www.epa.sa.gov.au>

Further Information

The above information is advisory and only a guide to give you a general understanding of the key issues associated with planning. For further information or assistance, please contact Council's Development Department on 8539 1414 or planning@murraybridge.sa.gov.au