



Technical Manual

# **Contaminated Land Management**

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Contaminated Land Management*  
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# CONTENTS

<b>1.</b>	Contaminated Land Management	1
<b>2.</b>	Contaminated Land Management Principles	1
<b>3.</b>	Development Assessment	2
<b>4.</b>	Dedication of assets to Council	2
<b>5.</b>	Remediation work	3
<b>6.</b>	Plan making	9
<b>7.</b>	Information management	10
<b>8.</b>	Potentially contaminating activities	13
<b>9.</b>	Sources of site history information	14
<b>10.</b>	References	15

# 1. Contaminated Land Management

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This Manual:

- supplements Section 5.02 of the Newcastle DCP 2012 by providing detailed technical information relating to the use and development of land that is or may be contaminated
- outlines procedures and requirements for the early identification of sites, determination of rezoning and development applications, the recording and use of information and the provision of information to the community
- outlines requirements for the carrying out of remediation work.
- provides a statement of policy to be followed by The City of Newcastle when exercising its planning functions in relation to land that may be contaminated
- provides a local context for decision making that is generally consistent with the Contaminated Land Planning Guidelines notified under Section 145C of the *Environmental Planning and Assessment Act 1979*.

## 2. Contaminated Land Management Principles

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Contaminated land management is a process that may take place at any phase of development including plan making, site preparation, construction, demolition and ongoing site use.

Appropriate management of contaminated land is important to the health and safety of the community and to ensure that contaminated sites can be remediated for sustainable reuse.

### Council functions to which this Technical Manual applies

- the preparation of local environmental plans
- the preparation and approval of development control plans
- the preparation and adoption of plans of management for community land
- the determination of development applications
- the modification of development consents
- the determination of activities under Part 5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) (where the Council is the determining authority)
- the recording and keeping of information relating to land contamination, and the furnishing of such information to the public, such as by the issue of Planning Certificates under section 149 of the EP&A Act.

### SEPP 55 - Remediation of Land

This Technical Manual specifies requirements in respect of 'category 2 remediation work', as provided for under clause 9(f) of State Environmental Planning Policy No. 55 - Remediation of Land.

Category 2 remediation work does not require Council development consent however it is required to comply with the requirements of this Technical Manual.

## 3. Development Assessment

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### Initial evaluation

When making a determination in respect of any of the applicable matters referred to above that would authorise a change of use of land or the carrying out of earthworks, the Council is to undertake an initial evaluation generally in accordance with the Contaminated Land Planning Guidelines.

Matters to be considered include:

- whether the land is within an investigation area or remediation area
- whether the land is currently used for an activity listed in Part 8 – Potentially Contaminating Activities
- whether Council records show that an activity listed in Part 8 – Potentially Contaminating Activities has ever been carried out, approved, licensed or otherwise regulated on the land
- if a site inspection is held, whether there is any obvious evidence that the land may have been associated with an activity listed in Part 8 – Potentially Contaminating Activities
- whether the land has at any time been previously zoned for industrial, agricultural or defence purposes
- whether any Council records indicate that the use of the land has been restricted due to possible contamination (for example, notices issued by the NSW State Government that have been forwarded to the Council)
- whether any Council records indicate that the land has been the subject of complaints concerning pollution or illegal dumping of wastes
- whether the Council is aware of the results of previous investigations concerning contamination of the land
- whether the Council is aware of information concerning contamination impacts on immediately adjacent land which could affect the subject land.

### Conditions of consent

In making its determination, the Council is to consider:

- the need to impose conditions relating to the remediation issues outlined in Part 5 – Remediation Work
- in the case of development applications, whether it would be appropriate to issue a deferred commencement consent or a staged consent
- the management of soil and groundwater contamination to ensure that the community is not unduly disadvantaged by accepting the dedication of public assets which have increased human health or environmental risks or have potentially higher asset management costs due to contamination.

## 4. Dedication of assets to Council

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### Contamination investigation requirements

The investigation of soil and groundwater contamination should be carried out in accordance with NSW State Government approved contaminated sites sampling design guidelines.

## Acceptable soil contaminations levels

Assets to be dedicated to Council must meet the following National Environment Protection (Assessment of Site Contamination) Measure (**NEPM**) **Health Investigation Level (HIL)** and must also at a minimum meet the **General solid waste** (non-putrescible) criteria as defined in the NSW DECC Waste Classification Guidelines as outlined in Table 1 below.

**Table 1.** Investigation levels and waste classification criteria that must be met:

Investigation levels and waste criteria that must be met		
	NEPM Health Investigation Level (HIL)	Waste classification
Soil under roads	HIL 'F' (Commercial/Industrial)	General solid waste
Open space & footpath areas	HIL 'E' (Parks, recreational open space)	General solid waste
Other assets	Use appropriate HIL for most sensitive landuse permissible under the zoning	General solid waste

## Specific investigation requirements for sampling of road parcels

For the detailed investigation of contamination of road areas the road must be regarded as a separate parcel of land for the purposes of the sampling design. Accordingly an appropriate number of samples must be taken within the actual parcel of land to be dedicated to Council in order to adequately investigate/delineate contamination.

At a minimum soil samples should be taken at 3 depths per sampling location to define the possible vertical extent of contamination including one surface sample and one at the depth of the lowest possible service.

**Note:** this should be considered a minimum requirement and further samples may be required to adequately categorise contamination in accordance with NSW State Government approved sampling guidelines.

## 5. Remediation Work

### Applicable matters

This Part applies to remediation work, that is, works carried out for the purpose of:

- removing, dispersing, destroying, reducing, mitigating or containing the contamination of any land
- eliminating or reducing any hazard arising from the contamination of the land (including by preventing the entry of persons or animals on the land).

### Category 1 remediation work

Category 1 remediation work is a special category of remediation work defined by State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55). Under SEPP 55, category 1 remediation work may only be carried out with development consent.

The exact definition of category 1 remediation is complicated, and interested persons should refer to clauses 9 and 14 of SEPP 55.

### Category 2 remediation work

Category 2 remediation work is any remediation work that is not Category 1 remediation work.

**Under SEPP 55, category 2 remediation work may be carried out without development consent. However, if remediation work is carried out in a manner that does not comply with a policy adopted under the Contaminated Land Planning Guidelines (that is, this Technical Manual), such work is then classified as category 1 remediation work.**

In accordance with clause 16 of SEPP 55, prior notice of category 2 remediation work to Council is required at least 30 days before commencement of works.

In addition to the information that must be submitted to Council in clause 16 of SEPP 55, Council will require the following information to be submitted at least 14 days prior to the commencement of category 2 remediation works:

- copies of any Preliminary Investigation, Detailed Investigation and Remedial Action Plan for the subject site
- contact details for the remediation contractor and party responsible for ensuring compliance of remediation work with all relevant regulatory requirements (if different to remediation contractor).

Although consent is not required for Category 2 remediation work, Council will need to be satisfied that the site is suitable for the proposed use when considering any subsequent development applications for the subject site. Hence it is recommended that comprehensive records are maintained during the remediation and validation works for all sites.

### Requirements for category 2 remediation work

Category 2 remediation work must be carried out in accordance with the following required site management provisions. These provisions have been formulated to ensure that category 2 remediation work does not adversely impact on the environment or public amenity.

*Note:* These site management provisions have been adapted from the SSROC (1999) Model Policy on Contaminated Land.

All category 2 remediation works shall be conducted in accordance with the site management provisions listed below. The site management provisions apply to all of the Newcastle Local Government Area (LGA).

**Category 2 remediation work that does not comply with the site management provisions outlined in this section will be classified as category 1 remediation work and will require development consent.**

**Development applications lodged for category 1 remediation works should identify any areas of non-compliance with the site management provisions listed below and identify any alternative site management measures to be implemented.**

Note: It is the responsibility of those remediating a site to ensure compliance with all relevant environmental legislation and regulations. Compliance with the site management provisions outlined below does not imply that all relevant environmental legislation and regulations have been complied with. Non-compliance with relevant environmental legislation and regulations such as the Protection of the Environment Operations Act 1997 may incur on-the-spot fines for minor offences or more substantial fines and imprisonment for more serious offences.

It is the responsibility of those remediating a site to ensure compliance with the Heritage Act 1995 in relation to excavation permits for land that is likely to result in the disturbance of relics.

### Hours of Operation

All remediation work which is audible on residential premises shall be conducted within the following hours:

Monday - Friday      7am - 6pm

Saturday              8am - 1pm

No work is permitted on Sundays or Public Holidays.

### Soil and Water Management

The *Managing Urban Stormwater: Soils and Construction 4<sup>th</sup> Edition - Vol. 1* (the "Blue Book") published by Landcom, 2004 outlines Council's requirements for the preparation of a soil and water management plan. All remediation works shall be conducted in accordance with a soil and water management plan. A copy of the plan shall be kept onsite and made available to Council Officers on request. All erosion and sediment measures must be maintained in a functional condition throughout the remediation works.

A summary of the soil and water management measures for category 2 remediation work in relation to stockpiles, site access, excavation pump-out, landscaping/rehabilitation and bunding are discussed below:

#### Stockpiles

- no stockpiles of soil or other materials shall be placed on footpaths or nature strips unless prior Council approval has been obtained
- all stockpiles of soil or other materials shall be placed away from drainage lines, gutters or stormwater pits or inlets
- all stockpiles of soil or other materials likely to generate dust or odours shall be covered
- all stockpiles of contaminated soil shall be stored in a secure area and be covered if remaining more than 24 hours. (A secure area is addressed by the requirement for **Site Security** below.)
- if landfarming techniques are being employed, alternative control measures and contingencies must be put in place to address the potential for odour and dust impacting off-site.

#### Site Access

Vehicle access to the site shall be stabilised to prevent the tracking of sediment onto the roads and footpath. Soil, earth, mud or similar materials must be removed from the roadway by sweeping, shovelling, or a means other than washing, on a daily basis or as required. Soil washings from wheels shall be collected and disposed of in a manner that does not pollute waters.

**Excavation Pump-out**

All excavation pump-out water must also be analysed for suspended solid concentrations, pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant NSW State Government endorsed standards and guidelines for water quality as applicable to the contaminants and the receiving waters. Other options for the disposal of excavation pump-out water include disposal to sewer with prior approval from the Hunter Water Corporation, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

**Landscaping/Rehabilitation**

All exposed areas shall be progressively stabilised and/or revegetated to prevent dust and erosion on the completion of remediation works.

**Bunding**

All landfarming areas for hydrocarbon contaminated soils shall be banded to contain surface water runoff from the landfarm areas and to prevent the leaching of hydrocarbons into the subsurface. All surface water discharges from the banded areas to Council's stormwater system must comply with relevant NSW State Government endorsed standards and guidelines for water quality as applicable to the contaminants and the receiving waters.

**Noise**

Category 2 remediation work shall comply with appropriate NSW State Government construction noise guidelines.

All equipment and machinery shall be operated in an efficient manner to minimise the emission of noise.

**Vibration**

The use of any plant and/or machinery shall not cause vibrations in excess of the relevant NSW State Government guidelines and Australian Standards, on any premises.

**Dust Control**

Dust emissions shall be confined within the site boundary. The following dust control procedures shall be employed to comply with this requirement:

- erection of dust screens around the perimeter of the site
- securely covering all loads entering or exiting the site
- use of water sprays across the site to suppress dust
- covering of all stockpiles of contaminated soil remaining more than 24 hours
- keeping excavation surfaces moist.

### Odour Control

No offensive odours shall be detected at any boundary of the site during remediation works by an authorised Council Officer relying solely on sense of smell. The following procedures may be employed to comply with this requirement:

- use of appropriate covering techniques such as the use of plastic sheeting to cover excavation faces or stockpiles
- use of fine mist sprays
- use of a hydrocarbon mitigating agent on the impacted areas/materials
- adequate maintenance of equipment and machinery to minimise exhaust emissions.

Volatile or semi-volatile compounds that could generate odours include monocyclic aromatic hydrocarbons (styrene, benzene, toluene, xylene, ethyl benzene, butyl benzene), polycyclic aromatic hydrocarbons (PAHs), hydrogen sulfide, hydrogen cyanide, pesticides, polychlorinated biphenyls (PCBs) and herbicides.

### Groundwater

Any contamination assessment should address the potential for contamination of groundwater at the site to have occurred. Any work below the water table requires a licence from the NSW State Government under Part 5 of the *Water Act 1912*, and the *Water Management Act 2000*. These works include bores for water supply, testing and monitoring, and any extraction. If groundwater at the site is found to be contaminated then the appropriate NSW State Government agency is to be notified. Any remedial actions proposed for the site to remediate contaminated groundwater should consider monitoring provisions and the NSW State Government groundwater policies.

Copies of all Groundwater Investigations (Preliminary and Detailed) and the Remedial Action Plan for the site are to be submitted to the appropriate NSW State Government department 14 days prior to the commencement of works.

Groundwater shall be analysed for pH and any contaminants of concern identified during the preliminary or detailed site investigation, prior to discharge to the stormwater system. The analytical results must comply with relevant NSW State Government guidelines and standards for water quality.

Other options for the disposal of groundwater include disposal to sewer with prior approval from the Hunter Water Corporation, or off-site disposal by a liquid waste transporter for treatment/disposal to an appropriate waste treatment/processing facility.

### Transport

All haulage routes for trucks transporting soil, materials, equipment or machinery to and from the site shall be selected to meet the following objectives:

- comply with all road traffic rules
- minimise noise, vibration and odour to adjacent premises
- utilise State Roads and minimise use of local roads.

Applicants may consult Council prior to selecting the most suitable transport route.

Category 2 remediation work shall ensure that all site vehicles:

- conduct deliveries of soil, materials, equipment or machinery during the hours of remediation work identified above under **Hours of Operation**
- securely cover all loads to prevent any dust or odour emissions during transportation
- exit the site in a forward direction
- do not track soil, mud or sediment onto the road.

### **Hazardous Materials**

Hazardous and/or liquid wastes arising from the remediation work shall be removed and disposed of in accordance with the requirements of the relevant NSW State Government agencies, together with the relevant regulations, namely:

- *Protection of the Environment Operations Act 1997* and Regulations
- *Occupational Health and Safety Act 2000* and Regulations
- *Contaminated Land Management Act 1997* and Regulations
- *Environmentally Hazardous Chemicals Act 1985* and Regulations.

### **Disposal of Contaminated Soil**

The disposal of contaminated soil shall have regard to the provision of both the *Protection of the Environment Operations Act 1997* and Regulations and relevant state agency waste guidelines.

Any queries associated with the off-site disposal of waste from a contaminated site should be referred to the appropriate NSW state government agency. If contaminated soil or other waste is transported to a site unlawfully, the owner of the waste and the transporter are both guilty of an offence.

### **Containment/Capping of Contaminated Soil**

No contaminated soil shall be encapsulated or capped on the site that contains concentrations of contaminants that are above the soil investigation levels for urban development sites in NSW for the range of landuses permissible on the subject site. For example, a site zoned commercial/industrial shall not encapsulate or cap soil containing concentrations of contaminants above the 'commercial or industrial NEHF F health-based investigation levels'. The soil investigation levels for urban redevelopment in NSW are contained in Guidelines approved by the NSW State Government.

Note: Approval to cap contaminated soil which exceeds the soil investigation levels for the range of landuses permissible on the site can be sought through a development application to Council (category 1 remediation).

### **Importation of Fill**

All fill imported on to the site shall be validated to ensure it is suitable for the proposed land use from a contamination perspective and will not impact adversely on the drainage of the site.

Council may require details of appropriate validation of imported fill material to be submitted with any application for future development of the site. Hence all fill imported onto the site should be validated by either one or both of the following methods during remediation works:

- imported fill should be accompanied by documentation from the supplier which certifies that the material has been excavated or quarried from areas that are not contaminated with manufactured chemicals or

process residues, as a result of industrial, commercial, mining or agricultural activities, and that it does not contain any sulfidic ores or soils or any other waste

- sampling and analysis of the fill material conducted in accordance with the NSW State Government approved sampling design guidelines to ensure that the material is not contaminated.

### Site Signage and Contact Numbers

A sign displaying the contact details of the remediation contractor (and site manager if different to remediation contractor) shall be displayed on the site adjacent to the site access. This sign shall be displayed throughout the duration of the remediation works.

### Community Consultation

Owners and/or occupants of premises adjoining and across the road from the site shall be notified by the proponent at least two days prior to the commencement of category 2 remediation works.

### Site Security

The site shall be secured to prevent unauthorised access by means of an appropriate fence.

### Occupational Health & Safety

It is the employer's responsibility to ensure that all site remediation works comply with all Occupational Health and Safety and Construction Safety Regulations of the NSW WorkCover Authority.

### Removal of Underground Storage Tanks

The removal of underground storage tanks shall be undertaken in accordance with the requirements of all relevant NSW State Government Agencies including WorkCover NSW. The tank removal shall be conducted in accordance with all relevant standards, guidelines, codes of practice and legislation including the *Protection of the Environment Operations (Underground Petroleum Storage Systems) Regulation 2008*.

## 6. Plan Making

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### Initial evaluation

Evaluation is to be based upon records held by Newcastle City Council that are readily accessible, and may also be based upon factual information gained from a site inspection. There is no requirement to research or consider records held by other agencies.

Matters to be considered include:

- whether the land is within an investigation area or remediation area
- whether the land is currently used for an activity listed in Part 8 – Potentially Contaminating Activities
- whether Council records show that an activity listed in Part 8 – Potentially Contaminating Activities has ever been carried out, approved, licensed or otherwise regulated on the land
- if a site inspection is held, whether there is any obvious evidence that the land may have been associated with an activity listed in Part 8 – Potentially Contaminating Activities

- whether the land has at any time been previously zoned for industrial, agricultural or defence purposes
- whether any Council records indicate that the use of the land has been restricted due to possible contamination (for example, notices issued under the *Contaminated Land Management Act 1997* by State Government Agencies that have been forwarded to the Council)
- whether any Council records indicate that the land has been the subject of complaints concerning pollution or illegal dumping of wastes
- whether the Council is aware of the results of previous investigations concerning contamination of the land
- whether the Council is aware of information concerning contamination impacts on immediately adjacent land which could affect the subject land.

### Is a site investigation required?

Where a site investigation is required, it is to be carried out in accordance with the Contaminated Land Planning Guidelines.

Insufficient information on which to make a decision exists if there are significant gaps in historical information for a site, or if land uses are not described in sufficient detail to identify the presence or absence of uses listed in Part 8 - Potentially Contaminating Activities during periods in which such uses could be lawfully carried out.

### Site investigation process

If contamination is or may be present, the site is to be the subject of a site investigation process. Please refer to Part 3 – Development Assessment for details pertaining to the site investigation process.

## 7. Information Management

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### Record keeping

So as to facilitate the exercise of its planning functions generally in accordance with the Contaminated Land Planning Guidelines, the Council is to keep sufficient and appropriate records relating to the existence or likelihood of land contamination. Such records may include:

- previous property descriptions (for cross-referencing purposes)
- chronological land use history
- complaints about contamination or potentially contaminating activities and whether the complaints were substantiated
- information from any initial evaluations
- information from any site investigations, including preliminary investigation reports, detailed investigation reports, remedial action plans, validation and site monitoring reports or any other contamination assessment reports
- site audit statements and site audit reports

- notifications of remediation given under State Environmental Planning Policy No. 55 - Remediation of Land
- previous zones and permissible uses, particularly uses listed in Part 8 – Potentially Contaminating Activities
- rezoning requests, development consents and building approvals for uses listed in Part 8 -Potentially Contaminating Activities or where contamination was an issue
- rezoning requests, development applications and building applications that were refused on the basis of contamination-related issues
- declarations, orders and notices under the *Contaminated Land Management Act 1997* (where the Council has been informed by the Environment Protection Authority)
- voluntary investigation proposals and voluntary remediation proposals under the *Contaminated Land Management Act 1997* (where the Council has been informed by the Environment Protection Authority).

### Supply of information

Information about land contamination held within the Council's records is to be supplied to the public only by the following means:

- by issuing Planning Certificates (upon application by any person, and subject to payment of the prescribed fee)
- by making the following documents identified on the Planning Certificates and held by the Council available for inspection (upon request by the holder of the Planning Certificate, free of charge):
  - site investigation reports (including preliminary investigation reports, detailed investigation reports, remedial action plans, validation and site monitoring reports) or any other contamination assessment reports prepared by consultants
  - site audit reports
  - site audit statements.
- by making the following documents held by the Council available for inspection (upon request by any person, free of charge):
  - the register of development applications and consents kept under clause 264 of the *Environmental Planning and Assessment Regulation 2000*
  - documents relating to development applications and development consents kept available for public inspection under clause 266 of the *Environmental Planning and Assessment Regulation 2000*
  - the record of approvals kept under section 113 of the *Local Government Act 1993*
  - business papers and minutes of council and committee meetings
  - other documents that may be inspected under section 12(1) of the *Local Government Act 1993*.
- by providing access to documents in accordance with the *Government Information (Public Access) Act 2009 (GIPA Act)*.

### Planning Certificates - prescribed information

This clause applies to the provision of information on planning certificates under section 149(2) of the EP&A Act, as prescribed by Schedule 4 of the *Environmental Planning and Assessment Regulation 2000* and section 59(2) of the *Contaminated Land Management Act 1997*.

The Council is to provide the following prescribed information:

- a statement that Council has by resolution adopted a policy to restrict development of the land because of the likelihood of the land being contaminated – if it is considered to be contaminated or potentially contaminated
- a statement that the land is significantly contaminated land - if it is within such an area or site at the date when the certificate is issued\*

Note: This disclosure relates to the matter “whether or not the council has adopted a policy to restrict the development of the land because of the likelihood of land slip, bushfire, flooding, tidal inundation subsidence, acid sulphate soils or any other risk”. (Item 7 of Schedule 4, EP&A Regulation 2000).

- a statement that the land is subject to a management order - if it is subject to such an order at that date\*
- a statement that the land is the subject of a voluntary management proposal or ongoing maintenance order that is subject to an agreement with the NSW State Government - if it is the subject of such a proposal or order which has not been fully carried out, at the date when the certificate is issued\*
- a statement that the land is the subject of a site audit statement - if a copy of such a statement has been provided at any time to the Council.

**\* Information provided only to the extent that the Council has been informed by the NSW State Government.**

### Planning Certificates – additional information

This clause applies to the provision of additional information on planning certificates under section 149(5) of the EP&A Act.

Where an applicant for a Planning Certificate has requested (and paid for) additional information under section 149(5), the Council is to disclose the following information.

- If the Council is in possession of a site investigation report, site audit report, or any other contamination assessment report relating to the land:
  - a statement that the Council is in possession of any such report
  - details of the author, title and date of each report
  - whether or not the report or reports indicate that the land is affected by elevated concentrations of soil or groundwater contaminants, (and if so, whether any recommendations have been made regarding restrictions or special conditions over the use or development of the land)
  - a statement that the reports held by the Council may be examined upon request at the office of the Council
  - a statement that any person relying on the certificate is advised to examine and consider the contents of each report.

- If the Council is in possession of records evidencing that a potentially contaminating activity may have been conducted on the land:
  - a statement that a potentially contaminating activity may have been conducted on the land
  - brief details of the known potentially contaminating activity
  - a statement that any person relying on the certificate is advised to make their own investigations as to whether the land is affected by elevated concentrations of soil or groundwater contaminants.
- If the Council is in possession of records evidencing that the land may be affected by soil or groundwater contaminant migration originating from nearby land:
  - a statement that the land may be affected by soil or groundwater contaminant migration originating from nearby land
  - brief details of the known possible source of soil or groundwater contaminant migration
  - a statement that any person relying on the certificate is advised to make their own investigations as to whether the land is affected by elevated concentrations of soil or groundwater contaminants.
- Details of the date, subject matter and informant of any notice of remediation work under State Environmental Planning Policy No. 55 - Remediation of Land - if any such notice has been received by the Council in relation to the land.

Note: It is the aim of Council to record all contaminated sites on the property information system and s149 certificates, however this is a very time consuming process which requires continual updating and review as land is subdivided and new potentially contaminating activities are commenced and discovered. Therefore, the lack of reference to contamination on a s149 certificate should not be taken as an assurance that the site is not contaminated.

## 8. Potentially Contaminating Activities

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- acid or alkali plant and formulation
- agricultural or horticultural activities
- airports
- asbestos production and disposal
- chemicals manufacture and formulation
- defence works
- drum reconditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment processes
- engine works
- explosives industry
- gas works

- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation
- other activities that the Council considers to be a potentially contaminating activity.

**Source:** Based on Table 1 in Department of Urban Affairs and Planning and Environment Protection Authority (1998) Managing Land Contamination: Planning Guidelines, DUAP, Sydney.

## 9. Sources of Site History Information

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- Past aerial photographs
- Council records - town planning, development and building applications, complaints, pollution incident reports
- local historical publications
- current and previous site owners
- current and previous site workers
- long-term residents
- past and present telephone books
- Noxious Trades Act register of Noxious Trades
- NSW Environment Protection Authority Section 35 Notices, past and present scheduled premises, unhealthy building land
- Hunter Water Corporation Trade Waste Agreements

- WorkCover Authority Dangerous Goods Branch
- Energy Australia sites containing present and past electrical substations.

**Source:** Adapted from SSROC (1999) Model Policy on Contaminated Land.

## 10. References

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These references include both current and superseded references on which the policy was made.

- *Australian and New Zealand Guidelines for the Assessment and Management of Contaminated Sites 1992* (Australia and New Zealand Environment Conservation Council and National Health and Medical Research Council)
- *Code of Practice The Removal and Disposal of Underground Petroleum Storage Tanks AIP CP22 -1994* (Australian Institute of Petroleum)
- *Contaminated Land Management Act 1997* and Regulations
- *Contaminated Land Management Technical Manual 13*
- *Contaminated Sites: Guidelines for Assessing Service Station Sites 1994* (EPA)
- *Contaminated Sites: Guidelines for the NSW Site Auditor Scheme 1998* (EPA)
- *Contaminated Sites: Sampling Design Guidelines 1995* (EPA)
- *Draft Noise Guide for Local Government 2002* (EPA)
- *Environmental Guidelines: Assessment, Classification and Management of Liquid and Non-Liquid Wastes 1999* (EPA)
- *Environmentally Hazardous Chemicals Act 1985* and Regulations
- *Environmental Criteria for Road Traffic Noise 1999* (EPA)
- *Environmental Guidelines: Solid Waste Landfills 1996* (EPA)
- *Environmental Noise Control Manual* (EPA)
- *Guidelines on Significant Risk of Harm from Contaminated Land and the Duty to Report 1999* (EPA)
- *Government Information (Public Access) Act 2009 (GIPA Act).*
- *Guidelines for Consultants Reporting on Contaminated Sites 1997* (EPA)
- *Interim Construction Noise Guideline 2009* (NSW DECC)
- *Managing Land Contamination: Planning Guidelines SEPP55 - Remediation of Land 1998* (DUAP and EPA)
- *Managing Urban Stormwater: Soils and Construction 4<sup>th</sup> Edition - Vol. 1* (the "Blue Book") published by Landcom, 2004
- *Model Policy on Contaminated Land 1999* (SSROC)
- *NSW Industrial Noise Policy 2000* (EPA)
- *Occupational Health and Safety Act 2000* and Regulations

- *Preparing an Erosion and Sediment Control Plan* (Department of Land and Water Conservation)
- *Protection of the Environment Operations Act 1997* and Regulations
- *State Environmental Planning Policy No. 55 - Remediation of Land 1998* (NSW Government)
- *Waste Classification Guidelines* (NSW DECC).