

7 Contamination and remediation to be considered in determining development application

- (1) A consent authority must not consent to the carrying out of any development on land unless—
- (a) it has considered whether the land is contaminated, and
 - (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
 - (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.
- (2) Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines.
- (3) The applicant for development consent must carry out the investigation required by subclause (2) and must provide a report on it to the consent authority. The consent authority may require the applicant to carry out, and provide a report on, a detailed investigation (as referred to in the contaminated land planning guidelines) if it considers that the findings of the preliminary investigation warrant such an investigation.

The proposed development represents a continuation of the existing land use.

The validation assessment works undertaken would be considered a detailed site assessment of the former UPSS area. Ground Doctor has identified the extent of hydrocarbon impacts around the former UPSS locations. We have identified and assessed applicable human health risk and environmental risk pathways within the impacted area. Our validation report has concluded that the identified land contamination does not pose an unacceptable risk to human health or the environment based on the proposed land use.

The findings of our assessment should satisfy the consent authority that the former UPSS area is suitable for the proposed development in its contaminated state. Our report recommends that the identified contamination be addressed by adopting a “do nothing” approach with monitored natural attenuation. The need for any active remediation would be considered based on the results of ongoing groundwater monitoring.

If you wish to discuss the findings of our assessment or any other issue please contact the undersigned on 0407 875 302.

Kind Regards



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