

# Council Business Processes & Contaminated Land



Business Process	CLM	UPSS
<b>Land use planning</b>		
Development control plan	Councils may note the potential for site contamination of land in these instruments.  The potential for site contamination can be determined from an 'initial evaluation' and/or a 'preliminary site investigation' of land.	
Local environment plan		
Planning proposal	Undertake an 'initial evaluation' to ascertain the potential of site contamination.  The above evaluation could be supported by a walkover (using the site investigation form).	
	A 'preliminary site investigation' is required if conditions in <i>Local Planning Direction 4.4</i> are triggered.	
Information management	Councils 'contaminated land site register' and 'corporate IT systems' should be updated to reflect information, data and/or reports obtained or generated from the above processes.  Update and maintenance of these systems and registers can be used in future land use planning and development control for the subject land.	
<b>Development control</b>		
Section 10 planning certificate	Councils are to include contaminated land information required on planning certificates (see Model Policy on what information is required to be included).	
Development assessment and consent	The potential for site contamination can be determined from an 'initial evaluation'.  The above evaluation could be supported by a walkover (using the site investigation form).	
	A 'preliminary site investigation' could be requested if the potential for site contamination cannot be confirmed from an evaluation of historical land use, and/or if there is a proposed change in land use to a sensitive receptor.	
	Pre-lodgement meeting. Provide advice on <ul style="list-style-type: none"> <li>- the potential for site contamination</li> <li>- reports required on the assessment of site contamination that are to be included in the 'statement of environmental</li> </ul>	Pre-lodgement meeting for a new or significantly modified UPSS. Provide advice on <ul style="list-style-type: none"> <li>- requirements of the UPSS Regulation 2019</li> <li>- reports required on the assessment of site contamination that are to be</li> </ul>

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	<p>effects' (or in accordance with 'deferred development' conditions)</p> <ul style="list-style-type: none"> <li>- requirements of a 'remediation action plan', 'site management plan' and 'validation report' (if remediation works are to be undertaken)</li> <li>- managing contaminants in soil (infill; asbestos; contaminated soil)</li> </ul>	<p>included in the 'statement of environmental effects' (or in accordance with 'deferred development' conditions)</p> <ul style="list-style-type: none"> <li>- requirements of a 'remediation action plan'</li> <li>- requirements of a 'site management plan' for a remediation site</li> <li>- removal of decommissioned UPSS</li> </ul>
	<p>Review any report(s) on the assessment of site contamination (if undertaken) using the checklists provided in the Assessment of Site Contamination Reports resource.</p>	<p>Review the validation report upon conclusion of category 2 remediation works using the checklist provided in the Assessment of Site Contamination Reports resource.</p>
	<p>Development consent</p> <ul style="list-style-type: none"> <li>- manage risks identified in the report on the assessment of site contamination report</li> <li>- pollution prevention measures to minimise risk of harm associated with an approved use of land that is an activity listed in the model policy</li> <li>- requirements of an 'environmental management plan' (if required)</li> <li>- requirements of a 'remediation action plan', 'site management plan' and 'validation report' if remediation works' are to be undertaken</li> <li>- actions including immediately advise Council of any 'unexpected finds' regarding site contamination</li> </ul>	<p>Development consent</p> <ul style="list-style-type: none"> <li>- pollution prevention measures as specified by the UPSS Regulation (i.e. associated with the design, installation, operation and maintenance of UPSS)</li> <li>- provide Council with the design specifications and site plan prior to issuance of the 'construction certificate'</li> <li>- requirements of the Fuel System Operation Plan (FSOP)</li> <li>- provide the FSOP and the works as executed plans to Council prior to it issuing the 'occupation certificate'</li> <li>- removal of decommissioned tanks</li> <li>- provide advice on the 'remediation action plan', 'site management plan' and the 'validation report'</li> </ul> <p><i>Update the UPSS Register (or the contaminated land site register if there is no UPSS Register).</i></p>
Complying development	<p>Site audit statement to be provided to Council prior to commencement of complying development works on land previously subject to a management order under the <i>Contaminated Land Management Act</i>.</p>	

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	Immediately advise Council of any 'unexpected finds' regarding site contamination.	
Inspection and monitoring	<p>Monitoring of Council responsibilities defined in an 'environmental management plan' for a site (if applicable).</p> <p>Monitoring of development works sites to ensure these works comply with Development Consent.</p> <p>Investigation of the potential of site contamination (using the site investigation form).</p> <p>Monitoring of remediation works.</p>	<p>Monitoring of UPSS sites to ensure these sites maintain compliance with the UPSS Regulation (and Development Consent) using the UPSS inspection form.</p> <p>Update the UPSS Register (or the contaminated land site register if there is no UPSS Register).</p> <p>Monitoring of remediation works.</p> <p><i>Update the UPSS Register (or the contaminated land site register if there is no UPSS Register).</i></p>
Waste management	<p>Include asbestos management, and management of contaminants in soil (see 'Resources and Training Materials')</p> <p>Processes and procedures are as per Council policy and/or standard operating procedures. For development assessment and consent processes, these would be raised in 'pre-lodgement meetings' and defined in Development Consent.</p>	
Information management	<p>Councils 'contaminated land site register' and 'corporate IT systems' should be updated to reflect information, data and/or reports obtained or generated from the above processes.</p> <p>Update and maintenance of these systems and registers can be used in future land use planning and development control for the subject land.</p>	