

2.11 Contaminated Land

Overview

- Council is required under *State Environmental Planning Policy (Resilience and Hazards) 2021* to ensure all land is suitable, or can be made suitable, for its intended use.
- This section provides the framework for identifying, assessing, and remediating contaminated land in accordance with the NSW EPA *Contaminated Land Management Act 1997* and associated guidelines.

Objectives

- O1. **Health and Safety:** To ensure land is safe for human health and the environment.
- O2. **Informed Assessment:** To ensure Council has sufficient evidence to determine if site contamination restricts the proposed development.
- O3. **Effective Remediation:** To facilitate the appropriate cleanup of land to a standard suitable for the proposed use.

Controls

- C1. Development is to incorporate measures to prevent new contamination of soil, air, and water during and after construction.
- C2. **Site Suitability Assessment:** For known or suspected contaminated sites, a Phase 1 Preliminary Site Investigation (PSI) or Phase 2 Detailed Site Investigation (DSI) is to be submitted. These reports are to be prepared by a certified consultant in accordance with the *NSW EPA Guidelines for Consultants Reporting on Contaminated Land* and demonstrate:
 - a) The nature and extent of soil and groundwater contamination
 - b) Whether the land is currently fit for the proposed use
 - c) The specific remediation actions required to make the land safe
- C3. **Remediation and Validation:** Where remediation is required, it is to be performed in accordance with a Remediation Action Plan (RAP). Development may only proceed once Council has received a Validation Report and, where necessary, a Section A Site Audit Statement (SAS) issued by an EPA-accredited Site Auditor, confirming the land is safe for its intended use.