



Quarterly performance report

Contaminated sites

1 January to 31 March 2013

April 2013



Department of
Environment and Conservation

Our environment, our future 

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Contaminated sites performance reporting

Third quarter 2012–13

The Department of Environment and Conservation (DEC) classifies 'known or suspected contaminated sites' reported to it, in consultation with the Department of Health, under the *Contaminated Sites Act 2003*.

The Contaminated Sites Act commenced on 1 December 2006 and introduced mandatory reporting of 'known or suspected contaminated sites'. Owners and occupiers of such sites, any person who caused or contributed to the contamination and contaminated sites auditors engaged to report on such sites have a duty to report known contaminated sites within 21 days, and suspected contaminated sites as soon as practicable. As a transitional provision, the Act provided a six-month 'period of grace' from its commencement, during which penalties for not reporting within the required timeframes did not apply. This 'period of grace' for reporting historical sites expired on 31 May 2007.

By 31 March 2013, DEC had received 3,282 reports of known or suspected contaminated sites since the Act commenced. Of the total number of reports, 61 per cent were received over the three-month period April to June 2007. Reporting of sites continues with an average of 13 reports being received each month. Twenty-eight sites were reported between 1 January and 31 March 2013.

After receiving a report of a 'known or suspected contaminated site' DEC, in consultation with the Department of Health (DoH), assigns one of seven possible classifications (set out in Schedule 1 of the Act) to the site based on the risk the contamination poses to human health and the environment. Under the Act, sites must be classified within 45 days of receiving the report, unless there are particular circumstances that make it necessary to extend the time (such as where investigation of the site is underway, but DEC is awaiting submission of the resulting technical report). If DEC wishes to extend the classification timeframe, DEC must give written notice, within 45 days of receiving the report, of its decision to all parties who must be notified of the site classification (that is, owners and occupiers of the site, relevant public authorities such as the Western Australian Planning Commission and local government authority, the person who reported the site, each person who may be responsible for remediation and any other person whom there is particular reason to notify). By 31 March 2013, DEC had classified a total of 2,439 sites (made up of 15,701 individual lots or land parcels) under the Act. A total of 107 sites were classified between 1 January and 31 March 2013.

Due to the very large peak in the number of sites reported over the period April to June 2007, DEC was unable to classify all the 'peak period' sites within the statutory 45-day timeframe, and it is likely to take a number of years to process this backlog. DEC has prioritised classification of the 'peak period' sites, based on a screening review of the information submitted. Priority was accorded to sites where the available information indicated there may be an immediate or serious risk to human health or the environment that was not being appropriately managed. All

reports received from July 2007 onwards are processed in accordance with the Act's timeframes.

Mandatory auditor's reports (MARs) are required under the Act for some sites, for example, where a site is a source of contamination that has moved offsite to affect other properties, or if a site is subject to a regulatory notice, or investigation and remediation is conducted to comply with a planning or Ministerial condition.

DEC received 11 MARs between 1 January and 31 March 2013. Seven MARs have been processed by DEC and one is not due for completion within this reporting period. At the end of the reporting period, DEC was awaiting advice from DoH on one MAR, information from the proponent on one MAR, and for both advice from DoH and information from the proponent on one MAR. In addition, DEC completed processing of four MARs carried forward from the previous reporting period. The average processing time for the 11 MARs completed during this reporting period was 30 days.

The average processing time for MARs completed during this reporting period exceeded the 21-day (that is, three week) target set by DEC. In part, this reflects the reduced number of working days over the Christmas/New Year period. DEC is continually seeking to improve its processes, to decrease processing times. The average processing time for the seven MARs received and completed during this reporting period was 19 days.

Figure 1 shows the number of sites reported and classified each financial year until June 2010, and quarterly since July 2010, as well as the steady increase in the total number of classified sites at the end of each period.

Figure 2 shows the distribution of classified sites and parcels across the seven classification categories at 31 March 2013.

Figure 1 Number of sites reported and classified each period

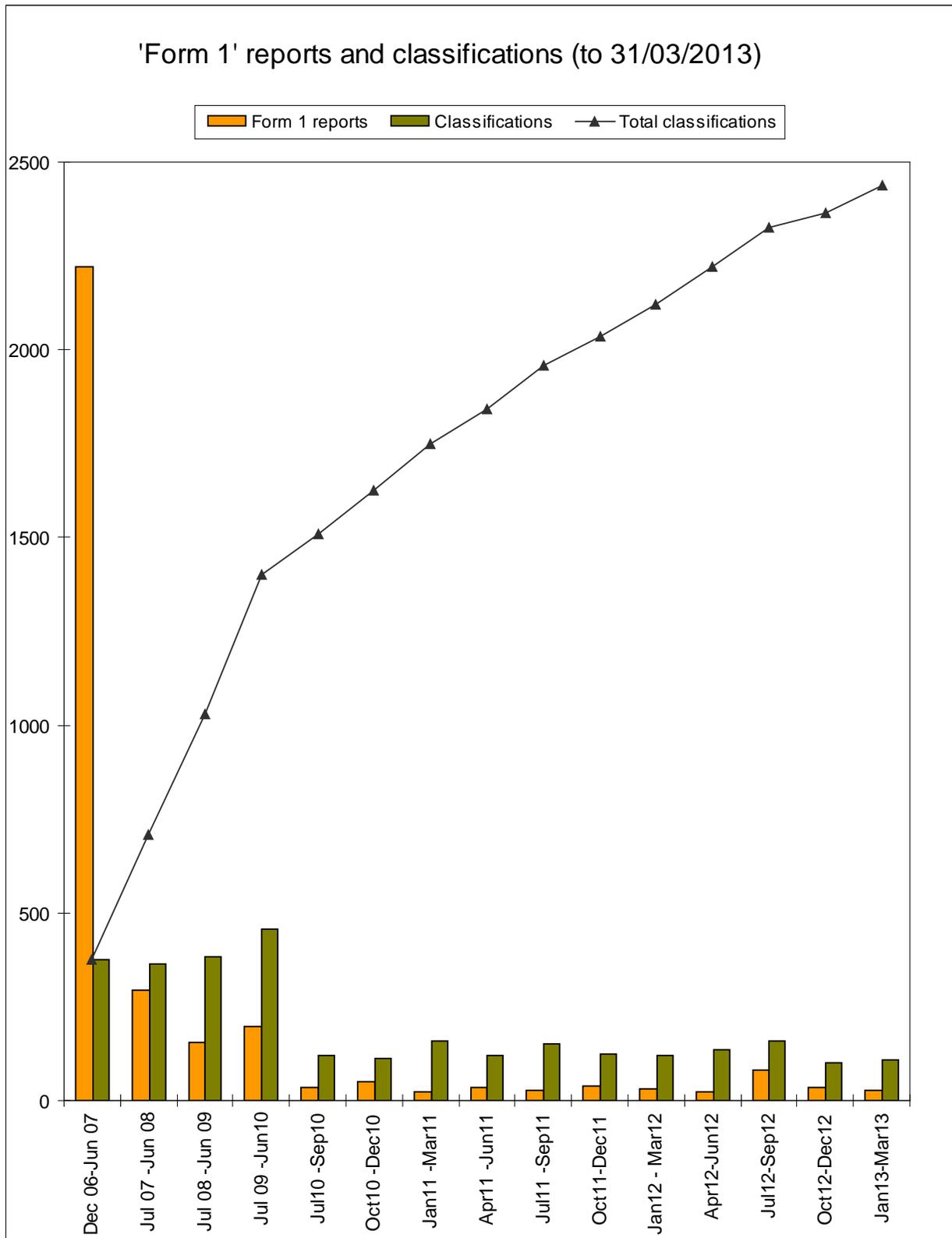


Figure 2 Distribution of classified sites and parcels across the seven classification categories

