



How to access information on contaminated sites

Purpose

This fact sheet is designed to provide targeted information on how to access information on contaminated sites in Western Australia.

Introduction

Under the *Contaminated Sites Act 2003* (the Act) which commenced operation in December 2006 land owners, occupiers and polluters must report all known or suspected contaminated sites to the Department of Environment Regulation (DER).

Investigating and cleaning up contaminated sites is, in most cases, the responsibility of the polluter or current site owner. DER administers and enforces the Act which includes classifying sites (in consultation with the Department of Health) and making information on contaminated sites available to the public.

Accessing information

Information on all contaminated sites (known and suspected), reported to DER is available to the public. There are two ways to access information on reported sites:

1. **Contaminated sites database** – information on **confirmed contaminated sites** is available online, free of charge.
2. **Reported sites register** – for information on **all other sites** reported to DER, submit a [Form 2](#) and applicable fee to DER.

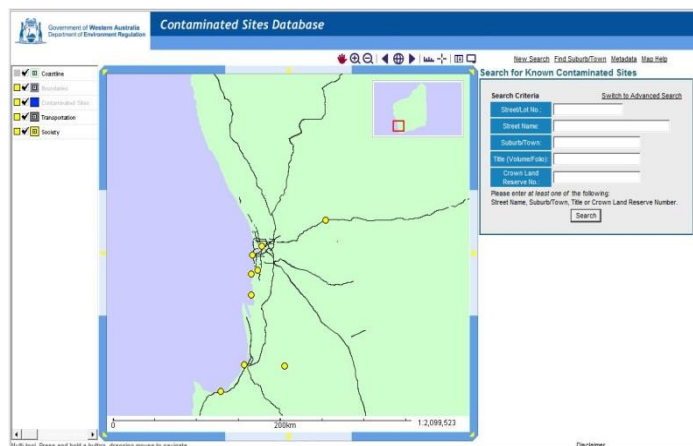
There are seven possible classifications – information on three of these is available free of charge by searching the database at www.der.wa.gov.au/contaminatedsites:

- **contaminated – remediation required.** The site needs to be cleaned

up to protect human health and the environment.

- **contaminated – restricted use.** The site is contaminated but suitable for some land uses, but with limitations, e.g. no use of groundwater.
- **remediated for restricted use.** The site has been cleaned up and is suitable for limited uses; for example, an apartment block but not a kindergarten where children are likely to come into contact with soil.

For more information about site classification, see Fact Sheet 4, Site classifications and appeals.



Contaminated Sites Database

When an online search returns 'no matches found'

If the site you are searching for is not on the database it doesn't mean it is not contaminated. To complete your search, you should also check the **reported sites register** which includes all sites reported to DER, including those awaiting classification. To access the register you need to submit a

request for a summary of records in respect of land ([Form 2](#)) along with the required search fee to:

**Department of Environment Regulation
Locked Bag 33
CLOISTERS SQUARE
PERTH WA 6850**

Summary of records


1. There are two levels of information available. A **basic summary of records (BSR)** for a site will give details on:

- the nature and extent of contamination;
- restrictions on use of the land;
- reasons for classification;
- type of memorial lodged;
- whether or not a notice has been served (for example an investigation or clean-up notice); and
- whether or not an appeal has been lodged.

2. A **detailed summary of records (DSR)** is a more comprehensive search request providing all the information included in a basic summary of records plus:

- a list of relevant site reports and sampling and analysis programs held by DER. A DSR response does not include hard copies of documents – these will be made available for you to view at a DER office. Electronic versions of reports will be provided if available.
- any certificate of contamination audit* completed for the land.

*Certificate of contamination audit – statutory ‘sign-off’ providing government assurance as to the suitability of a site for a particular land use. In most circumstances it will enable the transfer of liability attached to the site. Submit a Form 3 and \$4125 to DER.



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**Government of Western Australia
Department of Environment Regulation**

Contaminated Sites Act 2003
Basic Summary of Records Search Response

Report Generated at: 4:10:27PM, 11/09/2013

Search Results

This response relates to a search request received for:
 Lot 101 On Plan 55271
 Pemberton WA 6260

This parcel belongs to a site that contains 1 parcel(s).
 According to Department of Environment Regulation records, this land has been reported as a known or suspected contaminated site.

Address	Lot 101 On Plan 55271 Pemberton WA 6260
Lot on Plan Address	Lot 101 On Plan 55271
Parcel Status	<p>Classification: 25/06/2013 - Contaminated - remediation required</p> <p>Nature and Extent of Contamination: Arsenic contamination is present in soil and groundwater in the southern portion of the site.</p> <p>Restrictions on Use: As the site is not currently suitable for occupation or use, the site should remain vacant and fenced until further remediation has been undertaken.</p> <p>Reason for Classification: Lot 101 on Plan 55271 (the site) was reported to the Department of Environment and Conservation (DEC) prior to the commencement of the 'Contaminated Sites Act 2003' (the Act). The site classification is based on information submitted to DEC by September 2009.</p> <p>This site lies to the west of the Pemberton Timber Mill, which was constructed in 1913. Timber treatment (to preserve it) was carried out at the Mill between 1913 and approximately 1989. The substances used at the treatment process changed over time and included molasses mixed with arsenic, creosote, pentachlorophenol (PCP) and furnace oil.</p> <p>During the period of timber treatment, waste fluids from the treatment process and drying area (including rainfall runoff) were directed via a drainage system to two waste ponds located in the southern portion of this site. The site was fenced off in the early 1990s to prevent cattle grazing on it and the drain was sealed in 2006.</p> <p>Timber preservation is a land use which has the potential to cause contamination, as</p>

Disclaimer
 This Summary of Records has been prepared by Department of Environment Regulation (DER) as a requirement of the Contaminated Sites Act 2003. DER makes every effort to ensure the accuracy, currency and reliability of this information at the time it was prepared; however advises that due to the ability of contamination to potentially change in nature and extent over time, circumstances may have changed since the information was originally provided. Users must exercise their own skill and care when interpreting the information contained within this Summary of Records and, where applicable, obtain independent professional advice appropriate to their circumstances. In no event will DER, its agents or employees be held responsible for any loss or damage arising from any use of or reliance on this information. Additionally, the Summary of Records must not be reproduced or supplied to third parties except in full and unaltered form.

Basic summary of records

A request for a summary of records (BSR or DSR) takes about 10 working days to process. All requests are processed on a first come, first served basis and cannot be prioritised. Fees apply – \$30 for a BSR and \$300 for a DSR.

False or misleading information (s 94)

When reporting contamination, requesting information from DER, disclosing contamination under s 68 or providing information to the CEO or Contaminated Sites Committee, a person must not provide false or misleading information or fail to disclose all relevant information.

Maximum penalty: \$125,000.

Possible maximum daily penalty: \$25,000.

Memorials on title

Some site classifications require a memorial to be placed on the certificate of title. A memorial alerts owners, prospective owners, lessees and mortgagees that a site has been classified under the Act as:

- *contaminated – remediation required;*
- *contaminated – restricted use;*
- *remediated for restricted use; or*
- *possibly contaminated – investigation required.*

Sites where a regulatory notice has been issued by DER (e.g. investigation or clean-up notice) will also have a memorial placed on the certificate of title.

Searching the database

www.der.wa.gov.au/contaminatedsites

The screenshot shows a web application interface for searching contaminated sites. On the left is a map showing a highlighted area in green. On the right is a search results panel titled "Search for Known Contaminated Sites". The search results table is as follows:

Location	Classification	Map	Site Information
1 Bulbey St Bellevue 6056	Contaminated - remediation required	* Site Near	Basic Summary of Records

Annotations on the screenshot include:

- Zoom to site:** An arrow pointing to the "Site Near" link in the "Map" column.
- New information:** An arrow pointing to the red text below the table: "* Department of Environment Regulation has received additional information on this site and is considering reclassifying the site. For further information please contact the Contaminated Sites Branch Registrar on 1300 762 982."
- Zoom to nearby site:** An arrow pointing to the "Site Near" link.
- Click here to download basic summary of records:** An arrow pointing to the "Basic Summary of Records" link in the "Site Information" column.

Additional text in the search results panel includes: "For information on the above site(s) select the Basic Summary of Records text in the search results table. Click [here](#) for the fact sheet on interpreting a Summary of Records." and "For more detailed information on the site(s) listed above click [here](#) for details on how to obtain a Detailed Summary of Records."

More information

For advice on contaminated sites or related matters, please contact DER's **contaminated sites information line 1300 762 982** or email contaminated.sites@der.wa.gov.au

This document is available in alternative formats and other languages on request.

Related documents

Other fact sheets in this series:

1. Identifying and reporting contaminated sites
3. Seeking help from contaminated sites experts
4. Site classifications and appeals
5. Buyer beware – buying and selling contaminated land

Guidelines relating to investigating and managing contaminated sites are available at www.der.wa.gov.au/contaminatedsites

Legislation

This document is provided for guidance only. It should not be relied upon to address every aspect of the relevant legislation. The full text of the *Contaminated Sites Act 2003* is available electronically from the State Law Publisher website at www.slp.wa.gov.au

Disclaimer

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Legal advice

The information provided to you by DER in relation to this matter does not constitute legal advice. Due to the range of legal issues potentially involved in this matter, DER recommends that you obtain independent legal advice.