



Lisa Hollands
President
Belmont Resident and Ratepayer Action Group Inc
PO Box 73
Cloverdale WA 6105

Your ref:

Our ref: DMO 11571

Enquiries: Janet Asquith-Charlton

Phone: 1300 762 982

Fax: (08) 6364 7001

Email: info@dwer.wa.gov.au

Dear Sir/Madam

This letter is the formal notice of classification of a known or suspected contaminated site in which you have an interest. This constitutes the notice the Department of Water and Environmental Regulation (DWER) is legally obliged to give under the *Contaminated Sites Act 2003* (the Act), which came into effect on 1 December 2006.

The Act was set up to record and manage contaminated sites in Western Australia, in order to protect people's health and the environment. Please note that contamination does not necessarily mean that an area is unsafe to live or work in – for example, it may be limited to groundwater, and only becomes an issue to be managed if a groundwater bore was being considered.

This notice explains why the site has been classified, what restrictions, if any, have been placed on the use of the site and how you can appeal the classification. In some cases, this notice may include other lots which also form part of the classified site, in addition to the lot in which you have an interest.

If, after reading this letter, you have any further queries, please contact DWER on 1300 762 982 (Contaminated Sites Information Line).

NOTICE OF A CLASSIFICATION OF A KNOWN OR SUSPECTED CONTAMINATED SITE GIVEN UNDER SECTION 15 OF THE *CONTAMINATED SITES ACT 2003*

The site detailed below (**the site**), consisting of 1 parcel(s) of land, was reported to the CEO of DWER as a known or suspected contaminated site and has been classified under the Act:

- LOT 801 ON DEPOSITED PLAN 402078 as shown on certificate of title 2880/311 known as 49 Hardey Rd, Belmont WA 6104

This notification is being sent to you in accordance with section 15(1) of the Act on the grounds that you, as the recipient, are one or more of the following:

- (a) owner of the site (contact details sourced from the current certificate of title);
- (b) occupier of the site;
- (c) relevant public authority;
- (d) person who, in the CEO's opinion, there is particular reason to notify;
- (e) person who made the report under section 11 or 12; and
- (f) person who, in the CEO's opinion, may be responsible for remediation of a site classified as *contaminated – remediation required*.

Site Classification

Category of site classification: Possibly contaminated - investigation required

Date of site classification: 16/12/2019

Reasons for classification: This site was reported to the Department of Water and Environmental Regulation (DWER) under section 11 of the 'Contaminated Sites Act 2003' (the Act), which commenced on 1 December 2006.

The site was reported due to its proximity to a former fire station and fire training academy located at 47 Hardey Road, Belmont, though DWER understands there are no other indications of possible contamination at the site. Fire-fighting and fire-training facilities are land uses that have the potential to cause contamination, as specified in the guideline 'Assessment and management of contaminated sites' (Department of Environment Regulation [DER], 2014).

No contamination assessment has been carried out at this site, however investigations at the adjacent site to the north have recently been undertaken.

Limited soil investigations and preliminary groundwater investigation were undertaken at the adjacent former fire station and fire-training facility in September 2019. The preliminary findings of which were submitted to DWER in November 2019.

The investigation found that concentrations of per- and poly-fluoroalkyl substances (PFAS) were present in groundwater on the boundary between the former fire station and this site at concentrations significantly exceeding the recreational water quality and the 99% freshwater ecosystems guideline values as published in the 'PFAS National Environmental Management Plan' (Heads of EPAs Australia and New Zealand, January 2018 [the NEMP]).

Soil investigations at the former fire station on the boundary of this site found that some PFAS in soils at depths, exceeded the interim ecological screening levels (indirect contact) for commercial industrial land as published in the NEMP. The vertical and lateral extent the soil impact of the adjacent site has not been fully delineated. The soil at this site has not been investigated, therefore DWER cannot comment on the quality of the soil at this site.

A risk assessment has not been carried out to determine the potential risk posed by the substances of concern at the site to human health, the environment or environmental values.

As the site has not been investigated, a comment cannot be made on the suitability of the site as a whole for any land use.

There are grounds to indicate possible contamination of the site, and a contamination assessment to determine the risk to human health, the environment and environmental values has not been carried out. Therefore, the site is classified 'possibly contaminated - investigation required'.

DWER, in consultation with the Department of Health, has classified this site based on the information available to DWER at the time of classification. It is acknowledged that the contamination status of the site may have changed since the information was collated and/or submitted to DWER, and as such, the usefulness of this information may be limited.

In accordance with Department of Health advice, if groundwater is being, or is proposed to be abstracted, DWER recommends that analytical testing should be carried out to determine whether the groundwater is suitable for its intended use.

Other Relevant Information:

Additional information included herein is relevant to the contamination status of the site and includes DWER's expectations for action that should be taken to address potential or actual contamination described in the Reasons for Classification.

Based on the available information, contamination present on this site may have originated from the adjacent land at 47 Hardey Road, which has been classified separately under the Act. Therefore this site is likely to be consistent with the definition of an "affected site" as specified in Part 1, Section 3 of the Act. Under the Act, the person responsible for the remediation of a source site is also responsible for remediation of any related affected sites to the extent of the contamination they caused or contributed too.

Action Required:

This site is considered to be high priority for action to be taken to address contamination, as described below, DWER expects the investigations to be carried out by the person(s) responsible for the source site.

Further investigations are required regarding the potential presence of per-and poly-fluoroalkyl substances' (PFAS), which are potential contaminants of concern at fire stations, as specified in 'PFAS National Environmental Management Plan' (Heads of EPAs Australia and New Zealand, January 2018).

Groundwater investigations are to be undertaken by the party responsible for the former fire station site.

Due to the potential presence of PFAS in soil and groundwater at the site, a site-specific health and safety plan and environmental management plan is recommended to address the risks to the health of any workers undertaking intrusive works until further notice.

General Information

The nature and extent of contamination and any restrictions on the use of the land, if applicable, are listed in Attachment A.

Information relating to the classification of the site is also available by submitting a request for a summary of records (using Form 2) to: Department of Water and Environmental Regulation, Locked Bag 10, Joondalup DC, WA 6919. A fee of \$30 currently applies for a Basic Summary of Records. Forms are available from www.der.wa.gov.au/contaminatedsites.

In some instances DWER has had to classify sites based on historical information. A site may be re-classified at any stage when additional information becomes available, for example where a new investigation or remediation report completed in accordance with DWER's 'Contaminated Sites Guidelines' and the *National Environment Protection (Assessment of Site Contamination) Measure 1999*, is submitted to DWER. The current site classification is the classification most recently conferred on the site.

Memorials

In accordance with section 58(1) of the Act, DWER will lodge a memorial with the Registrar of Landgate, recording the classification against the site's Certificate(s) of Title. Parcel(s) without a registration number or certificate of title will not have a memorial lodged against them until a certificate of title has been created. Once complete, confirmation of the lodgement of the memorial(s) will be forwarded to the following people:

- (a) each owner,
- (b) Western Australian Planning Commission;
- (c) CEO of the Department of Health;
- (d) Local Government Authority;
- (e) relevant scheme authority.

Given that memorial(s) will be lodged against the site, the Western Australian Planning Commission (WAPC) may not approve the subdivision of the land under Section 135 of the *Planning and Development Act 2005*, or the amalgamation of that land with any other land without seeking, and taking into account, the advice of DWER as to the suitability of the land for subdivision or amalgamation. Furthermore, a responsible authority (e.g. Local Government Authorities) may not grant approval under a scheme for any proposed development of the land without seeking, and taking into account, advice from DWER as to the suitability of the proposed development.

Appealing the Site Classification

All site classifications given by DWER are appealable. However, only certain people can lodge a valid appeal. The people who can lodge a valid appeal varies, depending on the classification category, as detailed in Fact Sheet 4: *Site classifications and appeals*. Appeals need to be lodged in writing with the Contaminated Sites Committee at Forrest Centre, Level 22, 221 St Georges Terrace, Perth WA 6000, within **45 days** of being given this notification. The appeal should set out the appellant's relationship to the site, and must include the grounds and facts upon which it is based. An appeal fee (currently \$45) applies.

To find out more about the appeal process, see the Contaminated Sites Committee website at www.csc.wa.gov.au or contact the office of the Committee on (08) 6364 7264.

For further information on all aspects of site classification, please refer to Fact Sheet 4 and the 'Contaminated Sites Guidelines', which are available from DWER's website at www.der.wa.gov.au/contaminatedsites or by contacting the Contaminated Sites Information Line on 1300 762 982.

Yours sincerely



Andrew Miller, Senior Manager

CONTAMINATED SITES
Delegated Officer under section 91
of the *Contaminated Sites Act 2003*

17/12/2019

Enc. Attachment A – Nature and Extent and Restrictions on Use.

[Fact Sheet 4: Site classifications and appeals](#)

ATTACHMENT A – Nature and Extent and Restrictions on Use

- LOT 801 ON DEPOSITED PLAN 402078 4

Nature and Extent: Per-and poly-fluoroalkyl substances, commonly referred to as PFAS (such as from fire-fighting foams) are present in groundwater on the northern boundary of the site. Further investigation is required to determine the nature and extent of impacts, and to inform assessment of potential risks

Restriction on Use: Please refer to Reasons for Classification for further information on the potential contamination present at the site.