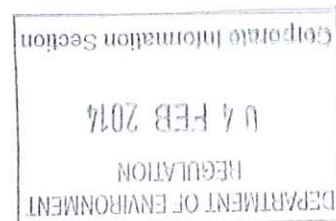




Government of **Western Australia**
Department of **Sport and Recreation**

DSR file 2013/913
Enquiries James Atkinson
Phone 9492 9705
Email james.atkinson@dsr.wa.gov.au

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



Dear Sir/Madam

REVIEW OF THE CONTAMINATED SITES ACT 2003

Reference is made to the abovementioned Consultation Paper recently released for initial public comment. The Department of Sport and Recreation welcomes the opportunity to respond and encloses its submission herewith.

For further discussion please contact James Atkinson, Facilities Consultant, on 9492 9705 or james.atkinson@dsr.wa.gov.au.

Yours sincerely

Rob Didcoe
Director, Facilities and Camps

31 January 2014



Building stronger, healthier, happier and safer communities

246 Vincent Street Leederville Western Australia 6007
PO Box 329 Leederville Western Australia 6903
Telephone (08) 9492 9700 Facsimile (08) 9492 9711
Email info@dsr.wa.gov.au
Web www.dsr.wa.gov.au

Submission for: Review of the Contaminated Sites Act 2003

Organisation: Department of Sport and Recreation

Address: PO Box 329, LEEDERVILLE WA 6903

Interest: State Department

General Comments/Recommendations

The Department of Sport and Recreation (the "department") supports a review of the Contaminated Sites Act 2003 (the "Act"). The Act provides a vital mechanism for the recognition and remediation of contaminated sites within the State of Western Australia.

Through its ongoing role in supporting and delivering sport and recreation within Western Australia the department often deals with issues relating to contaminated ground conditions. This is particularly relevant in the delivering of infrastructure projects, with the department encountering Contaminated Site related issues on the former Brockway Road Landfill site, the new Perth Stadium and the Western Australian Institute of Sport High Performance Service Centre.

In this respect, while the department welcomes all review items, the statutory planning process and subsequent referral to, and approval by, the Department of Environment Regulation (DER) plays an important role in the efficient delivery of sport and recreation related infrastructure. In particular, the provision of statutory assessment timeframes for development proposals would provide a level of surety to project delivery and enable facility provision to be more accurately managed. Equally, a more transparent understanding of when certain applications require a Mandatory Auditors Report, specifically in detailed conditions of development approval, and how they will be dealt with would assist in streamlining the development and approvals process. A 'Fact Sheet' on the MAR process would prove beneficial to the industry as a whole.

Q1 – Duty to Report

The department does not support the proposed change as it subjectively applies to some consultants and not others. The onus for reporting a known or suspect contaminated site should remain with the land owner/occupier who has responsibility for the land.

Appendix 1 – Improvements to DER Procedures

The department supports a review of the Auditor guidelines and the accredited auditor scheme. Notably, for State Government projects, our view is that DER should undertake the MAR process on a fee for service basis. This would retain the assessment process within the DER as core business and avoid duplication of assessment given the DER must review the Auditors work. If the DER was to maintain its current arrangement then it would seem appropriate to simply support the Auditors decision given they have undertaken the assessment in order to avoid duplication of services and unnecessary costs.

The department supports the review of the Act, along with a revised set of fact sheets, and looks forward to further consultation in this regard.