



STANDING COMMITTEE ON ENVIRONMENT, CLIMATE CHANGE AND BIODIVERSITY  
MARISA PATERSON MLA (CHAIR), ANDREW BRADDOCK MLA (DEPUTY CHAIR), LEANNE CASTLEY MLA

**Inquiry into referred 2019–20 Annual and Financial Reports and Budget Estimates 2020-21**  
**ANSWER TO QUESTION TAKEN ON NOTICE**  
**4 March 2021**

Asked by Ms Leanne Castley MLA:

In relation to: Contaminated Sites – Details of Agreements

MS CASTLEY: Yes, so three environmental protection agreements were issued this—in the 2019 period for contaminated sites. So, what is a contaminated site? And there have been none—no agreements in the previous two years. So why were they—just I would like to know about those.

Mrs Sargent: I will have to take it on notice if you wish me to—

MS CASTLEY: Yes, please.

Mrs Sargent: —get you the details of those three agreements.

Tara Cheyne MLA: The answer to the Member’s question is as follows:—

What is a contaminated site?

The Environment Protection Authority (EPA) [Contaminated Sites Environment Protection Policy](#) defines contaminated land as:

*“Contaminated land is land (including buildings and structures impacted by contaminated land and surface and underground water) on and/or in which:*

- *a substance is present at a concentration which exceeds that normally present (i.e. commonly referred to as the background level); and*
- *the presence of which presents, or would be likely to present, a risk of harm to human health and/or a risk of environmental harm”.*



**LEGISLATIVE ASSEMBLY**  
FOR THE AUSTRALIAN CAPITAL TERRITORY

**QTON No. ECCB 15**

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Environmental Protection Agreements (Agreements) – Management of Contaminated Land

In accordance with the EPA's 2015 *Policy on Institutional Controls and Enforcement of Site Management Plans required for Contaminated Sites*:

“... sites requiring ongoing management which are on unleased Territory land, on leased land being managed by an ACT Government agency ... an Environmental Protection Agreement (Agreement) under section 38 of the *Environment Protection Act 1997* (the Act) should be entered into between the EPA and the land custodian”.

These Agreements provide a legally enforceable means to ensure the land custodian manages contaminated land following its assessment in accordance with an EPA approved Site Management Plan.

For the 2019 reporting period the three Agreements which were entered into were with:

- Transport Canberra and City Services Directorate for the management of remaining contamination along the Canberra Light Rail Corridor;
- Suburban Land Agency for the management of remaining contamination at Block 1405 Tuggeranong (former Caltex Service Station) and surrounds; and
- Parks and Conservation Service (Environment, Planning and Sustainable Development Directorate) for the management of remaining contamination at part Block 3 Section 124 Weston.

Sites on privately leased land are managed through variation to the site's lease to include a condition that the site be managed in accordance with an EPA endorsed Site Management Plan.

The number of contaminated sites requiring ongoing management can vary from year to year depending on the number of sites assessed and whether the site requires ongoing management.

Approved for circulation to the Standing Committee on Environment, Climate Change and Biodiversity

Signature:

Date:

11/3/21

By the Minister for Business and Better Regulation, Tara Cheyne MLA