



# Property Developers

## Contaminated Sites Auditing for Property Developers

Australian Environmental Auditors (AEA) is one of Australia's leading environmental consultants specialising in contaminated sites auditing.

The contaminated site audit system provides a mechanism for assuring planning and responsible authorities (e.g. WAPC and Councils), landholders and other stakeholders that a contaminated site is rigorously investigated, managed and hence suitable for use.

AEA combines a pragmatic and technical approach to achieve the audit goals. We are advantaged to have multiple auditors in most states.

Our DWER accredited auditors are some of the most experienced in Australia and we also have access to leading technical specialists. This experience allows us to focus on practical audit outcomes whilst meeting our statutory obligations.

The audit system is set up such that protection of human health and the environment is achieved in a manner sustainable with development and progress in our country.

The auditor plays an important role in ensuring appropriate guidelines and legislation are followed. Done properly, audited sites can be the most effective and protective means for site development projects.

AEA provides land and property purchasers with holistic and tailored services to help mitigate risk and maximise potential for improved property assets.

If you are considering purchasing or developing a potentially contaminated site, chat to one of our team and we can provide some advice.

### Contaminated Land Experience

AEA auditing is well known in the contaminated site industry and we have worked on numerous projects, ranging from sensitive development of former industrial land to large complex sites with significant hazardous problems within the government and property/land development industry.

A large focus of our business is in the property development space, with our experienced professionals having been involved in hundreds of audits throughout the country.

### Developing Contaminated Land

The purchaser/owner of land or property needs to recognise liabilities for contamination, or the status of environmental compliance, regardless of whether or not the current owner actually created the contamination.

It is important to understand your environmental exposure during acquisitions and transactions, or operations in either developing or developed environmental regulatory systems.

### Compliance & Regulation

Contaminated site audits can be required by legislation (statutory audits) for redevelopment or in response to regulatory notices. Audits are the most reliable method of ensuring compliance in developing contaminated sites across Australia.

AEA can provide the definitive technical review, with Mandatory Auditor Reports (MAR) required for a property 'change of use' in the various jurisdictions.



## Audit Process

A contaminated site audit by an WA DWER accredited Contaminated Site Auditor is a review to independently verify your consultant's information and conclusions on the contamination status of the site and suitability for its proposed use.

Once the auditor is satisfied that all the necessary assessment and remediation (if any) has been completed and documented in accordance with DWER guidelines, the auditor will be in a position to prepare the Mandatory Auditors Report and therefore complete the audit.

The extent of work required to reach this point depends on the nature, extent and complexity of the contamination issues at the site and the proposed land use. A flow chart of the audit process is provided.

The auditor reviews and provides comments on each phase of the assessment throughout the process and this can allow development to continue whilst the audit is in progress.

The accredited auditor must comply with the Contaminated Sites Act 2003 and all relevant DWER regulations and guidelines.

Nationally, AEA has six experienced auditors, with three accredited by DWER in WA; Mr Phillip Hitchcock, Mr Charlie Barber and Mr Peter Alderson.



## Audit Triggers

Contaminated site audits are undertaken for one or more of the following reasons:

- To satisfy requirements of the planning process under the Planning and Development Act 2005. The development approval authority should request a contaminated sites assessment and remediation when assessing development applications that propose to convert a potentially contaminated site to a more sensitive use. This automatically triggers a contaminated site audit. A site may be considered contaminated if a preliminary site investigation identifies that it may have been used for a potentially contaminating activity or land use. For example, converting a service station or engine workshop to residential dwellings.
- To satisfy requirements of the Contaminated Sites Act 2003. As well as to address planning requirements, the WA DWER may request a contaminated site audit when contamination has migrated beyond the site boundaries and may present a risk to human health and/or the environment or when the site is considered complex. For example, migration of a petrol plume in groundwater from a service station beneath surrounding residential properties.
- Voluntary audits can be commissioned for other purposes, such as due diligence to assist in reducing future risk and understand potential contamination management measures.



## Commercial Considerations

AEA has the capacity to rapidly respond, submitting audit reports within one month of commissioning. However, audits typically take longer due to the need for the environmental consultant to collect data or undertake remediation or specialist studies to satisfy DWER guideline requirements (and therefore auditor requirements). To avoid delays to a development, the auditor should be engaged as early as possible.

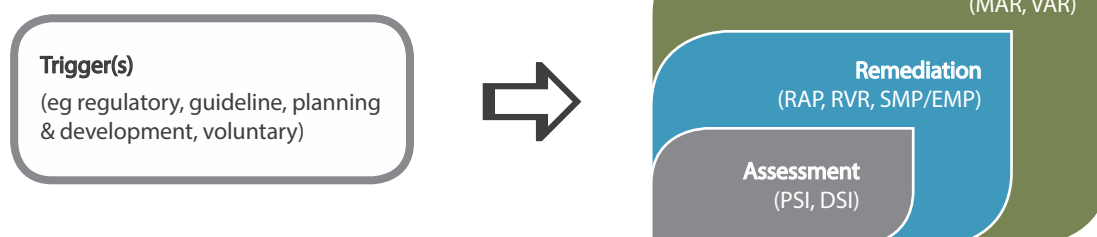
When engaged early, AEA can help minimise any uncertainties by offering pragmatic advice on the scope of work required to assess the nature and extent of contamination.

Financiers may want certainty that auditor requirements have been met prior to lending.

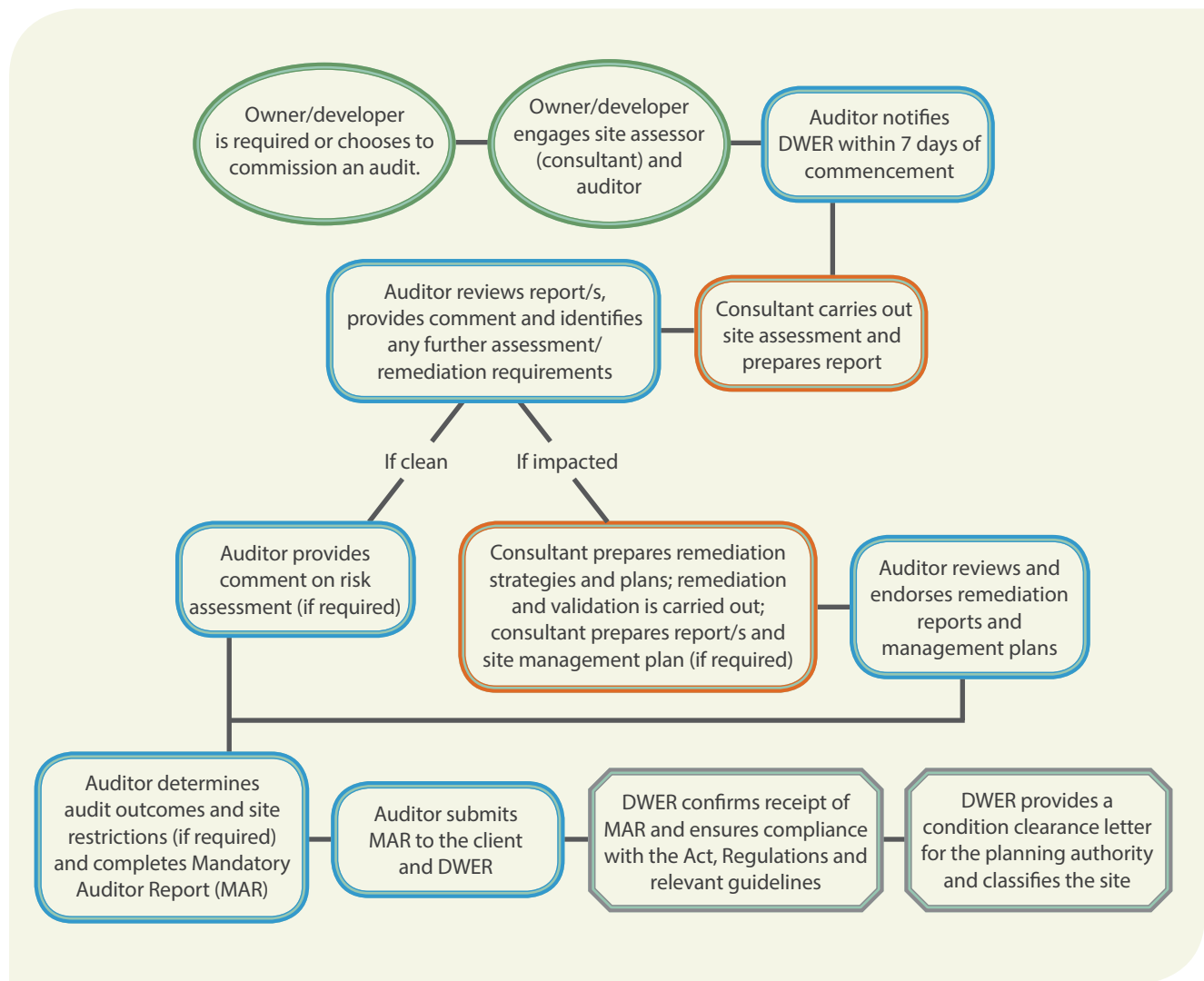
Higher density land uses (i.e. apartments) typically allow for more flexibility in the management of contamination issues than lower density land uses (detached dwellings) due to less potential for exposure to contamination.

Auditors are a key part of the development approval process and careful consideration should be exercised in appointing the right auditor. Experience, communication, outcome-focused, sustainable, quality, amenable; are all qualities that form a good, reliable auditor and AEA are pleased to uphold these merits.

### Indicative relationship and stages of the assessment, remediation and auditing of site contamination



## Typical Audit Process - Western Australia



**Phil Hitchcock**

Managing Director  
Principal Auditor

30+ professional years

BSc (Hons) (Geology), MAppSc  
(Hydrogeology and Contaminant  
Management), CEnvP



**Charlie Barber**

Managing Director  
Principal Auditor

30+ professional years

BSc (Geology), CEnvP



**Peter Alderson**

Auditor

30+ professional years

BSc (Geology), MSc  
(Hydrogeology), CEnvP



**Shandel Coleman**

WA Manager, Principal Audit  
Support, National WHS Manager

14+ professional years

BSc (Environmental Science), BSc  
(Chemistry), GradDipOccHlthSfty,  
MOccHygTox