



Communicating Information through Property Notations

October 2021

This publication was produced by the Hunter Joint Organisation



Acknowledgements

This program has been assisted by the New South Wales Government through the EPAs Contaminated Land Management Program



Address for Correspondence:

Environment Division
Hunter Joint Organisation
PO Box 3137
THORNTON NSW 2322

Phone: (02) 4978 4020

Email: rppd@hunterjo.com.au

© Hunter Joint Organisation

Suggested Bibliographic Citation: Hunter Councils, 2021. *Communicating Information through Property Notations*, Hunter Joint Organisation, Thornton, NSW.

Disclaimer

The Guide: "Communicating Information through Property Notations" has been coordinated by the Hunter Joint Organisation. It is designed as a Guide for Councils to consider when providing information through property notations. The content of this Guide is current at the time of publication. While every effort has been made to ensure accuracy and completeness, no responsibility is taken, nor guarantee given, by the Hunter Joint Organisation with respect to errors or omissions in the materials contained in the Guide. The contents do not constitute legal advice, are not intended to be a substitute for legal advice, and should not be relied upon as such. The Hunter Joint Organisation does not accept any responsibility or liability in regard to your use of any information given in this Guide.

FOREWORD

This document (“the Guide”) provides guidance on the inclusion of property notations relating to contaminated land on Planning Certificates produced under Section 10.7 of the *Environmental Planning and Assessment Act 1997*:

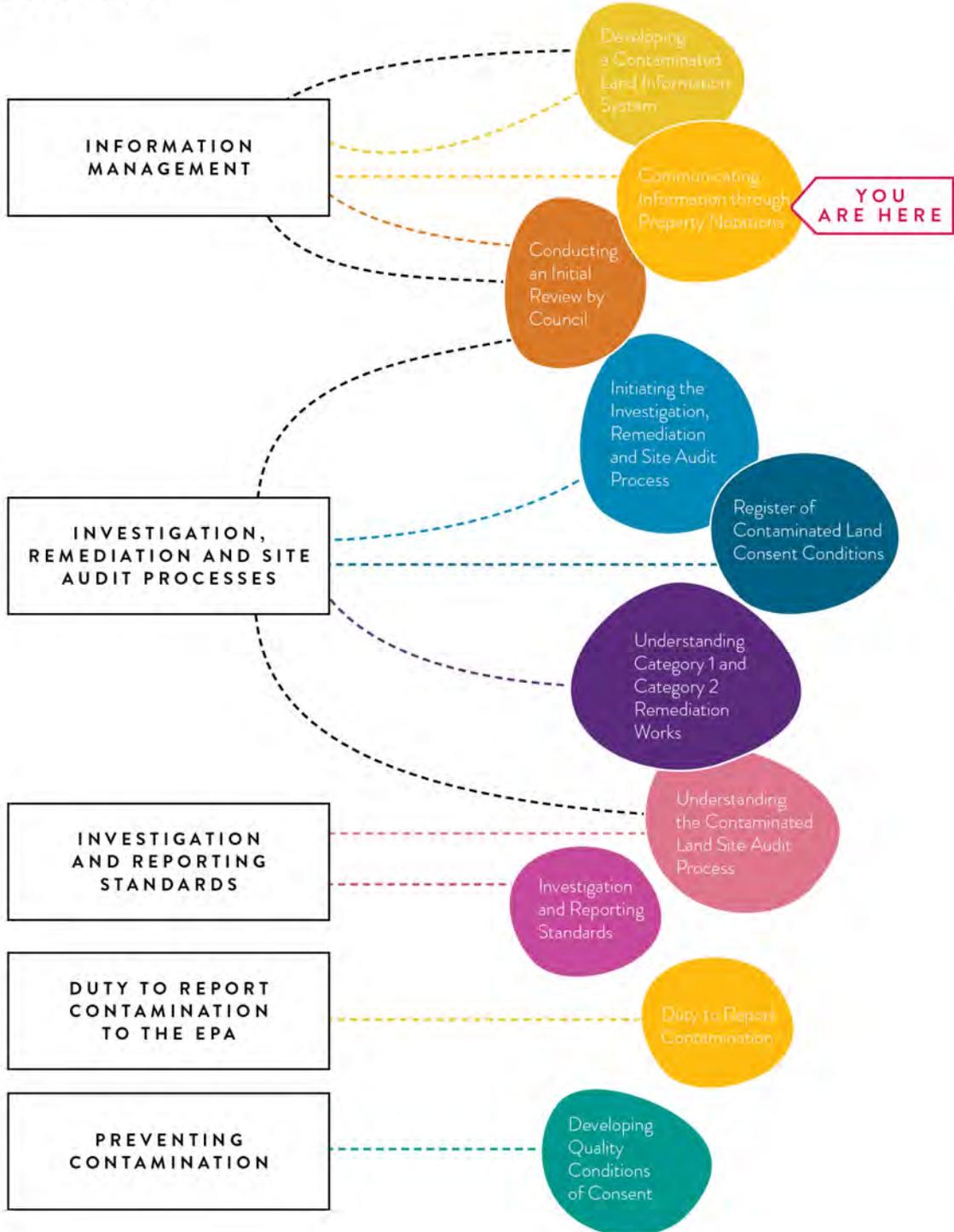
The document was developed collaboratively with staff from Councils participating in the Regional Contaminated Land Capacity Building Program.

The Guide forms part of a series of guides and resources, developed as supporting documents to the *Model Contaminated Land Policy – Land Use Planning* (Hunter Joint Organisation of Councils, 2020). Figure 1 presents the Register in the context of the document series.

Advisory notes are included in shaded boxes to provide greater clarity and direction to staff.

**MODEL REGIONAL
CONTAMINATED LAND POLICY -
LAND USE PLANNING:
FOCUS AREAS**

**SUPPORTING RESOURCES
AND GUIDES**



Contents

Key Terms and Acronyms	6
Key Legislative Instruments, Regulations, Policies & Guidelines.....	7
1. Introduction	8
1.1 Links to the Contaminated Land Information Register.....	8
2. What to Include on Section 10.7 Planning Certificates	9
2.1 10.7(2) Certificates	9
2.1.1 Context.....	9
2.1.2 Notations for Section 10.7(2) Certificates	10
2.2 Section 10.7(5) Certificates	13
2.2.1 Context.....	13
Attachment A - Potentially Contaminating Activities.....	16

Key Terms and Acronyms

Category 1 Remediation	Remediation works requiring Development Consent
Category 2 Remediation	Remediation works that do not require Development Consent (but must be notified to Council)
Contamination	The condition of land or water where any chemical substance or waste has been added as a direct or indirect result of human activity at above background level, and represents, or potentially represents, an adverse health or environmental impact
Contaminated Land Information Register	A Contaminated Land Register forms part of a Contaminated Land Information System and refers to the register created in a property system to capture data relating to contaminated land
Contaminated Land Information System	A Contaminated Land Information System comprises two components: <ul style="list-style-type: none">• The systematic handling and management of information by Council staff; and• A Contaminated Land Information Register.
EPA	Environment Protection Authority
Land Contamination	Land contamination may be the result of past or current uses. The land may be contaminated by a current or historical land use activity directly on that site or through migration of contamination from adjacent sites. See also definition of “Contamination”
s10.7 Certificate	Planning Certificate under Section 10.7 of the <i>Environmental Planning and Assessment Act 1979</i> (NSW)
Significantly Contaminated Land	A site is declared Significantly Contaminated Land by the EPA where contamination is considered significant enough to warrant regulation under the <i>Contaminated Land Management Act 1997</i> (with changes made through the <i>Contaminated Land Management Amendment Act 2008</i>) given the site’s current or approved use
Site Audit	An independent review by a Contaminated Land Auditor, accredited by the NSW EPA, of any or all stages of the site investigation process, conducted in accordance with the requirements of the <i>Contaminated Land Management Act 1997</i>
Site Audit Report (SAR)	A report which summarises the report(s) audited, and provides the Auditor’s opinion and conclusions. A Site Audit Report must be accompanied by a Site Audit Statement
Site Audit Statement (SAS)	A statement which outlines the conclusions of a site audit. A Site Audit Statement must be accompanied by a Site Audit Report

Key Legislative Instruments, Regulations, Policies & Guidelines

Contaminated Land Management Act 1997	Sets out the role of the EPA and the rights and responsibilities of parties it might direct to manage land where contamination is significant enough to warrant regulation
Contaminated Land Management Amendment Act 2008	Introduced amendments aimed to allow sites to be cleaned up more efficiently while reinforcing the 'polluter pays' principle
Contaminated Land Management Regulation 2013	Sets out the recovery of administrative costs for the EPA relating to regulated sites and the auditor system. It also sets out timeframes for administrative matters under the <i>CLM Act</i>
Guidelines on the Duty to Report Contamination under the <i>Contaminated Land Management Act 1997</i> (2015)	Details the circumstances that can trigger the requirement to notify the EPA about contamination under Section 60 of the <i>CLM Act</i>
Environmental Planning & Assessment Act 1979	Provides the overarching structure for regulation of planning and development in NSW together with the <i>Environmental Planning and Assessment Regulation 2000</i>
Guidelines produced or adopted by the NSW EPA under s105 of the <i>Contaminated Land Management Act 1997</i>	Provides guidance to stakeholders in the Contaminated Land field on technical, regulatory and management matters. An up-to-date list of guidelines is available on the NSW EPA webpage: http://www.epa.nsw.gov.au/clm/guidelines.htm
Environmental Planning and Assessment Regulation 2000	Provide the overarching structure for the regulation of planning and development in NSW together with the <i>Environmental Planning and Assessment Act 1979</i>
National Environment Protection (Assessment of Site Contamination) Measure 1999 (as amended 2013)	Establishes a nationally consistent approach to the assessment of site contamination to ensure sound environmental management practices by the community which includes regulators, site assessors, site auditors, landowners, developers and industry
NSW Managing Land Contamination Planning Guidelines – SEPP 55 Remediation of Land (1998)	The Planning Guidelines support SEPP55 and address the policy framework, identification and investigation of contamination, the decision-making process, management of contaminated sites and remediation, information management, and principles for proactively preventing future contamination
State Environmental Planning Policy No 55 – Remediation of Land	Ensures planning decisions take into account possible land contamination, and promotes remediation to reduce risk of harm

1. Introduction

Council holds an important role in providing the community with information about contaminated land. One of the means that information is supplied to the public is by issuing Planning Certificates, in accordance with Section 10.7 of the *Environmental Planning & Assessment Act 1979*, upon application and subject to payment of the prescribed fee. Notifications included in Section 10.7 planning certificates do not in themselves restrict the use of lands, but are there to notify the reader that restrictions apply.

This Guide seeks to assist Council provide Section 10.7 certificates with sufficient information to meet its legal requirements and the statements included in the *Model Contaminated Land Policy – Land Use Planning* (Hunter Joint Organisation of Councils, 2020).

Advisory Note:

The information and guidance provided in this Guide reflect the policy statements included in the Model Regional Contaminated Land Policy - Land Use Planning (Hunter Joint Organisation of Councils, 2020). Where Council has amended the Model Policy to develop their local Contaminated Land Policy, care should be taken to ensure the application of model wording and type of information included on the Section 10.7 Planning Certificates reflect local policy directions and statements.

1.1 Links to the Contaminated Land Information Register

In accordance with the *Model Contaminated Land Policy – Land Use Planning* (Hunter Joint Organisation of Councils, 2020), Council is to develop and maintain a Contaminated Land Information System. The system comprises both the systematic handling and management of information by Council staff, and a Contaminated Land Information Register.

One of the applications of the Contaminated Land Information Register is to feed information into the Section 10.7 Certificates. Hence, information recorded in the Register is to be categorised so that relevant information is directly transferable for the purpose of reporting on both s. 10.7(2) and 10.7(5) Certificates. This will maximise accuracy, consistency and efficiency in managing and communicating contaminated land information by Council.

It is anticipated that Councils will include their registers as part of their property management systems. Information on the development and requirements of a Contaminated Land Information System is provided in *Developing a Contaminated Land Information System* (Hunter Joint Organisation, 2020).

2. What to Include on Section 10.7 Planning Certificates

The requirements of information, both statutory and recommended, to be included on the Section 10.7 certificates is presented in Sections 2.1 to 2.2.

2.1 10.7(2) Certificates

The *Model Contaminated Land Policy – Land Use Planning* (Hunter Joint Organisation of Councils, 2020) includes the following statement relating to what information to include on a Section 10.7(2) Certificate:

Policy Statement:

- Section 10.7(2) Planning Certificates issued by Council are to:
 - Contain information on matters prescribed under Section 59(2) of the *Contaminated Land Management Act 1997* that are relevant to the property
 - Identify whether or not any adopted policy of Council or any other public authority restricts the development of the land (the subject of the certificate) because of the likelihood of any risk of contamination
 - Provide notations on the certificates as per Attachment A of the Model Policy (included in Table 4 herein).

2.1.1 Context

Section 59(2) of the *Contaminated Land Management Act 1997* requires that a section 10.7(2) certificate **must** identify if the land to which the certificate relates is (under the meaning of the Act):

- Significantly contaminated (as at date certificate is issued)
- Subject to a management order (as at date certificate issued)
- The subject of an approved voluntary management proposal (as at date certificate issued)
- Subject to an ongoing maintenance order (as at date certificate issued)
- The subject of a site audit statement (if a copy of such a statement has been provided at any time to the local authority issuing the certificate)

Advisory Note:

Information relating to if the site is subject of a site audit statement must be noted on the 10.7(2) regardless of if the site audit statement was obtained by the Council through the development assessment process, from the EPA, or by any other means.

Schedule 4 of the *Environmental Planning and Assessment Regulation 2000* prescribes the information that must be presented in a section 10.7(2) certificate, including “Council and other public authority policies on hazard risk restrictions” this includes:

“Whether or not the land is affected by a policy:

- a) adopted by the council; or
- b) adopted by any other public authority and notified to the council for the express purpose of adoption by that authority being referred to in planning certificates issued by the council,

that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding)”.

Advisory Notes:

1. When issuing a planning certificate under Section 10.7(2), Councils may also consider advising the enquirer whether further information is also available under Section 10.7(5).
2. Legal advice provided by “Local Government Legal” (March 2016) identifies that:
 - o The contamination of land clearly falls into the category of ‘any other risk’ as stated in Schedule 4 Section 7 of the Environmental Planning and Assessment Regulation 2000
 - o Local Environmental Plans are not considered to be a ‘policy adopted by the council’ however a DCP or other policy in relation to which a council has passed a resolution to adopt, would be such a policy

The phrase “restricts the development of the land” should be interpreted broadly. The clause would not only apply for example, if the policy prohibits development on particular land but also if a policy imposes additional mandatory considerations or requirements for information or actions.

2.1.2 Notations for Section 10.7(2) Certificates

As per the *Model Contaminated Land Policy – Land Use Planning* (Hunter Joint Organisation of Councils, 2020), Council is to include information on the Section 10.7(2) Certificates as per below model notations.

Model Notations under Section 59(2) of the Contaminated Land Management Act 1997

Notations advising of matters included under Section 59(2) of the Contaminated Land Management Act 1997 are provided in Table 1.

Table 1. Notations under Section 59(2) of the Contaminated Land Management Act 1997

Where Council records identify:	Notation to be included on Section 10.7(2) Certificate
That the property is declared as significantly contaminated under the CLM Act (as at date certificate issued)	<i>The land to which this certificate relates is within land declared to be significantly contaminated land under Part 3 of the Contaminated Land Management Act 1997 at the date of issue of the certificate</i>
That the property is subject to a management order under the CLM Act (as at date certificate issued)	<i>The land to which this certificate relates is subject to a management order within the meaning of the Contaminated Land Management Act 1997 at the date of issue of the certificate</i>
That the property is subject to an approved voluntary management proposal	<i>The land to which this certificate relates is the subject of an approved voluntary management proposal within the meaning of the Contaminated Land Management Act 1997 at the date of issue of the certificate</i>
That the property in question is subject to an ongoing maintenance order under the CLM Act (as at date certificate issued)	<i>The land to which this certificate relates is subject to an ongoing maintenance order within the meaning of the Contaminated Land Management Act 1997 at the date of issue of the certificate</i>
That a site audit statement has been provided to Council at any time	<i>The land to which this certificate relates has been the subject of a site audit statement provided to [INSERT COUNCIL NAME]</i>

Model Notations under Schedule 4 of the Environmental Planning and Assessment Regulation 2000

Notations advising that Council has adopted a Policy that restricts the development of the land due to potential contamination are provided in Tables 2 and 3.

Advisory Notes:

Two potential options for Section 10.7(2) notations are provided below, which were also provided in the Model Contaminated Land Policy – Land Use Planning (Hunter Joint Organisation of Councils, 2020). Each Council must identify which of these options was adopted in their local policy.

Table 2. Option 1 for Notations under Schedule 4 of the *Environmental Planning and Assessment Regulation 2000*: General Policy Notation

Where Council records identify:	Notation to be included on Section 10.7(2) Certificate
<p>That a potentially contaminating activity may have previously occurred or is currently occurring on the property; however no further information is available.</p>	<p><i>“Council has adopted by resolution a policy on contaminated land which may restrict the development of the land to which this certificate relates. This policy is implemented when zoning or land use changes are proposed on lands which:</i></p> <ul style="list-style-type: none"> <i>• are considered to be contaminated; or</i> <i>• which have previously been used for certain purposes; or</i> <i>• which have previously been used for certain purposes but Council’s records do not have sufficient information about previous use of the land to determine whether the land is contaminated; or</i> <i>• have been remediated for a specific use.</i> <p><i>Consideration of Council’s adopted policy and the application of provisions under relevant State legislation is warranted”.</i></p>

Table 3. Option 2 for Notations under Schedule 4 of the *Environmental Planning and Assessment Regulation 2000*: Specific Policy Notation (as per the Planning Guidelines)

Where Council records identify:	Suggested Notation
<p>That the property has:</p> <ul style="list-style-type: none"> • A previous land use history which could have involved use of contaminants on the site. For example, land which may have been used for an activity listed in Table 1 of the Planning Guidelines (refer Attachment A), or • The property is known to be contaminated, but has not been remediated 	<p><i>Council has adopted by resolution a policy on contaminated land which may restrict the development of the land to which this certificate relates. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Consideration of Council’s adopted policy and the application of provisions under relevant State legislation is warranted.</i></p>
<p>That the property is known to contain contaminants, but has been remediated for a particular use or range of uses and some contamination remains on the site, for example, encapsulated.</p>	<p><i>Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which are considered to be contaminated, or on lands which have been remediated for a specific use. Consideration of Council’s adopted policy and the application of provisions under relevant State legislation is warranted.</i></p>
<p>That the property does not contain a clear site history without significant gaps in information.</p> <p>As a consequence, Council cannot determine whether or not the land is contaminated, and therefore the extent to which Council’s policy should apply. In these circumstances Council may decide to take a cautious approach.</p>	<p><i>Council has adopted by resolution a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Council records do not have sufficient information about previous use of this land to determine whether the land is contaminated. Consideration of Council’s adopted policy and the application of provisions under relevant State legislation is warranted.’</i></p>
<p>That the property has been contaminated but has been remediated to an extent that no restriction on land use is necessary.</p>	<p><i>No notation is necessary¹</i></p>
<p>That there is a history of non-contaminating activities on the land and there is no contrary evidence to suggest that the land has been used for a purpose listed in Table 1 of the Planning Guidelines (refer Attachment A) or other potentially contaminating activity.</p>	<p><i>No notation is necessary</i></p>

¹. *While no notation may be necessary in these circumstances on a Section 10.7(2) Certificate it is recommended that information of this nature be provided on the s10.7(5) Certificates*

Advisory Notes:

The Model Notations provided in Option 2, as defined in the Managing Land Contamination Planning Guidelines 1998, provides scenarios similar to those included in the Contaminated Land Information Register as “Categories” (refer to Section 2.2.1). The link between the scenarios and categories and how they are to be addressed in the Contaminated Land Information Register to be directly transferred into the 10.7(2) certificates are outlined in Developing a Contaminated Land Information System (Hunter Joint Organisation of Councils, 2020).

2.2 Section 10.7(5) Certificates

Council has the opportunity to include additional information of a factual nature on Section 10.7(5) Certificates. When including information on a Section 10.7(5) Certificate, the limitations of the information must be made clear, including the purpose of collecting the information, and the reliability of the source of the information.

The *Model Contaminated Land Policy – Land Use Planning* (Hunter Joint Organisation of Councils, 2020) includes the following Policy Statements relating to the inclusion of information on Section 10.7(5) Certificates:

Policy Statements:

- Section 10.7(5) Planning Certificates issued by Council are to provide information that is provided to Councils by the NSW EPA in accordance with Section 58 of the *Contaminated Land Management Act*, that is not already included in a Section 10.7(2) Planning Certificate.
- If Council is aware that a site has been notified to the NSW EPA under Section 60 of the *Contaminated Land Management Act*, but is currently in various stages of being reviewed by the NSW EPA to assess if the contamination is significant enough to warrant regulation, it will provide information to this effect on the Section 10.7(5) certificate.
- Where Council has a Contaminated Land Information Management System in place, the following additional information included in the system will be provided on Section 10.7(5) Planning Certificates:
 - Contamination category
 - Any activities listed in Table 1 of the Planning Guidelines that Council records show have occurred on the land
 - Any information to Council's knowledge, that indicates the property may be affected by emerging contaminants or contaminating activities of concern
 - References to any site investigations included in the register
 - Any notifications of remediation.

2.2.1 Context

Section 10.7(5) Planning Certificates are governed by Section 10.7(5) of the EP&A Act, which provides that “a council *may, in a planning certificate, include advice on such other relevant matters affecting the land of which it may be aware*”. There is no legislative requirement for a Council to provide information pertaining to land contamination issues on Section 10.7(5) Certificates.

The only legislative provision relevant to Section 10.7(5) certificates in respect to land contamination is Section 59(3) of the *Contaminated Land Management Act 1997* which provides that *if* a Council includes advice in a certificate in relation to a matter listed under Section 59(2) of the *Contaminated Land Management Act 1997* that no longer applies to the land, the Council must make this clear on the certificate.

For example, if a property had previously been identified as contaminated on a Section 10.7(2) certificate but has been remediated, or investigated and found to be decontaminated (meaning that no further restrictions are identified on the Section 10.7(2) certificate), Council *may* still elect to provide this information on the Section 10.7(5) certificate as factual information about the land.

Whilst there is no legislative requirement to include contaminated land information on Section 10.7(5) Certificates, this needs to be balanced with the fact that the Council owes the applicant a duty to take reasonable care when issuing planning certificates. As such, if a Council has an efficient and reliable

Contaminated Land Information System in place, it could be argued that it has a duty of care to provide relevant information contained within that system when issuing Section 10.7(5) certificates.

As noted in the *Managing Land Contamination Planning Guidelines 1998*, Council may include factual information under Section 10.7(5) even if no restriction is placed on the land under Section 10.7(2). For example, if land has been remediated, or investigated and found to be uncontaminated, this information may be presented on planning certificates under Section. 10.7(5).

The statement relating to inclusions of information on a Section 10.7(5) Certificate in the *Model Contaminated Land Policy – Land Use Planning* (Hunter Joint Organisation of Councils, 2020), are further detailed below.

Information provided by NSW EPA in accordance with Section 58 of the *Contaminated Land Management Act 1997*:

NSW EPA is required under Section 58 of the *Contaminated Land Management Act 1997* to maintain a contaminated land record of its notices that is publicly available, including on its website. This includes information that Councils are NOT required to provide on Section 10.7(2) certificates.

However, as stated in the *Model Contaminated Land Policy – Land Use Planning* (Hunter Joint Organisation of Councils, 2020), such information is to be included on the Section 10.7(5) Certificates, and comprise:

- A copy of any preliminary investigation order;
- A copy of any other order under Part 3 that has not been revoked or ceased to have effect; and
- As far as reasonably practicable, a copy of anything that was formerly required to be included as part of the record (marked in such a way as to show that it no longer has effect).

Sites notified to the NSW EPA under S.60 of the *Contaminated Land Management Act 1997*:

If Council is aware that a site has been notified to the NSW EPA under Section 60 of the CLM Act, but currently in various stages of being reviewed by the NSW EPA to assess if the contamination is significant enough to warrant regulation, that information should also be provided on a Section 10.7(5) certificate. Sites notified to NSW EPA are listed on its webpage, but are not notified to Council. Hence, Council may not be immediately aware when a site has been notified. To ensure the limitations are clearly understood, it is part of the procedures for the Contaminated Land Information System (as outlined in *Developing a Contaminated Land Information System*, Hunter Joint Organisation, 2020) to define how often the NSW EPA list of notified sites is to be checked and updated in Council's Contaminated Land Information Register as it will vary depending on resources available to the specific Council.

Information from the Contaminated Land Information System:

The NSW Contaminated Land Planning Guidelines state that as a minimum, the following should be provided in Section 10.7(5) certificates in respect to contamination:

- Any activities listed in Table 1 of the Planning Guidelines (refer Attachment A) that council records show have occurred on the land;
- The results of any site investigations held by the Council;
- Any notifications of remediation; and
- Any site audit statements held by the Council.

This is reflected in the Policy Statements included in the Model Regional Contaminated Land Policy - Land Use Planning (Hunter Joint Organisation of Councils, 2020).

Since Table 1 of the Planning Guidelines is not an exhaustive list of contaminating activities, Council is also to include any information held by Council, that indicates the property may be affected by emerging contaminants or other contaminating activities of concern, known to Council.

Council is also to include the Contamination Category, where applicable, from the Contaminated Land Information System. The categories, associated criteria, and procedures for determining Contamination Category is included in *Developing a Contaminated Land Information System* (Hunter Joint Organisation, 2020). Table 4 summarises the Contamination Categories and their criteria.

Table 4. Contaminated Land Information Register Classifications and Associated Criteria

Category	Sub Category (where applicable)	Description	Criterion (supporting documents)
1. <i>Possibly contaminated</i>		There are grounds to indicate possible contamination of the site	Initial evaluation, Council records or site inspection identify a potential contaminant
2. <i>Not contaminated</i>		After Consultant's investigation(s), the site is found not to contain concentrations of known contaminants above the investigation levels	Preliminary and detailed site investigation undertaken by Consultant
3. <i>No indication of contamination</i>		The site was categorised as <i>Possibly Contaminated</i> and Council has since undertaken an Initial Evaluation, and no reasons were identified to indicate possible contamination of the site	Relevant Council record identifying a possible contaminant Initial Evaluation undertaken by Council which revealed no indication of contamination
4. <i>Decontaminated</i>	<i>a. Subject to an ongoing environmental management plan</i>	The site has been remediated and is suitable for all uses in accordance with management plan	Preliminary site investigation, detailed site investigation, remedial action plan, validation and site monitoring and site audit statement (if deemed necessary)
5. <i>Remediated for restricted use</i>	<i>a. Subject to an ongoing environmental management plan</i>	The site is contaminated but has been remediated so that it is suitable for restricted use (e.g. industrial or commercial)	Preliminary site investigation, detailed site investigation, remedial action plan, validation and site monitoring and site audit statement (if deemed necessary)
6. <i>Contaminated - restricted use</i>	<i>a. Subject to an ongoing environmental management plan</i>	The site is contaminated but suitable for restricted use (e.g. industrial or commercial)	Preliminary site investigation, detailed site investigation, remedial action plan, validation and site monitoring and site audit statement (if deemed necessary)
7. <i>Contaminated - no known remediation undertaken</i>		The site is contaminated and there is no remediation known to have been undertaken.	Preliminary site investigation, detailed site investigation
8. <i>Contaminated – Regulated by the NSW EPA</i>		The contamination is considered Significant Enough to Warrant Regulation (SEWR) and is regulated by the NSW EPA	Site is listed within the NSW Environmental Protection Authority (EPA) Register of Significantly Contaminated Land

Attachment A - Potentially Contaminating Activities

Source: Managing Land Contamination. Planning Guidelines SEPP 55 – Remediation of Land (1998)

Some Activities that may Cause Contamination

- acid/alkali plant and formulation
- agricultural/horticultural activities
- airports
- asbestos production, disposal and demolition
- chemicals manufacture and formulation
- defence works
- drum re-conditioning works
- dry cleaning establishments
- electrical manufacturing (transformers)
- electroplating and heat treatment premises
- engine works
- explosive industry
- gas works
- iron and steel works
- landfill sites
- metal treatment
- mining and extractive industries
- oil production and storage
- paint formulation and manufacture, including lead paint contamination
- pesticide manufacture and formulation
- power stations
- railway yards
- scrap yards
- service stations
- sheep and cattle dips
- smelting and refining
- tanning and associated trades
- waste storage and treatment
- wood preservation

Note: It is not sufficient to rely solely on the contents of this Table to determine whether a site is likely to be contaminated or not. This Table is a guide only. A conclusive status can only be determined after a review of the site history and, if necessary, sampling and analysis.