



## Decision in respect of appeal against classification

### *Contaminated Sites Act 2003, Part 8, Division 2*

**Appellant:** Stuart and Franca Sargant

**Site:** Lot 208 (2 Longford Road), Beaconsfield

**Date:** 31 March 2010

#### 1.0 SUMMARY

- 1.1 The Department of Environment and Conservation (DEC) classified the property known as **Lot 208 (2 Longford Road), Beaconsfield** as *remediated for restricted use* (with a restriction on the use of groundwater and excavations below 1.0m) under the *Contaminated Sites Act 2003* (the Act) on 18 November 2008. DEC's reasons for the classification were set out in the 'Notice of Classification' given in accordance with section 15 of the Act on 18 November 2008.
- 1.2 On 12 January 2009 the Contaminated Sites Committee (Committee) received from the Appellants an appeal against the classification, lodged in accordance with sections 18 and 79 of the Act. The letter of appeal specified grounds of appeal that are addressed in detail below.
- 1.3 The Appellants advised that further information may be forthcoming, but no such information was received by the Committee.
- 1.4 On 14 July 2009, in accordance with section 80 of the Act, the Committee forwarded a copy of the appeal and supporting information to the CEO of DEC for a report.
- 1.5 The CEO's report, dated 27 August 2009, was forwarded to the Appellants for response. No response was received.
- 1.6 The Committee considered the appeal and the CEO's report and decided that **Lot 208 (2 Longford Road), Beaconsfield** should be classified *remediated for restricted use*, and that the restrictions on excavation and the use of groundwater established by the DEC should be retained. Under section 82(2) this decision of the Committee is final and without appeal.