

DUNGOG DEVELOPMENT CONTROL PLAN No 1

PART C.15 – Contaminated Land

C.15– CONTAMINATED LAND

15.1 INTRODUCTION

The appropriate management of contaminated land is important to protect human health and the environment. Contaminated land can restrict the development and certain uses of land so therefore can have economic, legal and planning implications for the community and Council.

Contaminated land in NSW is primarily managed through two avenues:

1. Sites where contamination is considered significant enough to warrant regulation are the management responsibility of the NSW Environment Protection Authority (EPA) through the authority provided under the Contaminated Land Management Act 1997.
2. Other sites are managed by Council via its land use planning instruments, through the authority provided under the Environmental Planning and Assessment Act 1979 and State Environmental Planning Policy no.55- Remediation of land (SEPP55).

Council is required to consider whether land is suitable for a proposed use in terms of the risk from contamination and this will be achieved through adherence with this development control plan and Council's Contaminated Land Policy.

15.2 APPLICATION

This DCP chapter shall apply to all land within the Shire of Dungog.

15.3 OBJECTIVES

The objectives of this DCP chapter are

- To ensure protection of community health standards, the protection of the environment and to minimize costs to the community by way of ensuring contaminated land is identified at the earliest possible stage in the development process.
- To establish appropriate procedures for the assessment of applications and the management of contaminated land.
- To provide information to the community regarding the planning and development process and Council's requirements with regard to land that is, or potentially is, contaminated.
- To allow council to fulfill its responsibilities in relation to legislation and guidelines which affect land that is, or potentially is, contaminated.

15.4 CONTROL REQUIREMENTS

Council shall ensure that all development in Dungog Shire is carried out having regard to the requirements of the Dungog Shire Council Contaminated Land Policy, along with all supporting guides and documents that may from time to time exist to guide the management of contaminated land.