

S10.7 CERTIFICATE ATTACHMENT



Unhealthy Building Land Policy - Schedule 2

Name of this Policy
1. This Policy is called the Unhealthy Building Land Policy.
Purpose of Policy
2. This Policy has been adopted by the Environment Protection Authority (the EPA) because the Unhealthy Building Land Act 1990 (UBL Act) was repealed. Planning certificates for land referred to in Schedule 1 or 2 must indicate that the land is subject to this policy unless the Policy has ceased to apply to the land as set out in Clause 5 below.
Land to which this Policy applies
3. This Policy applies to the land identified in Schedule 1 and Schedule 2.
Commencement of Policy
4. This Policy commenced on 28 April 2003.
When this Policy ceases to apply
5.2 This Policy ceases to apply to land in Schedule 2 if the Council: (a) Has assessed the land in accordance with State Environmental Planning Policy No. 55 – Remediation of Land and the Managing Land Contamination – Planning Guidelines 1998; and (b) Is satisfied that land is suitable to be used for the purposes for which it is zoned.
Planning Certificates
6. Under section 10.7(2) of the Environmental Planning and Assessment Act 1979 (EP&A Act), Councils must note on a planning certificate for land to which this Policy applies that: (a) in the case of land referred to in Schedule 2, the land is affected by this Policy because it is potentially contaminated.
Restrictions on development of Schedule 1 land
7. In determining an application to carry out development on land specified in Schedule 2, the consent authority should consider State Environmental Planning Policy No. 55 – Remediation of Land and the Managing Land contamination – Planning Guidelines 1998.