

ISSUED BASED PROVISIONS

Hazards

Contaminated Lands

Preamble

These provisions reflect the requirements of State Environmental Planning Policy 55 (Remediation of Land), Managing Land Contamination Planning Guidelines and Council's Contaminated Lands Policy.

Application

These provisions apply to the development of all land across the Cessnock Local Government Area.

Development Provisions

Objective/s	Development control/s
Contaminated land is identified through appropriate investigations ¹ .	Where development is proposed on land identified as being potentially contaminated, a Preliminary Site Investigation Report must be prepared and submitted with the application for development.
	Where contaminants are found within the site, a Detailed Site Investigation Report must be prepared and lodged with the development application.
The contaminated site is appropriately and effectively remediated prior to occupation of the land for its intended use.	Where a Detailed Site Investigation Report identifies the need for remediation, a Remedial Action Plan must be prepared and submitted with the application.
Changes to land use will not increase the risks to public health or the environment as a result of contamination on site, or adjacent properties.	The site must be validated as suitable for its intended use prior to the issue of an occupation certificate.
Investigation, remediation and management is undertaken in accordance with the relevant legislation and policy.	All investigation and remediation works on contamination land must be undertaken in accordance with: <ol style="list-style-type: none"> 1. State Environmental Planning Policy 55 (Remediation of Land), 2. Managing Land Contamination: Planning Guidelines SEPP 55 – Remediation of Land and 3. Council's Contaminated Land Policy – Land Use Planning.

¹ **Note:** At discretion, Council may request a formal audit of contamination documentation by a site auditor accredited with the NSW Environment Protection Authority under the *Contaminated Land Management Act 1997*.