



Part 14

Contaminated Land

Application

This Guideline applies to all development within the Inner West Local Government Area for the extent of land show on Map 1 in Chapter A of this DCP.

This guideline is particularly applicable to land that is currently zoned for industrial uses, or has been used for industrial purposes.

Using this Guideline

In using this Guideline reference should also be made to Section 1—Preliminary at the front of this DCP.

The Guideline is performance based. In this role, it is intended to provide both a level of certainty for applicants, Council and the community while also enabling consideration of high quality, innovative design. This is appropriate as given the complexity of the LGA urban environment, it is not possible or desirable in all instances for council to specify quantitative, pre-determined criteria that development must achieve. Rather, in such setting an appropriate design emerges from a well-considered site analysis that explores and responds to the characteristic of the site, adjoining properties, the streetscape and neighbourhood, as well as putting in place adequate measures to mitigate any potential negative impacts.

The Guideline comprises the Purpose, Performance Criteria and Design Solutions. Alternative Solutions to the Design Solution may also be proposed by an applicant.

The Purpose and Performance Criteria identify the performance outcomes that must be achieved for council to consider granting development consent to a development application. Council will not approve a development application that cannot meet all parts of the Purpose or all Performance Criteria, where relevant.

Design Solutions provide a guide for achieving the Performance Criteria, and by association, the Purpose.

Through the development application process, an applicant may propose an Alternative Solution to the Design Solution. Council will consider the Alternative Solution against the Performance Criteria and Purpose. If sufficient justification exists, largely informed by a site analysis and argued against sound urban planning and design grounds, council may consider accepting an Alternative Solution to the Design Solution.

Purpose

- Development adequately considers and addresses land contamination when required under State Environmental Planning Policy 55 – Remediation of Land

Performance Criteria and Design Solutions

Performance Criteria		Design Solution
Contaminated Land		
PC1.	Development minimises the risk of harm to people, property or the environment from land contamination	<p>DS1.1 Development complies with State Environmental Planning Policy 55 –Remediation of Land</p> <p>Development applications are to submit all required documentation and analysis that demonstrates the extent or otherwise of any level of contamination, which is necessary to be examined and assessed. This is to include any future steps or action that might be required for remediation of the land.</p>
		<p>DS1.2 Development applications for the demolition or alteration of existing buildings where hazardous materials such as asbestos are possible are to be supported by a Hazardous Material Survey</p>