

## UNHEALTHY BUILDING LAND BILL 1990

NEW SOUTH WALES



### EXPLANATORY NOTE

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

This Bill is cognate with the Public Health Bill 1990.

The object of this Bill is to provide for:

- (a) the declaration of certain land as unhealthy building land; and
- (b) the giving of certificates as to whether or not land has been declared to be unhealthy building land.

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**Clause 1** specifies the short title of the proposed Act.

**Clause 2** provides for the proposed Act to commence on a day or days to be appointed by proclamation.

**Clause 3** defines "Commission" as the State Pollution Control Commission.

**Clause 4** enables the Commission, after inquiry, to prepare a report stating its opinion that erection of a building on particular land would be prejudicial to health.

**Clause 5** provides for publication in the Gazette of a notice declaring specified land the subject of such a report to be unhealthy building land and also provides for the circumstances in which such a notice may be wholly or partially revoked.

**Clause 6** prohibits the erection of a structure on unhealthy building land without the approval of the Commission or in contravention of any condition imposed by the Commission.

**Clause 7** requires a public authority to notify the Commission if it approves a subdivision of unhealthy building land.

**Clause 8** provides for the inspection of records relating to unhealthy building land and the giving of certificates as to whether or not specified land is unhealthy building land.

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**Clause 9** makes it an offence to obstruct or hinder a person exercising a function under the proposed Act.

**Clause 10** provides for the manner of serving notices under the proposed Act.

**Clause 11** excludes personal liability for acts done in good faith in executing the proposed Act.

**Clause 12** makes it an offence for a director of a corporation to knowingly authorise or permit the corporation to commit an offence.

**Clause 13** provides for offences under the proposed Act to be disposed of summarily before a Magistrate.

**Clause 14** is a transitional provision relating to notices issued under the Public Health Act 1902.

**Clause 15** enables regulations to be made for the purposes of the proposed Act.

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