



Your Ref: 107 Haussman Dr, Thornton
Our Ref: DOC24/732093-3

The General Manager
Maitland City Council
PO Box 220
MAITLAND NSW 2320

Attention: Adam Kennedy, Senior Strategic Planner

Via the CnR Portal

Dear Adam,

Thank you for providing the NSW Environment Protection Authority (EPA) with the opportunity to comment on the draft planning proposal to rezone land at 107 Haussman Drive, Thornton NSW from RU2 Rural Landscape to R1 General Residential and E2 – Environmental Conservation.

The EPA has reviewed the provided documentation and does not consider that the proposal will impact on matters for which the EPA is the appropriate regulatory authority.

As you may be aware, there are several strategic planning initiatives that could be considered to address potential land-use conflicts or cumulative impacts associated with the proposal, including:

- Zoning land to accommodate land use whilst avoiding land-use conflict, by selecting zones that consider adjacent land uses and ways to deal with their compatibility at the zone edge.
- Using controls in land-use planning instruments such as local environmental plans, development control plans and local strategic planning statements to promote compatibility between industrial and residential zoned land developments.
- Considering the possibility that a previous land use has caused contamination of the site, as well as the potential risk to health or the environment from that contamination. Consideration of contamination at a strategic level provides an opportunity to consider contamination issues early, well in advance of statutory approvals for land use changes.

The EPA has produced guidance material that may assist with applying strategic planning initiatives for this matter, including:

- Noise Guide for Local Government (EPA, 2023) – section 5 provides information on strategic planning and examples of how it can be used by council to promote better noise outcomes.
- Local Government Air Quality Toolkit (EPA) – provides information and guidance on common air quality issues managed by council officers. *Section 6 of module 2: land use planning and appropriate site selection* outlines how planning can be used improve and protect air quality.
- Water policies, guidelines, and programs (EPA) – provides information on water management including a link to NSW Government's risk-based framework for considering waterway health outcomes in strategic land-use planning decisions.

The EPA considers that any change in land use should be supported by information demonstrating that the land is suitable for the proposed use or can be made suitable, either by remediation or by

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the way the land is used (see Managing Land Contamination Planning Guidelines SEPP 55–Remediation of Land (EPA and Department of Urban Affairs and Planning, 1998)).

Additionally, under section 60 of the *Contaminated Land Management Act 1997*, the EPA must be notified of contamination that meets certain triggers. These are outlined in the Guidelines on the duty to report contamination under the Contaminated Land Management Act 1997 (EPA, 2015).

If you have any further questions about this issue, please contact Claire McQueeney, Strategic Planning Unit at email environmentprotection.planning@epa.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Gabby Sutherland', with a long horizontal stroke extending to the right.

Gabby Sutherland
A/Unit Head – Strategic Planning Unit
Policy & Strategy

20 September 2024