



Your ref: 131 St Vincent Street, Ulladulla NSW
Our ref: DOC24/836916-3

Erin Hollinger
Strategic Planner
Shoalhaven City Council
PO Box 42
NOWRA NSW 2541

By email: eric.hollinger@shoalhaven.nsw.gov.au

24 October 2024

Dear Erin

Thank you for providing the NSW Environment Protection Authority (EPA) with the opportunity to comment on the planning proposal to amend the Shoalhaven Local Environmental Plan (LEP) 2014 in relation to Lot 1 Section 26 DP759018, 131 St Vincent Street, Ulladulla NSW (subject site).

The EPA has reviewed the planning proposal and understands it is for the rezoning of land from E4 General Industrial to B4 Mixed Use for the purpose of the construction of mixed-use residential and commercial precinct at the subject site.

From our review, the proposed amendment has the potential to:

- Increase the number of sensitive receivers adjacent to existing commercial/industrial premises which may result in land use conflict where potential impacts, such as noise, are not appropriately mitigated against; and
- Interact with potential contamination at the subject site if redevelopment occurs.

Guidance material on using and applying strategic planning initiatives to mitigate potential environmental impacts can be found at the following weblinks:

- [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](#) of the toolkit outlines how planning can be used improve and protect air quality.

The EPA notes the presence of contamination at the subject site that has previously been encapsulated. The EPA recommends that the proposal be supported by information demonstrating that the land is suitable for the proposed use or can be made suitable as per the [Resilience and Hazards SEPP 2021](#) and the [Managing Land Contamination: Planning Guidelines](#). 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).

NSW Environment Protection Authority
As the environmental steward and regulator of our State we are committed to a sustainable future. Join us on our mission to protect tomorrow together.

Phone:
131 555
Email:
info@epa.nsw.gov.au
Website:
epa.nsw.gov.au

Visit:
6 Parramatta Square
10 Darcy Street
PARRAMATTA NSW
Mail:
Locked Bag 5022
PARRAMATTA NSW
2124



Please note that this response does not cover biodiversity or Aboriginal cultural heritage issues, which are the responsibility of NSW Environment and Heritage. The EPA encourages meaningful engagement with traditional custodians, where appropriate, when considering proposed amendments to the Shoalhaven LEP.

If you have any further questions about this issue, please contact Claire McQueeney, A/Senior Environmental Planning and Assessment Officer, Strategic Planning Unit, via email environmentprotection.planning@epa.nsw.gov.au.

Sincerely,

A handwritten signature in black ink, appearing to read 'Patrick Andrade', with a stylized flourish at the end.

Patrick Andrade
**A/Unit Head – Environment Protection Planning
Strategy and Policy Division**