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REF: D2012/7111

Erica Duffy
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Locked Bag 1005,
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Trim No.	
Rec'd Records	- 1 FEB 2012 BMCC
REFER <i>E Duffy</i>	
REMITTANCE	REC No.

Dear Ms Duffy,

Blue Mountains Local Environmental Plan (LEP) 1991 – Amendment No. 39

Thank you for your letter dated 6 December 2011, seeking comment from the Sydney Catchment Authority (SCA) on the Planning Proposal to rezone 10 sites under the Blue Mountains LEP 1991 that are currently under LEP 4.

It is noted that Council has provided details of the impacts of each zoning on land in the Sydney drinking water catchment, in accordance with Section 117(2) Direction 5.2 - Sydney Drinking Water Catchment. The Section 117 Direction 5.2 requires Council to give consideration to the outcomes of the SCA's strategic land and water capability assessment (SLWCA) to help determine risk to water quality from a Planning Proposal.

The SCA has reviewed the 10 sites under the planning proposal and has used SLWCA outcomes and site visits to help determine risk to water quality for some of the sites. The SCA generally supports Council's proposed zoning amendments for each of the sites. Further detail is provided below.

1. Various lots at Boronia, Waratah and Grevillea Streets and Darling Causeway, Bell

It is noted that the current zoning for this site under LEP 4 is Residential A1 between Waratah and Grevillia Street and north of Boronia St, while land between Waratah and Boronia Street and the Darling Causeway is zoned Recreation Existing.

SLWCA outcomes for the parts of the site that are within the drinking water catchment show a high to extreme risk to water quality for unsewered residential development on sites up to 4000 square metres but this drops to a largely moderate risk to water quality if the sites are more than 4000 square metres. The SLWCA outcomes for this site are attached.

It is noted that the proposed zone restrictions include a minimum lot size of 5000 square metres via a density control provision of 2 lots per hectare and a total of 5 lots have been identified for the site. For water quality purposes the proposed minimum lot size is considered adequate in the proposed residential areas. It should be noted however that SLWCA assessments only indicate potential risk to water quality from particular land uses, and should be considered in tandem with other environmental constraints mapping or information such as for biodiversity and heritage.

The SLWCA assessment indicates a higher risk to water quality in the peripheral lots of the subject site, which are proposed for rezoning to Recreation – Environmental Protection under LEP 1991. The SCA supports this zone in the location shown in the planning proposal. For the sites in the drinking water catchment that are proposed for zoning to residential with a minimum lot size of 5000 square metres, the SCA does not have concerns with this proposal provided the following considerations are applied:

- Council will need to ensure that any development on the site has a neutral and beneficial effect (NorBE) on water quality in accordance with the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (the SEPP). A NorBE assessment would need to be submitted with any subdivision plans to demonstrate how the proposal will have a neutral or beneficial effect on water quality.
- The suitability of land for effluent disposal and the type of wastewater systems that would be suitable for use based on soil and site constraints would need to be determined prior to subdivision.
- The most appropriate location for road and access ways, location of stormwater management measures and identification of erosion and sediment controls would have to be determined prior to subdivision.

Further information on the above matters can be found in the SCA publication *Water Sensitive Design Guide for Rural Residential Subdivisions* which is available on the SCA website at www.sca.nsw.gov.au.

2. 98 Darling Causeway, Mount Victoria.

The SCA supports Council's proposed zoning of parts of lots 1,2 and 3, DP 2050 to Bushland Conservation with Protected Area – Water Supply Catchment Area and agrees that there are unlikely to be impacts from the proposal as the zone is consistent with the existing land uses, zone and adjacent zone.

3. 51 Bundarra Street, Blackheath

The SCA supports Council's proposed zoning of this part of Lot 1, DP 857041 to part Residential – Bushland Conservation and part Environmental Protection (LEP 1991). SLWCA outcomes for the site for sewered residential development (attached) show a part moderate and part extreme risk to water quality with the extreme risk in the area to be zoned Environment Protection.

4. Part of 12 Belgravia Street, Medlow Bath

SLWCA outcomes for the land in question (attached) show an extreme risk to water quality for sewered residential development. The SCA therefore strongly supports

Council's proposal to zone the land Environmental Protection under LEP 1991 and agrees with Council's assessment that the proposed zoning will help protect the drinking water catchment. The SLWCA outcomes for this site are attached.

5. Katoomba (Lomandra Place and Narrow Neck Road)

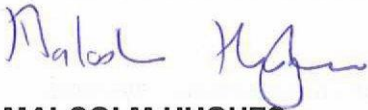
The SCA supports the proposed rezoning for both of the Katoomba lots.

6. Wentworth Falls – five sites

The SCA supports the proposed zoning for all the sites in Wentworth Falls. It is noted that four of the sites are Crown land proposed for Recreation – Environmental Protection or Residential Bushland Conservation (No Subdivision) which are compatible with adjacent sites. The SCA agrees with Council's assessment that the proposed zone will not impact on the drinking water catchment.

If you have any queries with any of the above matters please contact Senior Land Use Planner, Fran Kelly on 4724 2223.

Yours sincerely



MALCOLM HUGHES
Manager, Planning and Assessments

31/1/12

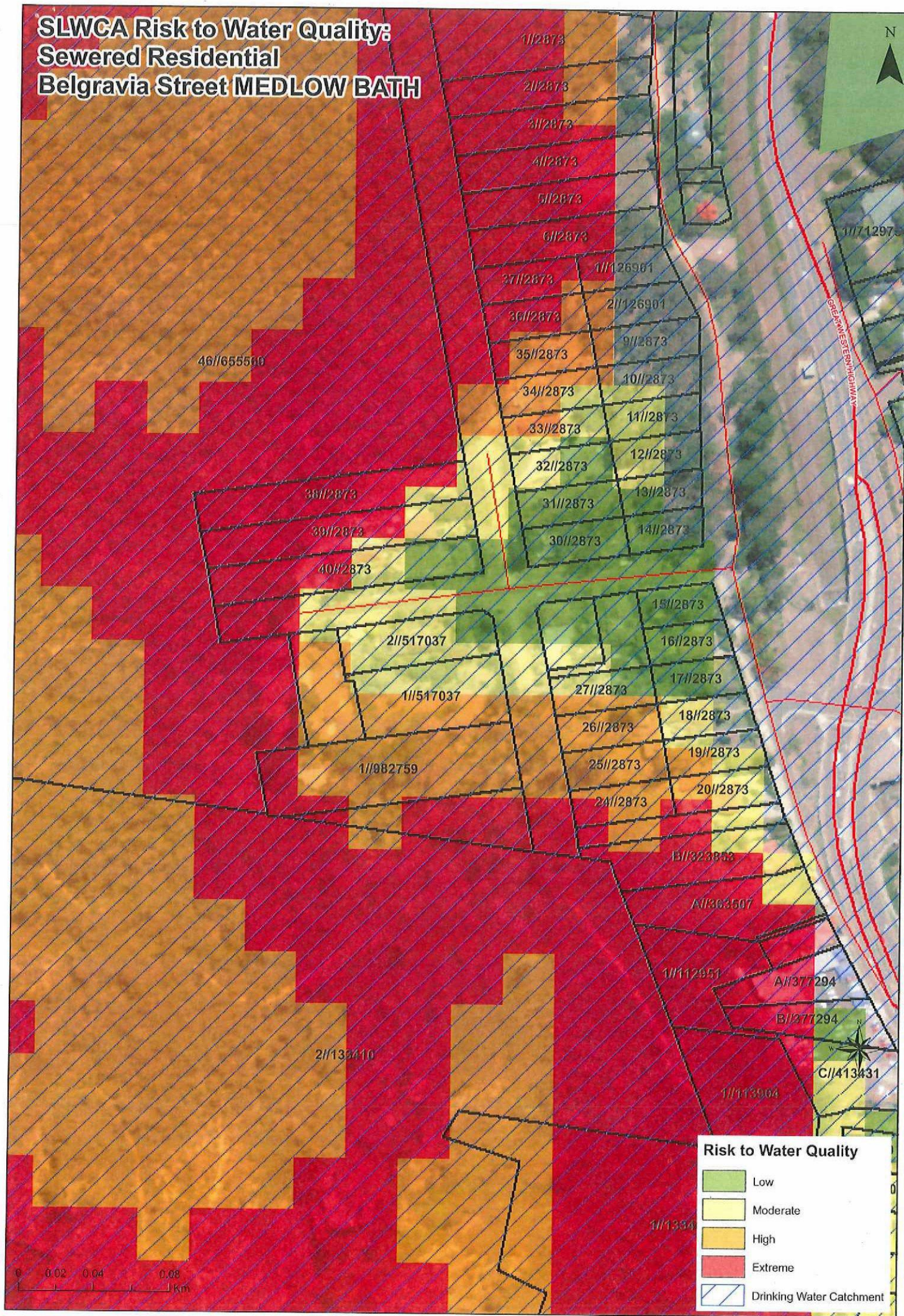
**SLWCA Risk to Water Quality:
Unsewered Residential 2000-4000sqm
Various Lots BELL**



**SLWCA Risk to Water Quality:
Sewered residential
Bunderra Street BLACKHEATH**



SLWCA Risk to Water Quality: Sewered Residential Belgravia Street MEDLOW BATH



**SLWCA Risk to Water Quality:
Unsewered Residential >4000sqm - 2ha
Various Lots BELL**

