

Ref: D2016/105885

Mr Bennett Kennedy
Strategic Land Use Planner
Wingecarribee Shire Council
PO Box 141
Moss Vale
NSW 2577

Dear Mr Kennedy,

Planning Proposal to amend the Wingecarribee LEP 2010 to rezone two properties from E3 Environmental Management zone to an SP3 Tourist Zone

Thank you for your email received 30 August 2016 inviting WaterNSW to comment on the above planning proposal to amend the Wingecarribee LEP 2010 to rezone properties at Mt Ashby, Moss Vale and Montrose, Sutton Forest from E3 Environmental Management zones to SP3 Tourist zones.

WaterNSW has reviewed the planning proposal. Based on the information provided and a desktop analysis, the following comments are provided.

The subject sites are located within the Sydney drinking water catchment, and section 117(2) Direction 5.2 – Sydney Drinking Water Catchment applies. This direction includes requirements that the relevant planning authority must ensure that planning proposals are consistent with the State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011 (Drinking Water SEPP) and give consideration to the outcomes of the Strategic Land and Water Capability Assessment, which the planning proposal does not address.

The Strategic Land and Water Capability Assessment (SLWCA) constraints mapping provides a broad scale assessment of the potential risk to water quality from development.

WaterNSW notes that there is a retail and commercial element to the Montrose site as it operates as an established business within the agricultural produce industry. The SLWCA mapping shows that there is a Low risk to water quality from retail and commercial development across the entire site.

It is also noted that there is a retail and commercial element to the Mt Ashby site as it operates as a vineyard and cellar door. The SLWCA mapping shows that there is a Low risk to water quality from retail and commercial development across much of the Mt Ashby site, with a Moderate risk to water quality for development in the southern portion of the site.

The planning proposal highlights that the proposed amendment to the Council's LEP would allow for a range of potential land uses permitted with/without consent that are not currently being considered for the sites. It should be noted that all future development must have a neutral or

beneficial effect (NorBE) on water quality. This will include, but not be limited to, the potential impacts to water quality from any works to subdivide land or to construct dwelling houses.

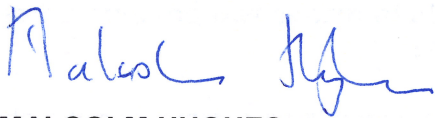
Should future development proposals for dwelling houses or secondary dwellings be proposed, which are permitted with consent under the WLEP 2010, then given the unsewered nature of both sites and depending on the potential lot size this could pose a risk to water quality.

The SLWCA mapping shows that there is a Moderate to High risk to water quality from unsewered residential development at the Montrose site on lots between 2000-4000m² and a Moderate risk on lots between 4000m²-2ha. In relation to the Mt Ashby site there is a High to Extreme risk to water quality from unsewered residential development on lots between 2000-4000m² and a High to Extreme risk to water quality from unsewered residential development on lots between 4000m²-2ha.

We request that the Council considers the above issues when taking forward this planning proposal and for any future development of the site.

Should you have any questions regarding the above, please contact Alison Kniha, Environmental Policy and Planning Manager, on 4724 2451 or at alison.kniha@waterNSW.com.au.

Yours sincerely,



MALCOLM HUGHES
Manager Environment and Planning

21/9/16