

10 May 2022

Contact: *Stuart Little*
Telephone: *0436 948 347*
Our ref: *D2022/34650*

Sarah Websdale Farnese
Strategic Land Use Planner (Heritage)
Wingecarribee Shire Council
PO Box 141
MOSS VALE NSW 2577

Dear Ms Farnese,

RE: Planning Proposal – Inclusion of 2, 4 and 6 Myrtle Street Bowral within the Bowral Conservation Area and create a new heritage item at 26 Elizabeth Street Moss Vale

Thank you for your referral of 15 April 2022 seeking comments on a Planning Proposal to amend the Wingecarribee Local Environmental Plan 2010 (WLEP) to provide for new heritage-related listings as described above.

WaterNSW has no objection to the Proposal. The amendments have few implications for water quality. However, the amendments will incidentally remove opportunities for new development on these sites to pass as 'complying development'. Any new development will require a full development application (DA) and associated assessment under the *Environmental Planning and Assessment Act 1979*. This in turn means that State Environmental Planning Policy (Biodiversity and Conservation) 2021 (the B&C SEPP) will apply requiring new development to have a neutral or beneficial effect on water quality. Other provisions for the Sydney Drinking Water Catchment will also apply in accordance with Chapter 8 of the B&C SEPP. This includes WaterNSW's concurrence for new developments and to incorporate WaterNSW's current recommended practices and standards. These matters could be added to the Proposal's response to the Chapter 8 provisions of the B&C SEPP (pp. 14-15).

The Proposal gives due consideration to s 9.1 Direction 3.3 Sydney Drinking Water Catchment (p. 20). It notes that the new provisions will likely have a subduing effect on the development potential of the sites affected, thereby helping protect water quality. We generally agree with this conclusion. WaterNSW's Strategic Land and Water Capability Assessments are not relevant here given that the Planning Proposal is only addressing heritage-related matters.

Should you have any questions, please contact Stuart Little (stuart.little@waternsw.com.au).

Yours sincerely

A handwritten signature in black ink, appearing to read 'AK' followed by a flourish.

ALISON KNIHA
Catchment Protection Planning Manager