



Department of
Primary Industries
Office of Water

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Our ref ER20571
Your ref 102166

Attention: Tom Cook

Dear Mr Cook

**Rezoning and 109 Lot Subdivision of Lot 1 DP 1021332 & Part Lot 458 DP 1063107
George Evans Road, Mundamia – preparation of Environmental Assessment**

I refer to your letter of 3 December 2012 to the former NSW Department of Water and Energy seeking comments on the proposed subdivision.

Please note, DWE has been abolished and replaced by the NSW Office of Water (Office of Water). The Office of Water comments are provided at **Attachment A** for consideration.

Key issues to be addressed in the Environmental Assessment for the subdivision include:

- Compliance with the rules in any relevant Water Sharing Plan (WSP) and legislation.
- An assessment of the impact of the proposal on watercourses, riparian areas, wetlands, groundwater sources and groundwater dependent ecosystems
- Adequate mitigating and monitoring requirements to address impacts to surface water and groundwater sources and dependent ecosystems.

The Office of Water requests that all referrals for this proposal include one (1) **hard copy** and one (1) **CD** copy of the EA and any other accompanying documentation.

Should you require further information please contact Janne Grose, Planning and Assessment Coordinator on (02) 4729 8262 at the Penrith office.

Yours sincerely

Tim Baker
A/ Manager Major Projects, Mines and Assessment
16 January 2013

**Rezoning and 109 Lot Subdivision of Lot 1 DP 1021332 & Part Lot 458 DP 1063107 George
Evans Road, Mundamia**

The former Department of Water and Energy (DWE) provided a submission (dated 3 April 2009) to the Department of Planning outlining DWE's key issues and assessment requirements on the proposed George Evans Road subdivision. In addition to DWE's submission, NSW Office of Water (Office of Water) provides the following comments:

Water Sharing Plans

The Environmental Assessment (EA) should address any water access requirements associated with construction etc for the proposed subdivision. The Mundamia site is located within the area covered by the *Water Sharing Plan for the Greater Metropolitan Region Unregulated River Water Sources* and the *Water Sharing Plan for the Greater Metropolitan Region Groundwater Sources*.

The WSP prepared under the provisions of the Water Management Act 2000 establishes the rules for access to, and the sharing of water between the environmental needs of the surface or groundwater source and water users. The EA needs to:

- Demonstrate how the proposal is consistent with the relevant rules of the WSP including rules for access licences, distance restrictions for water supply works and rules for the management of local impacts in respect of surface water and groundwater sources, ecosystem protection, water quality and surface-groundwater connectivity.
- Provide a description of any site water use (amount of water from each water source) and management including all sediment dams, clear water diversion structures with detail on the location, design specifications and storage capacities for all the existing and proposed water management structures.
- Provide an analysis of the proposed water supply arrangements against the rules for access licences and other applicable requirements of any relevant WSP.

Relevant Policies

As well as the natural resource policies listed in the DWE submission, it is recommended the Environmental Assessment (EA) also takes into account:

- the Aquifer Interference Policy (2012)
- Office of Water Guidelines for Controlled Activities (July 2012).

Watercourses and Riparian land

Your letter indicates the site is located approximately 300m south of the Shoalhaven River. Based on aerial photography it appears no watercourses occur on the site. The EA needs to clarify if watercourses are located on the site, or in the vicinity of the site and if so provide details including:

- a scaled plan showing the location of:
 - the watercourses on, or near the site
 - riparian corridor setbacks (measured from top of bank) to be protected and enhanced on the site
 - remnant riparian vegetation surrounding the watercourses (identify any areas to be protected and any native riparian vegetation proposed to be removed);
 - the site boundary, the footprint of the proposal in relation to the watercourses and riparian areas
- photographs of the watercourses

- a detailed description of potential environmental impacts in terms of bed and bank stability, riparian areas, sediment movement, water quality, hydraulic regime etc;
- details on the design features and safeguard measures to mitigate potential impacts, particularly in respect of protecting the natural hydrological regime, sediment movement, water quality and riparian corridors etc

Your letter indicates the Shoalhaven LEP is yet to be finalised and approval of the project will not occur until gazettal of the draft LEP. Preliminary environmental assessment information that was provided in 2009 indicated the EA preparation would occur concurrently with the draft LEP to ensure consistency in approach. In regard to the draft LEP it is noted on Shoalhaven Council's web site (post exhibition of LEP) that all riparian corridors are being shown in the Shoalhaven LEP's Natural Resource Sensitivity - Water Map.

Please note, new changes to the Office of Water Guidelines for Controlled Activities which commenced on 1 July 2012 can be seen at the following link:

<http://www.water.nsw.gov.au/Water-licensing/Approvals/Controlled-activities/Controlled-activities/default.aspx>

End Attachment A