



## Department of Primary Industries

OUT14/8879

Ms Fiona Gibson  
Industry, Key Sites and Social Projects  
NSW Department of Planning and Infrastructure  
GPO Box 39  
SYDNEY NSW 2001

28 MAR 2014

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Dear Ms Gibson

### **Kirrawee Brick Pit Site Concept Plan Proposed Modification (MP10\_0076 Mod. 3)**

I refer to your email dated 18 February 2014 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

#### Comment by NSW Office of Water

The NSW Office of Water (Office of Water) has reviewed the S75W modification and provides the following comments.

Reference is made to the Office of Water's previous submission of 21 February 2011 on the Environmental Assessment (EA).

#### Water bodies

The Office of Water advised that the proposed water bodies require a water licence under the *Water Act 1912*. The approved Concept Plan proposed a series of water bodies at the site but the amended Concept Plan only shows one relocated water body is proposed (see Figure 3, page 14 and 16 of Modification report).

Section 4.1.7 of the S75W Modification Report indicates the amended landscape design for the park includes "*a much larger open grass area at the south-eastern side*" and makes reference to "*the open nature of the eastern side of the park*" (page 16). When comparing Figures 2 and 3 in the Modification report, the modification proposal appears to reduce the vegetated riparian forest area provided around the water body, especially south of the pond. The approved Concept Plan (figure 2) appears to provide a much wider width of vegetation along the southern side of the water body.

Clarification is sought as to whether the modification proposal (including the proposed increase in grass area and open nature) is consistent with the

recommended mitigation measure from the EA's Flora and Fauna Assessment report which recommended where possible riparian areas should be retained to allow for the persistence of riparian habitats within the site.

The Office of Water previously provided advice in relation to the riparian area around the compensatory water body and repeats this advice for the amended concept plan.

#### Groundwater

The proposed amendment to Condition B4 – Car Parking and Schedule 3 – Condition 14 Car Parking proposes to remove the condition which stipulates that the maximum total number of car parking spaces shall not exceed 1150 spaces. The reason given for this amendment is the Concept Plan should not dictate a specific number of car spaces (pages 21 and 22). It is noted the modification to the Concept Plan proposes to increase the number of car park spaces by 416 spaces beyond those approved under the Concept Plan (see section 6.2, page 30). Clarification is sought as to whether this will result in any change to basement car park levels, or if the proposed increase in car park spaces relates to ground and above ground car parking. Changes to the basement car park may require additional assessment of groundwater impacts and management/mitigating measures.

The Office of Water has previously provided advice in relation to groundwater and the requirement for fully tanked basement design and repeats this advice.

For further information please contact Janne Grose, Planning and Assessment Coordinator (Penrith office) on 4729 8262 or at [janne.grose@water.nsw.gov.au](mailto:janne.grose@water.nsw.gov.au).

Yours sincerely



Kristian Holz  
**Director Policy, Legislation and Innovation**