Department of Planning and Environment

Our ref: OUT22/3875

Jonathan Kerr

Planning and Assessment Group
NSW Department of Planning and Environment

Email: jonathan.kerr@planning.nsw.gov.au

14 April 2022

Subject: **Mixed Use Residential/Tourist Dev – 147 Soldiers Point Road, Soldiers Point Mod 2 (MP 06_0183)- Response to Submissions (RTS)**

Dear Mr Kerr

I refer to your email of 1 April 2022 to the Department of Planning and Environment (DPE) Water about the above matter.

The proposed modification is to modify the concept plan to:

- Additional housing
- Enhance tourist facilities
- Change to layout as car park cannot be built as proposed due to rock formations

DPE Water still has concerns around water take and quaternary sands impacts. Please see **Attachment A** for detailed advice.

Please also note that the licensing and approval function has now moved from NRAR to DPE Water. Any further referrals to DPE Water can be sent by email to water.assessments@dpie.nsw.gov.au. or to the following coordinating officer within DPE Water:

Simon Francis – Senior Project Officer
E: simon.francis@dpie.nsw.gov.au
M: 0428 926 117

Yours sincerely

Liz Rogers
Manager, Assessments, Knowledge Division
Department of Planning and Environment: Water

Attachment A

Detailed advice to DPE Planning & Assessment regarding the Mixed Use Residential/Tourist Dev – 147 Soldiers Point Road, Soldiers Point Mod 2 (MP 06_0183)- RTS

1.0 Quaternary Sands Impact

1.1 Recommendation – Prior to Determination

That the proponent:

- Submit a copy of the geotechnical bore lithology logs and location map of the bores relative to the location of proposed modified carpark basement to confirm the absence of Quaternary Sands.

1.2 Explanation

The proponent has taken a position that the recommendations made by DPE Water at the EIS stage are not applicable due to the site geology, and hence have not been explicitly addressed. The RtS does not present new information but reiterates work submitted as part of the 2010 Environmental Assessment advising that the underlying geology is of very low permeability rhyodacite rock that impedes groundwater flow. The proponent believes that negligible take of water is expected and consequently no consequential impacts is to be assessed above those presented at the EIS stage.

DPE Water requires further geological detail to substantiate this position. DPE Water notes the rationale for the change in location being due to the interception of volcanic rock making excavation difficult. Additionally, geological mapping by NSW Geological Survey identifies the north-western portion of the Lot 31 DP529002 in which the basement car park is positioned, is underlain by Quaternary sands of the Tomaree Water Source, and groundwater inflows are potentially much greater than that inferred in the RTS.

DPE Water requires a copy of the lithological geotechnical bore logs and a map showing the relative location of the bore logs to the proposed car park basement. This will assist in substantiating the potential for interception of Quaternary sands. If Quaternary Sands are to be intercepted during excavation of the basement, DPE Water's previous submission and recommendations made during the Environmental Assessment should be fulfilled. DPE Water will provide further guidance after the geotechnical bore logs have been reviewed.

2.0 Water Take

2.1 Recommendation – Post Approval

- Prior to any groundwater interception a Water Access Licence (WAL) under the *Water Management Act 2000* should be held unless the take is less than or equal to 3ML of water per year for any aquifer interference activities listed in Clause 7 of Schedule 4 of the Water Management (General) Regulation 2018. The proponent needs to be aware that recording and reporting requirements are applicable to satisfy the 3ML exemption. For more information visit https://www.dpie.nsw.gov.au/nrar/how-to-apply/water-licences/Groundwater

2.2 Explanation

The proponent has not quantified the water take due to construction of the basement. Rather the proponent has indicated there should not be an increase in water take and it is likely to be minimal. Water take associated with the aquifer interference activity is measured based on inflows into the excavation per year. Sufficient water entitlements should be held prior to any water take occurring or the water take must satisfy an exemption for a water access licence.

End Attachment A