



## Office of Water

10 December 2010

Regional Projects  
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Our ref : ER20064  
Your ref:MP06\_0183

**Attention: Lisa Pemberton**

Dear Ms Pemberton

**Subject: Proposed Mixed Use Development, Soldiers Point Road – MP06\_0183.**

NSW Office of Water (NOW) has completed its review of the Environmental Assessment (EA) for the proposed Mixed Use Development, 147 Soldiers Point Road. While the EA has been submitted for the concept plan and project approval for demolition of the existing buildings and structures and general site clearing including site establishment works, NOW is concerned with the level of detail provided regarding stormwater treatment and licensing of groundwater extraction and use.

NOW provides general comments (Attachment A) in regards to the future proposed project applications yet to be submitted for the Part 3A process. In addition conditions for consideration of the proposed project application are provided in Attachment B.

Please contact Jennifer Gerrard on 4904 2516 if you require any further information regarding this matter

Yours sincerely

**Mark Mignanelli**  
**Manager Major Projects and Assessment**

**NOW COMMENTS ON ENVIRONMENTAL ASSESSMENT  
SALAMANDER SHORES HOTEL PROPOSED MIXED USE DEVELOPMENT –  
MP06\_0183**

**LEGISLATION**

***Water Act 1912, Water Management Act 2000 and the Water Sharing Plans***

The Environmental Assessment (EA) describes that aside from interception of local groundwater during basement construction and a groundwater bore currently used for irrigation, that no additional bores or groundwater extraction points are proposed for this redevelopment. It is stated in section 8.11.4 of the main report that “the hotel currently has a license to extract water for irrigation of the hotel’s gardens from a bore located within the North West corner of the site”. However, the EA does not provide detail of the current groundwater licence number or volume. The assessment is required to take into account the objects and regulatory requirements of the following legislation (administered by NOW), as applicable:

- *Water Management Act 2000 (WMA)*, where a WSP has commenced.
- *Water Act 1912*, where a WSP is not yet in place.

Under Part 5 of the Water Act, a licence is required for a groundwater bore used to extract water, where a WSP is not yet in place, this ensures the water is appropriately accounted for and authorised

The *Water Management Act 2000 (WMA)* allows for sustainable and integrated management of water sources of the State. Although the EA describes the hydrogeology in the area as having limited sand beds present, groundwater is currently being taken for irrigation of gardens, but the EA has not provided details of the groundwater licence. Under the WMA 2000, groundwater take within the Tomago, Tomaree Stockton Groundwater Source requires a licence and sufficient shares. The proponent needs to ensure that all groundwater take is licenced.

**RIPARIAN PROTECTION**

Riparian corridors form a transition zone between terrestrial and aquatic environments and perform a range of important environmental functions. The protection or restoration of vegetated riparian areas is important to maintain or improve the geomorphic form and ecological functions of watercourses through a range of hydrologic conditions. The proposed development is in close proximity to the Karuah River, which is a 7<sup>th</sup> order river at this location.

Although Part 3A Major Projects are exempt from requiring a controlled activity approval (s75U of the EPAA 1979) the proponent is required to take into account the objects and water management principles of the *WMA 2000* and the *Guidelines for Controlled Activities (August 2010)*. The guidelines recommend the following minimum Core Riparian Zone (CRZ) widths:

- a) **CRZ of 10 metres** (on both sides of the watercourse) for:

- Any first order watercourse where there is a defined channel where water flows intermittently;
- b) **CRZ of 20 metres** (on both sides of the watercourse) for:
  - Any permanently flowing first order watercourse, or
  - Any second order watercourse where there is a defined channel where water flows intermittently or permanently;
- c) **CRZ of 20 - 40 metres** (on both sides of the watercourse) for:
  - Any third order or greater watercourse where there is a defined channel where water flows intermittently or permanently. Includes estuaries, wetlands and any parts of rivers influenced by tidal waters – (merit assessment based).

In addition to the above recommended CRZ widths an additional **vegetated buffer of 10 metres** should be provided on both sides of the watercourse measured from the outer edge of the CRZ to allow for edge effects.

The asset protection zone is not to form part of the CRZ or vegetated buffer.

## **SURFACE WATER PROTECTION**

The EA provides information regarding modelling of stormwater water quality and predicts an improved stormwater discharge quality from the proposed development, but there are no details in the EA of the proposed stormwater treatment methods, or details on reduction of rubbish or hydrocarbon pollutants prior to discharge to Salamander Bay. Structural works, including works for stormwater capture and treatment are required to be located outside riparian areas. NOW recommends that these issues be addressed in future project application assessment.

## **GROUNDWATER PROTECTION**

Appendix 14, Section 10.3.1 details the potential for groundwater inflows to be captured either by pump or drainage into the sewer network. Additionally Appendix 7 section 3.3 notes that a sump and pump system may be used during excavations. Appendix 7, Section 5.5 describes the potential for a dedicated dewatering system in the proposed design. Under the Water Act 1912, dewatering for excavation requires a license. It is noted in the EA that there is little alluvial sands present on site, but the EA has investigated the expected hydraulic conductivity of the rhyolite formation.

Any proposed extraction of water from groundwater is required to be licensed and it is the responsibility of the proponent to either apply for licences under the WMA 2000 and WA 1912 or source them from the water market prior to commencement of any development.

**End Attachment A  
10 December 2010**

**NOW RECOMMENDED CONDITIONS OF PROJECT APPROVAL  
SALAMANDER SHORES HOTEL PROPOSED MIXED USE DEVELOPMENT –  
MP06\_0183**

**General**

1. That all statements of commitments are adopted as project approval conditions except where NOW specific conditions require an earlier timeframe or more detailed assessment.

**Protection of Watercourses**

2. The Proponent shall ensure all demolition and construction within proximity of waterways is undertaken utilising the *Guidelines for Controlled Activities (August 2010)*.

**Construction Environmental Management Plan (CEMP)**

3. The Proponent shall prepare and implement a Soil and Water Management Plan (within the CEMP) to the satisfaction of the Director-General. This Plan must:
  - a) be prepared in consultation with NOW by a suitable qualified expert whose appointment has been approved by the Director –General;
  - b) be submitted to the Director-General for approval prior to commencement of demolition works or otherwise agreed by the Director General; and
  - c) is to include but is not limited to:
    1. Control of runoff of sediment-laden waters associated with construction
    2. Stormwater management during the demolition/construction phase
    3. Procedure for refuelling any vehicles and machinery on appropriate hard stand areas. Temporary bunding of any hazardous chemicals required during the construction process.
    4. Reporting procedures for any chemical or hydrocarbon spill incidents during demolition/construction.
    5. Spill containment and clean up procedures for any incidents during demolition/construction.

**End Attachment B  
10 December 2010**