



Office of Water

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20 December 2010

Our ref: ER21133

Your ref: MP10_0084

Attention: Anna Johnston

Dear Ms Johnston

Coal and Allied Southern Estates - Gwandalan (MP10_0084)

I refer to your letter of the 16 November, 2010, inviting comment on the Environmental Assessment (EA) for a concept plan associated with the above project. The NSW Office of Water (NOW) has reviewed the EA and provides detailed comments in Attachment A, with recommended conditions of approval in Attachment B.

If you wish to discuss please contact me on telephone (02) 2904 2572 at the Newcastle office.

Yours sincerely

Mark Mignanelli
Manager
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Newcastle

**NOW COMMENTS ON ENVIRONMENTAL ASSESSMENT
COAL AND ALLIED GWANDALAN – CONCEPT PLAN (10_0084)**

Water Licences under the Water Management Act and Water Act.

The *Water Management Act 2000* (WMA) governs sustainable and integrated management of water sources across the State. Licensing of water is regulated under the *Water Management Act 2000* for areas which are subject to a Water Sharing Plan, and the *Water Act 1912* for water sources not covered by a Water Sharing Plan. At present, surface water systems in this area fall within the South Lake Macquarie Water Source, under the Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources. Groundwater within the area is regulated under the *Water Act 1912*.

Watercourse Crossings and protection of Riparian Zones

Figure A2.1 identifies a number of watercourses surrounding and within the proposed subdivision area. A number of parks are proposed along these watercourses. As acknowledged in section 6.8.1, the project is exempt from requiring controlled activity approvals. However, the proponent should ensure riparian corridors are protected, in accordance with the NOW Guidelines for Controlled Activities (August 2010).

Structural works for stormwater management should be designed in a way which is sympathetic with the protection of the riparian zone, NOW requires that all structural works are located outside any riparian buffer.

Watercourse crossings should also be designed in accordance with the NOW Guidelines for Controlled Activities (August 2010).

Groundwater

The project involves the construction of underground service infrastructure. The concept plan EA does not address the issue of groundwater interception, potential impacts on groundwater, or the protection of groundwater quantity and quality during construction of these services. Interception of groundwater and take of water is a licensable activity under relevant water legislation.

Water Quality and Quantity Management

NOW supports the commitments made by the proponent on Water Quality and Quantity management. Further detail on proposed stormwater management infrastructure will need to be provided as part of any project EA.

**NOW RECOMMENDED CONDITIONS OF APPROVAL
COAL AND ALLIED GWANDALAN – CONCEPT PLAN (10_0084)**

Water Licencing Requirements

An authorisation under the *Water Act 1912* or the *Water Management Act 2000* is to be obtained from the NSW Office of Water with the appropriate purpose identified for any activity relating to the taking of or interception of groundwater prior to that activity commencing.

Watercourse crossings and Riparian Zone Management

Any project EA prepared under this concept approval must include an identification of all water courses (including first order streams) impacted upon by the development. The EA should demonstrate consistency with the NOW Guidelines for Controlled Activities (August 2010), as applicable:

- Riparian corridors (and associated Vegetation Management Plans)
- Watercourse crossings
- Laying pipes and cables in watercourses
- Outlet structures
- In-stream works

Groundwater

Any project EA prepared under this concept approval must provide details of:

- proposed works likely to intercept groundwater
- any proposed groundwater extraction
- proposed method of disposal of waste water
- potential impacts on groundwater users, including the environment
- measures to prevent groundwater pollution
- any groundwater dependent ecosystems in the area

Water Quality and Quantity Management

Any project EA prepared under this concept approval should:

- provide information on the drainage and stormwater management measures proposed for the site
- Assess the impact of the proposal on the hydrology of the site and receiving waters.

**End Attachment B
20 December 2010**