



Office of Water

16 February 2011

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Our ref : ER21351
Your ref: MP08_0255

Attention: Emma Barnet

Dear Mr Reed

**MP08_0255 – Elf Mushroom Farm and Substrate Plant - Environmental Assessment
– Penrith and Hawkesbury Local Government Areas**

Thank you for your letter of 13 December 2010 seeking comment from the NSW Office of Water (NOW) on the Environmental Assessment (EA) for the above major project proposal.

The NOW's key issues with the EA are in relation to water licensing and the protection and rehabilitation of riparian land and are outlined in Attachment A.

Contact Details

Should you have any queries in relation to this matter please contact Janne Grose on telephone (02) 4729 8262.

Yours sincerely

Mark Mignanelli
Manager Major Projects and Assessment

NSW Office of Water Comments

Elf Mushroom Farm and Substrate Plant Environmental Assessment

Water Licensing

The Substrate Plant site currently has a licensed groundwater bore (license 10BL603763) which is licensed to extract 20 ML/year. It is noted in Table 10 of Appendix C (page C.14) that the Substrate Plant will continue to use groundwater from the existing licensed borehole but Table 7.2 in the Environmental Assessment (EA, page 7.20) indicates the bore with town water backup currently uses 15 ML/year and this quantity is estimated to increase by a further 20 ML/year (ie the estimated quantity consumed at Stage 3 is 35 ML/year). Clarification is sought as to whether this increase in water consumption is proposed to be sourced from the groundwater bore? If the applicant is proposing to increase groundwater extraction a pump test and a hydrogeological assessment need to be undertaken.

Section 5.4.1 of the EA notes the existing farm dam on the Mushroom Farm site is proposed to be enlarged to have a storage volume of 14.7 ML (page 5.16). The Harvestable Right gives landholders the right to capture and use for any purpose 10 % of the average annual runoff from their property without requiring a licence. The Harvestable Right has been defined in terms of an equivalent dam capacity called the Maximum Harvestable Right Dam Capacity (MHRDC). The MHRDC is determined by the area of the property (in hectares) and a Maximum Harvestable Right Dam Capacity Multiplier (multiplier). The NOW has calculated the multiplier to be 0.08 which has been taken from the NOW's maps which are available on the NOW's website. Given the Mushroom Farm property is approximately 22.25 ha in size, the maximum harvestable right dam capacity for the subject site is 1.78 ML. This means the applicant will need to apply to the NOW for a licence to enlarge the storage capacity of the dam to 14.7 ML.

Further details on harvestable right dams can be obtained at the following link:
<http://www.water.nsw.gov.au/Water-licensing/Basic-water-rights/Harvesting-runoff/default.aspx>

Riparian land

Section 2.2.1 of the EA indicates the Substrate Plant site at Mulgrave extends westward to South Creek. It is noted the Substrate Plant itself is set back about 150 to 200 m from the creek but as the site is located adjacent to South Creek, it is recommended:

- a minimum 50 metre wide riparian corridor (measured from top of bank) be established along South Creek on the site as part of the proposal;
- the riparian area is rehabilitated with a diversity of native riparian vegetation endemic to the local vegetation community.

The rehabilitation of native riparian vegetation at the site would assist to improve bed and bank stability, water quality and provide a habitat node for native species at this location.

End Attachment A
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