

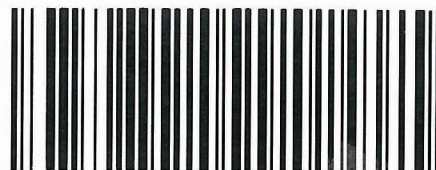


Office of Water

Department of Planning
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Our ref : ER21435
Your ref: MP10_0003

Dear Mr Brown

MP10_0003 – Concept Plan for Residential and Mixed Use Development - Discovery Point, 1 Princes Highway Wolli Creek - Rockdale LGA

I refer to your email of 1 March 2011 which advises that the Department of Planning (DoP) is currently finalising an assessment of a Concept Plan for the above project proposal and that upon review of the file, no referral appears to have been sent to the NSW Office of Water (NOW).

Due to the limited time constraints in which to provide a submission to DoP, the NOW's comments are related to its review of the Environmental Assessment Report and Appendix Q only. The NOW's issues with the proposal are in relation to:

- the protection and enhancement of riparian land along the Cooks River; and
- groundwater and groundwater dependent ecosystems.

Contact Details:

If you require further information please contact Janne Grose on (02) 4729 8262 at the Penrith office.

Yours sincerely

Mark Mignanelli
Manager Major Projects and Assessment

NSW Office of Water Comments

Concept Plan for Residential and Mixed Use Development -

Discovery Point, 1 Princes Highway Wolli Creek

Riparian Land

The Environmental Assessment (EA) indicates the site is located on the southern bank of the Cooks River. The Cooks River is a key waterway in Sydney and the NSW Office of Water (NOW) considers it is important that riparian land along the river is adequately protected and enhanced as part of this major project proposal.

The Concept Plan does not adequately address the protection and enhancement of riparian land along the Cooks River at the project site.

While it is acknowledged there are existing land use development constraints in achieving riparian outcomes along the Cooks River there is also the opportunity to improve riparian outcomes and re-establish local native riparian vegetation to enhance local habitat and connectivity value.

Riparian land in urban areas is an asset. Healthy viable riparian land has current and long term benefits to social/urban amenity, the community, waterway and catchment health, water quality, biodiversity, recreation, tourism, aesthetics etc.

The Cooks Creek is at least a fourth order stream at this location. The NOW Guideline for Controlled Activities recommends a 20-40m wide Core Riparian Zone (CRZ) plus a 10 m wide Vegetated Buffer (VB) for 3rd Order or greater streams, however because of the significance of the Cooks River it is recommended the CRZ is 40 metres wide, this is in accordance with the NOW's advice for other sites along this river.

The riparian land should be protected and conserved, or revegetated with native plant species endemic to the vegetation community of this local area at a density that would occur naturally.

Any development associated with the proposal (including buildings, paths/cycle ways (with the exception of crossings), water quality treatment structures, roads and the placement of fill etc) should be located outside the riparian land.

The locating of pathways etc in the riparian land would prevent the rehabilitation of riparian vegetation and would decrease the function of the riparian land and biological diversity.

Section 6.6 of the Environmental Assessment (EA) indicates that the Concept Plan is consistent with the Department of Planning's "Planning Guidelines for Walking and Cycling", however this planning guideline includes environmental design principles for paths along creeks and the first principle is to *"identify and protect with zoning continuous riparian zones of a minimum width 40 m"* (see page 56 of the guidelines).

It should be noted that the NOW Guidelines for controlled activities outline that all ancillary infrastructure such as asset protection zones (APZ), utility easements, detention basins

and water quality control structures, roads, paths/cycle ways etc. should be located outside of any riparian zone (ie the CRZ plus the VB). NOW requests the DoP give similar regard to the protection and enhancement of riparian land for this project.

Groundwater

NOW is responsible for the management of the groundwater resources. It is noted the development will involve the construction of buildings with basements. Appendix Q (Assessment of Groundwater Impacts) states that "*long-term monitoring of long-term groundwater levels should be undertaken for detailed design of basements, as groundwater levels can be higher in response to rainfall events*" (see section 1.2, page 2). The NOW concurs with long-term monitoring of long-term groundwater levels as part of this proposal. It is recommended the monitoring commences prior to basement design and continue through to construction. A licence under Part 5 of the *Water Act 1912* must be obtained from the NOW for any bores for the purpose of investigation, extraction, testing or monitoring.

Any dewatering system will require a water licence under Part 5 of the *Water Act 1912*. The NOW will require basements with any groundwater interception to be tanked.

The proposal will need to demonstrate that it does not impact on the health of groundwater dependent ecosystems (GDEs).

**End Attachment A
18 March 2011**