



## Office of Water

16 December, 2010

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Our ref : ER21249  
Your ref: MP10\_0007

**Attention: Haley Rich**

Dear Ms Rich

**MP10\_0007 – Len Waters Industrial Estate (Former Hoxton Park Aerodrome) -  
Section 75W Modification Environmental Assessment – Liverpool Local  
Government Area**

Thank you for your letter of 5 October 2010 seeking comment from the NSW Office of Water (NOW) on the Environmental Assessment (EA) for the above major project proposal. I apologise for the delay in responding.

NOW's issues 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

### Len Waters Industrial Estate (Former Hoxton Park Aerodrome) - Section 75W Modification Environmental Assessment

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The NSW Office of Water (NOW) notes that Concept Plan approval was granted for the Hoxton Park Industrial Estate Project on 3 June, 2010. Prior to receiving the Section 75W Modification Request from DoP, NOW has no previous record of DoP referring the Hoxton Park Industrial Estate Project to NOW for review and comment.

Condition 8 as outlined in Section 1.2 of the Environmental Assessment (EA) is relevant to NOW. As stated above, the EA has not previously been referred for comment.

#### **Protection of watercourses and riparian land**

##### ***Hinchinbrook Creek***

The former Department of Water and Energy (DWE) previously provided riparian advice to Liverpool Council in relation to Hinchinbrook Creek. DWE recommended a minimum 50 m wide riparian corridor be established either side of Hinchinbrook Creek (measured from top of bank).

Section 7.1.4 in Appendix F of the EA notes that "*the Hinchinbrook Creek riparian corridor is significant at a local and regional scale*" and "*the existing riparian corridor is 50-100 m wide*". The NSW Office of Water (NOW) agrees that the Hinchinbrook Creek riparian corridor is significant from a regional/catchment perspective.

Section 2.2.1 of the EA indicates the road/ bridge will comprise a bridge and culvert bank and the bridge component will span 72m. Appendix F states the bridge is to fully span the creek channel, banks and associated riparian vegetation (Section 8.1.2, page 54). It is recommended the proposal not just seek to maintain existing riparian vegetation but improve riparian connectivity outcomes and address how the creek is intended to function in the future (i.e. as significant regional corridor).

NOW notes the creek is between 3 and 6 m wide at the proposed bridge crossing (see Section 5.2.3 of Appendix F) which would mean the bridge would only span the riparian corridor for approximately 34 m either side of the creek. Figure 4 in Appendix J shows the bridge is to span Zone 1 and 2 and Section 4.1 in Appendix J indicates this only applies to a 30 m wide riparian corridor either side of the creek (see pages 10 and 11).

NOW recommends:

- the bridge span the full width of the riparian corridor (ie a minimum of 50 m either side of the creek) to minimise the footprint of the road within the riparian corridor and flood area, particularly as Appendix F notes "*woodland and forest within the access road and bridge footprint is in good condition*" (section 5.2.2, page 29); and
- any remaining culverts have a naturalised base to enhance fauna movement.

As the creek is 3-6 m wide at the bridge crossing and the bridge piers are at 12 m intervals, NOW recommends the bridge design ensure the piers are located outside the channel and banks of the creek, particularly as Appendix F outlines "*Hinchinbrook Creek is in good condition through the study area with intact channel and banks, healthy and diverse aquatic and fringing vegetation and excellent instream woody debris and riparian vegetation*" (section 5.2.3, page 33). Locating the piers outside the bed and banks of the creek will maximise creek stability and minimise future maintenance costs.

Figure 1 in the Proposed Framework for Vegetation Offsetting Report in Appendix F shows bush regeneration/revegetation areas are proposed north of the bridge crossing. It is also noted that revegetation is proposed in high, medium and low flood risk category. This is a concern as Liverpool Council's letter to Mirvac (dated 20 September 2010) in Appendix J indicates there is to be no planting in areas shown as High Flood Risk and planting in the Medium Flood risk category "*may be permissible*" subject to hydraulic impact assessment.

### **Vegetation Management Plan**

NOW does not support the proposed siting of part of the playing fields and associated car parking within the fully structured riparian vegetation (see Figure 1.2.5 in Appendix M). NOW notes Liverpool Council's letter of 20 September, 2010 in Appendix J indicates that council is currently considering the provision of playing fields north of the proposed bridge crossing. NOW recommends the playing field and associated parking are located outside the riparian land to limit disturbing the function and value of riparian land. The DWE Guidelines (February 2008) for controlled activities outline that uses should be located outside of any riparian zone. It is recommended that there be no net loss of the 50 m wide riparian corridor footprint either side of the creek.

### **Northern basin**

NOW does not support the proposed siting of the northern basin (Basin 6) on the northern creek. NOW's key issue in relation to Basin 6 is the impact it will have on the environmental corridor that is meant to link the Regional Park to Hinchinbrook Creek.

The Department has previously provided significant input into the planning process for the Southern Hoxton Park release area (Middleton Grange Site) and provided extensive comment on draft planning documents. Part of these negotiations included the requirement for an environmental corridor to be provided to link the Regional Park across to Hinchinbrook Creek. Originally the corridor linkage on the western side of the M7 was to be provided via the Middle Creek riparian corridor on the Southern Hoxton Park (Middleton Grange) site but Liverpool Council subsequently advised that the key environmental linkage was to be located along the northern creek at Middleton Grange. This corridor is meant to continue on the eastern side of the M7 through the Hoxton Park Aerodrome site to Hinchinbrook Creek.

The EA provides no details on the environmental corridor connection. It would appear Basin 6 is proposed to be located where the environmental corridor should be located on the Hoxton Park Aerodrome site. Clarification is sought on how this important environmental corridor linkage is to be achieved on the Hoxton Park Aerodrome site.

**End Attachment A  
16 December 2010**