



## Office of Water

Date 21 February 2011

Mr Scott Barwick  
SJB Planning  
Level 2  
490 Crown Street  
Surry Hills NSW 2010

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Our ref : ER21330  
Your ref: MP10\_0155 & MP10\_0180

Dear Mr Barwick

**MP10\_0155 – Mixed use development – former Allied Mills site – 2-32 Smith St,  
Summer Hill - Director General Requirements – Ashfield & Marrickville LGAs**

I refer to your letter of 9 February, 2011 seeking clarification on the NSW Office of Water (NOW) submission of 16 December, 2010 on the key issues and assessment requirements for the above project proposal.

The NOW's previous submission provided comments in relation to both Concept Plan and Stage 1 project application in accordance with the application that was received from the Department of Planning (DoP). It is understood that the proponent is now only seeking Concept Plan approval and will not be lodging the Stage 1 project application at this stage.

Hawthorne Canal/Riparian land

Your letter outlines a number of reasons as to why NOW's recommendation for the creation of riparian setbacks and vegetation provision can not be achieved at the project site. If the creation of riparian setbacks and the establishment of native riparian vegetation cannot be achieved on the site, the Environmental Assessment (EA) needs to outline and provide justification why setback criteria cannot be met, particularly as the DoP's DGR's of 16 December, 2010 indicate the EA must consider any cumulative impacts of the proposal including taking into consideration the proposed Greenway.

Groundwater

Your letter indicates that the matters raised in NOW's response are very detailed and not commensurate with the Project Application stage of the development of the site and that SJB Planning proposes that the Concept Plan application establish the framework for more detailed consideration at project application stage.

NOW requested detailed comments for groundwater in its DGRs, because the request for key issues and assessment requirements included Stage 1 of the project application. Please note, the groundwater issues raised in NOW's submission of 16 December, 2010 must be addressed at the project application stage.

For the Concept Plan application it is understood the EA will include envelope plans showing the extent of buildings and indicative plans showing cut and fill, etc. The EA for the Concept Plan application needs to outline that:

- a detailed groundwater assessment needs to be provided at Stage 1 projection application
- any part of the development that intercepts or uses groundwater may require a water license under Part 5 of the *Water Act 1912*


The NOW will determine the need for a licence once the detailed information is provided. If required, recommended conditions of approval will be provided to DoP accordingly.

Based on the information provided with the PEA, deep excavation may form part of the proposed development and groundwater may be encountered within excavations below depths of about 3.9 m below existing ground conditions. If it is anticipated that there will be below ground works and deep excavations and the proposal is likely to intercept groundwater it is strongly advised that the groundwater assessment/investigations are undertaken as soon as possible as the results may impact on the overall development. The NOW may require basements with significant groundwater interception to be tanked.

**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**

CC Amy Watson, Department of Planning