



Our ref: DOC19/1017918-8

Your ref: SSI 8896

Rebecca Sommer

Principal Planning Officer
Planning and Assessment

Rebecca.sommer@planning.nsw.gov.au

Dear Ms Sommer

Belmont drought response desalination plant – Environmental Impact Statement

I refer to your email dated 21 November 2019 seeking Biodiversity and Conservation Division (BCD) comment on the Belmont drought response desalination plant proposal located in Belmont South within the Lake Macquarie City Council area.

BCD's recommendations are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Brendan Mee, Senior Conservation Planning Officer, on 4904 2730 or via email at rog.hcc@environment.nsw.gov.au

Yours sincerely

A handwritten signature in black ink that reads 'N Davis'.

NICOLE DAVIS
A/Senior Team Leader Planning
Hunter Central Coast Branch
Biodiversity and Conservation Division
13 December 2019

Enclosure: Attachments A and B

BCD's recommendations

Belmont drought response desalination plant - EIS

Biodiversity

1. BCD recommends that the groundwater monitoring program includes monitoring of vegetation condition within the area of groundwater drawdown and that the trigger, action, response plan establishes triggers and actions for any vegetation changes associated with groundwater impacts.

Aboriginal cultural heritage

2. The ACHAR must be revised to include all relevant supporting consultation documentation necessary to demonstrate the Aboriginal Cultural Heritage Consultation Requirements for Proponents (DECCW 2010) have been satisfied.
3. BCD recommends that a consent condition is created that requires an ACHMP be prepared in consultation with the RAPs and BCD prior to ground disturbing works being undertaken for the project.
4. BCD recommends that re-survey of the project area with the RAPs must occur following surface removal of vegetation. Any Aboriginal objects or sites identified during the re-survey will need to be managed in accordance with the protocols for newly identified sites in the ACHMP.
5. BCD recommends mitigation of AHIMS registered site #45-7-0397 (RPS BEL IF01) be integrated into the ACHMP, to be prepared for the project.
6. BCD recommends that a care agreement for Aboriginal objects be prepared for the project and integrated into the ACHMP.

Coastal management

7. Further investigations should be undertaken during detailed design into locating the intake cassions further landward with longer horizontal intake pipes.
8. Consideration should be given to raising the dune crest height in the vicinity of the proposed desalination plant as part of the Belmont WWTW Dune Restoration Project, to reduce the risk of wave overtopping to the project.

BCD's detailed comments

Belmont drought response desalination plant - EIS

Biodiversity

1. BCD recommends monitoring of vegetation potentially impacted by groundwater drawdown

The Biodiversity Development Assessment Report (BDAR) (prepared by GHB, dated November 2019) states that groundwater drawdown will occur adjacent to the site below vegetation mapped as a terrestrial groundwater dependent ecosystem, corresponding to PCT 1724 Broad-leaved Paperbark - Swamp Oak - Saw Sedge swamp forest on coastal lowlands of the Central Coast and Lower North Coast. This groundwater drawdown has the potential to impact on this vegetation community, which may result in impacts on threatened species habitat or endangered ecological communities.

A groundwater monitoring program and trigger, action, response plan is proposed to be developed to monitor groundwater level and quality and establish actions required if trigger levels are exceeded. Biodiversity and Conservation Division (BCD) recommends that the groundwater monitoring program incorporates monitoring of vegetation condition within the area of groundwater drawdown to ensure that any drawdown or water quality changes associated with the project are not impacting on threatened species habitat or endangered ecological communities. The trigger, action, response plan should also establish triggers and actions for any vegetation changes associated with groundwater impacts.

Recommendation 1

BCD recommends that the groundwater monitoring program includes monitoring of vegetation condition within the area of groundwater drawdown and that the trigger, action, response plan establishes triggers and actions for any vegetation changes associated with groundwater impacts.

Aboriginal cultural heritage

2. The ACHAR does not demonstrate that adequate consultation has been conducted.

BCD has reviewed the Environmental Impact Statement (EIS) for the project and the *Aboriginal Cultural Heritage Assessment Report, Belmont Desalination Plant* (ACHAR) prepared by RPS (October 2019).

The ACHAR does not demonstrate that the consultation process undertaken for the project was conducted in accordance with the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010). 'Sample' pro-forma letters presented in Appendix C of the ACHAR do not meet the requirements to demonstrate that adequate consultation with the Aboriginal community has been undertaken. The ACHAR must be updated to include all relevant supporting consultation documentation necessary to demonstrate the requirements have been satisfied by supplying copies of all key consultation documents.

Recommendation 2

The ACHAR must be revised to include all relevant supporting consultation documentation necessary to demonstrate the *Aboriginal Cultural Heritage Consultation Requirements for Proponents* (DECCW 2010) have been satisfied.

3. **An Aboriginal cultural heritage management plan must be prepared and implemented for the project**

An ACHMP must be developed for the project in consultation with the RAPs and to the satisfaction of BCD, to manage and mitigate extant Aboriginal sites and objects located within the project area.

BCD advises that an ACHMP be developed in consultation with the RAPs and to the satisfaction of BCD, prior to any ground disturbance works being undertaken.

Recommendation 3

BCD recommends that a consent condition is created that requires an ACHMP be prepared in consultation with the RAPs and BCD prior to ground disturbing works being undertaken for the project.

4. **The project area must be re-surveyed after vegetation removal**

BCD has reviewed the supplied documentation with respect to Aboriginal cultural heritage for the project area, including the ACHAR prepared by RPS (October 2019). BCD notes the effective ground surface visibility was generally <10% due to thick vegetation obscuring the ground surface across parts of the project area. Identification of any additional Aboriginal objects present in the project area was hampered due to the lack of ground surface visibility.

BCD is not satisfied that the ACHAR adequately identified and assesses the impacts of the proposal on potential Aboriginal cultural heritage in the project area.

Recommendation 4

BCD recommends that re-survey of the project area with the RAPs must occur following surface removal of vegetation. Any Aboriginal objects or sites identified during the re-survey will need to be managed in accordance with the protocols for newly identified sites in the ACHMP.

5. **Aboriginal site AHIMS #45-7-0397 to be impacted by the proposed development must be mitigated**

Based on the information supplied in the ACHAR, AHIMS registered Aboriginal site isolated find #45-7-0397 (RPS BEL IF01) located within the proposed project area will be subject to full impact by project construction works.

The ACHAR recommends the site be salvaged by community collection, under a mitigation procedure integrated into the Aboriginal Cultural Heritage Management Plan (ACHMP), to be developed for the project. BCD concurs with the recommendation of impact mitigation for AHIMS site #45-7-0397 (RPS BEL IF01) as outlined in the ACHAR.

Should the Aboriginal object be salvaged, then an Aboriginal Site Impact Recording (ASIR) form must be completed and submitted, for inclusion on the AHIMS database.

Recommendation 5

BCD recommends mitigation of AHIMS registered site #45-7-0397 (RPS BEL IF01) be integrated into the ACHMP, to be prepared for the project.

6. A care agreement for all salvaged Aboriginal objects must be prepared and implemented for the project

A temporary storage location must be determined in consultation with the RAPs in order that a temporary keeping place can be used to analyse, and catalogue Aboriginal objects recovered during the salvage program, pending any agreement reached about their long-term management.

Recommendation 6

BCD recommends that a care agreement for Aboriginal objects be prepared for the project and integrated into the ACHMP.

Coastal management

7. Coastal erosion and recession risks to intake structures

The EIS identifies coastal erosion and recession risks to the proposed seawater intake structures. To ensure the risk of damage to these structures from coastal erosion and sea level rise is minimised, further investigations should be undertaken during detailed design into locating the intake cassions further landward with longer horizontal intake pipes.

Recommendation 7

Further investigations should be undertaken during detailed design into locating the intake cassions further landward with longer horizontal intake pipes.

8. Belmont Waste Water Treatment Works dune restoration project

Section 3.3.3. of the EIS describes a proposed Belmont Waste Water Treatment Works (WWTW) Dune Restoration Project that is separate to the desalination project. It is recommended that as part of the proposed dune restoration project, consideration is given to raising the dune crest in the vicinity of the proposed desalination plant, to reduce the risk of wave overtopping at the desalination plant site.

Recommendation 8

Consideration should be given to raising the dune crest height in the vicinity of the proposed desalination plant as part of the Belmont WWTW Dune Restoration Project, to reduce the risk of wave overtopping to the project.