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In reply please quote ref no. 20/13739

Contact: Kerren Ven (02) 9725 0878

19 November 2021

Planning and Assessments Team
NSW Department of Planning, Industry & Environment
GPO Box 39
SYDNEY NSW 2001

Dear Mr Heath,

REQUEST FOR ADVICE ON ENVIRONMENTAL IMPACT STATEMENT FOR UPPER SOUTH CREEK ADVANCED WATER RECYCLING CENTRE (AWRC) & BRINE PIPELINE (SSI-8609189)

Reference is made to your correspondence dated 15 October 2021 requesting comments on the Environmental Impact Statement (EIS) for the above State Significant Infrastructure (SSI) project currently on public exhibition that is a critical infrastructure project relevant to future urban development in the Western City and Western City Airport.

Council has had on-going discussions with Sydney Water leading up to public exhibition of the Project where Council officers have highlighted issues and concerns regarding potential impacts of the proposal on the Fairfield LGA.

In general, Council's key concerns related to the potential impacts of construction works on the daily activities and amenity of the community as well as Council infrastructure and facilities. In particular in relation to existing facilities, this includes a proposed work compound and alignment of the brine pipeline alignment through Cabravale Memorial Park. The Park is a local heritage item, as well as being the major focal point for a range of community activities throughout the year including ceremonies and festivals.

As previously advised to Sydney Water, Council does not support the provision of a work compound and alignment of the pipeline for Cabravale Park. Council also acknowledges that Sydney Water has been working with relevant rail authorities to secure an alternative alignment under the passenger and freight line corridors directly to the east that would avoid potential impacts on Cabravale Park.

Council welcomes this initiative and fully supportive of Sydney Waters efforts to realise an alternative alignment for the pipeline and location for a works compound in this part of Fairfield City.

The following sections of this submission provide further details in relation to issues identified by Council in relation to the Environmental Impact Statement (EIS) for the project.

A. Detail design for the brine pipeline through Fairfield LGA

The EIS (Vol 2, Chpt 4) states that the brine pipeline will be about 0.6 metres in diameter and run about 24km in length through Penrith, Liverpool and Fairfield LGA. The pipeline will be underground and in *'most cases, will be built using open trenching with a typical construction corridor width from 15 to 30 metres'*. Drilling/ tunnelling will be undertaken within waterway areas and railway corridors. A narrower construction corridor and trenching with shoring will be however adopted when environmental site constraints are present i.e daily operations during road reserves.

Council will require further clarification at detailed design stage to understand the construction methodology and construction corridor width of the brine pipeline alignment to determine the impact construction will have on the local road network, pedestrian areas and Council infrastructure.

To avoid impacts on the established urban areas and infrastructure the future design plans developed by Sydney Water should minimise the width of trenching through the urban areas of Fairfield City. Accordingly Sydney Water will need to liaise further with Council on this issue and measures (such as a construction management plan) will need to be investigated to minimise disruption for the community and interference for Council infrastructure projects, including any upgrade/maintenance works Council is planning to undertake.

B. Biodiversity impact and vegetation

The Biodiversity Assessment report adequately follows the Biodiversity Assessment Methods therefore is considered acceptable. The report finds the impact on native vegetation and habitat within Fairfield as low. The visual impact assessment however notes removal of street trees will occur.

An Arborist Impact Assessment shall be provided to Council prior to commencement of construction once detailed design of the brine pipeline has been confirmed to determine the level of impact of tree and vegetation removal. Consideration should be given for offsets on a local scale if trees are to be removed i.e. replant of trees or funding a biodiversity action on a local level where vegetation identified on Council's Conservation Significance Values map is impacted.

C. Construction within catchment areas of Fairfield

The concept design of the brine pipeline shows it will be constructed via tunnelling in 3 creeks in Fairfield LGA (Henty Creek, Green Valley Creek and Prospect Creek). The following matters must be addressed and reviewed by Council at detailed design stage:

- Geotechnical investigations must be undertaken prior to design for tunnelling under the creeks to reduce the risk of creek erosion and groundwater interference.
- Regular monitoring of the creek profile should be conducted for creeks that are under-bored, as well as trenched.
- Relief valves and inspection pits may be required along the pipeline. These should be shown on the detailed design.
- Location of pumping stations should be shown on the detailed design.

- Location of site sheds and stockpiles should be shown on the detailed design, and should be located outside the 1%AEP flood extent.
- Tunnelling of pipelines should meet the surface outside the riparian corridor. The width of the riparian corridor is the width based on the Strahler naming convention at a minimum.
- Depth of tunnelling below the creek beds must be detailed, and justified, to avoid incision, erosion and other detrimental impacts to Fairfield's creeks.

D. Traffic and transport impacts

Prior to commencement of any construction works, affected bus companies, Bicycle NSW, Western Sydney Cycling Network, Council and affected residents of Fairfield shall be notified, consulted and issues resolved, as a result of the temporary disruption of the Project.

Pedestrians shall be provided an alternative access in regard to temporary disruption to use of footpath and access to residential and business properties shall be maintained at all times during construction.

In regard to road closures, Road Occupancy Licences (ROL) must be obtained from Transport for NSW and/or Fairfield Council. "Work Zones" within Fairfield LGA will also require approval from Fairfield Traffic Committee. It should be noted that all costs associated with the installation of work zone shall be done by the applicant and the use of "Work Zones" are permitted for parking of construction vehicles, and not permitted for worker parking.

E. Construction environmental management

A review of the EIS and technical reports adequately address the amenity impacts in terms of noise and vibration, air quality and contamination, subject to the environmental safeguards identified to minimise the impacts. As a result, the Construction Environmental Management Plan prepared must include the following:

- The Construction Noise and Vibration Management Plan (CNVMP) is required to be prepared for the development and shall be submitted to the relevant consent authority for review. Following consideration and any required amendment to the submitted Construction Noise and Vibration Management Plan, appropriate conditions shall be imposed to ensure its effectiveness and enforcement.

Note: Appropriate community consultation shall take place in preparation of the Construction Noise and Vibration Management Plan (CNVMP) in accordance with mitigation measures given in the Noise and Vibration Impact Assessment, prepared by Aurecon Arup, dated 28 April 2021.

- Prior to commencement of construction detailed review of the final equipment layout, plant selections and mitigation measures should be carried out by an acoustic consultant.

- The Construction Environmental Management Plan required to be prepared for the development and shall be submitted to the relevant consent authority for review. Following consideration and any required amendment to the submitted Construction Environmental Management Plan, appropriate conditions shall be imposed to ensure its effectiveness and enforcement.

Note: Appropriate community consultation shall take place in preparation of the Construction Environmental Management Plan in accordance with commitments given in the Air Quality Impact Assessment, prepared by Jacobs, dated 15 June 2021.

Ground Water Management Plan required to be prepared during the detailed design, construction and operational phases of the project and shall be submitted to the relevant consent authority for review. The plan shall include all the mitigation measures mentioned in the Ground Water Impact Assessment report, prepared by Aurecon Arup, dated 29 June 2021.

F. Fairfield City Assets

The following requirements as stipulated by Council's Asset Management Team:

i. Civil and Built Assets

All work is to remain in the Road Reserve. Negotiation with Council's Property Division is required prior to any resolution to burden public land with Sydney Water assets (community or operational land owned by Council such as Cabravale Memorial Park or Cabravale Leisure Centre Car Park).

A dilapidation survey of the Council's roads (construction sites and routes) is required to be carried out before the commencement of construction. The dilapidation survey should include information in regard to each defect on the road pavement, kerb and gutter and other associated assets with photographic evidence and be prepared by a suitably qualified person. These dilapidation surveys will establish the extent of any existing damage and enable any deterioration during and after construction to be identified and remediated.

Sydney Water or their nominated contractor must take responsibility of the maintenance regime to keep safe these proposed sites during and after construction of the project until permanent restoration.

There are approximately 70 locations along the project where the proposed pipelines are crossing Council's stormwater networks. A pre and post CCTV footage of each of Council's pipe section at each crossing point must be undertaken to determine any damage to Council's stormwater drainage networks. An Independent (3rd Party) Consultant must certify that the proposed works at crossing points has not damaged Council's stormwater drainage networks.

The Work-As-Executed drawing for this project must be submitted, to Council's Asset Management Division for the future maintenance of Council's assets at these locations.

The proposed new wastewater pipeline servicing future development in the Aerotropolis runs through State Road, Regional Road, Collector Road, Local Road and Council's Road Reserve. During the detailed design of pipeline, Sydney Water shall consult and liaise with Council to obtain an approval to maintain minimum cover from road surface to pipeline.

In addition, Council expects a similar process to maintain minimum lateral and vertical clearances between the pipeline when crossing to or near Council's storm water lines.

During the consultation process, Council recommend that affected residents must be consulted and that Sydney Water resolve the customer issues prior to works commencing.

For every Road Opening (per House Number/Site) a Road Reserve Clearance Certificate Application (fees applicable) must be lodged. A two-year warranty period will apply after the issue of the Road Reserve Clearance Certificate.

ii. Open Space

A Dilapidation Report on Councils existing park trees adjacent to the development needs to be undertaken and any damage to the park turf or plantings will need to be remediated as part of the completion of the development.

Prior to any site compound establishment an Access over Community Land permit must be obtained (fees apply) with the lodgement of a Dilapidation Report relevant to the site.

It is recognised that the pipeline is following the road reserve. Council requires the lodgement of a Tree Work Permit (fees apply) for any work proposed to impact public/private trees (including street trees/trees in parks). Any trees likely to be impacted are to be inspected by a qualified arborist with reports provided to Council prior to the commencement of works with compensatory mechanisms applied to support additional plantings.

Access to sportsfields/ parks along the route must be maintained during periods of hire or peak periods of use. (i.e. Sports fields need to have access to the car parks during training/ competition periods). Council must be provided with notice prior to any impact on any sportsfields or park assets.

Cabravale Memorial Park is not an approved or agreed site for Sydney Water infrastructure or the locating of a site compound. This reflects the memorial status of the site and its high community value. The site must not be impacted for the purposes of key events including but not limited to Anzac Day, Victory in the Pacific, Fall of Saigon and other Vietnam War commemorations.

Any further negotiation for the use or burdening of the Council land with Sydney Water infrastructure must be consulted and undertaken with Council's Property Division with compensatory requirements met.


Access to Bareena Park must be maintained at all times to ensure that Council's planned upgrade construction at this site will not be delayed (due to commence in 2022).

Council acknowledges the construction of the Upper South Creek will support the Western Sydney Aerotropolis and South West Growth Areas whilst generating circular economy. Notwithstanding the above, it is recommended that the matters raised in the submission in relation to potential undesirable impacts of the brine pipeline through Fairfield City be considered further with appropriate conditions applied to any approval of the SSI application.

It is strongly recommended that Sydney Water and Council work collaboratively on the detailed design of the brine pipeline to realise the best outcomes and minimise impacts on the community and infrastructure of Fairfield City.

Should you require any further clarification in respect of this matter, please contact Kerren Ven on (02) 9725 0878.

Yours sincerely



Andrew Mooney
ACTING MANAGER, STRATEGIC LAND USE PLANNING