

23 August 2022

Contact: *Justine Clarke*

Telephone: *0457 535 955*

Our ref: *D2022/99922*

Deana Burn
Department of Planning & Environment
Industry Assessments
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Ms Burn

Oakdale East Industrial Estate (SSD-37486043) – Stage 2

Thank you for your Major Projects Planning Portal referral dated 25 July 2022, inviting WaterNSW to comment on the Environmental Impact Statement (EIS) for the State Significant Development project at Oakdale East Estate (OEE). The Concept masterplan for the industrial estate provides for the development to be built over 5 stages. It is understood that this application includes development to facilitate the Concept Masterplan, lead-in works, estate-wide infrastructure works, the development of a warehouse and distribution facility in Precinct 3 and extension of the existing approved development in Precinct 1.

WaterNSW owns and manages the Warragamba Pipelines, critical water supply infrastructure located directly north of the development site. The Pipelines convey water from Warragamba Dam to the Prospect Water Filtration Plant and are an integral component of the Sydney drinking water supply system. It is essential this water supply infrastructure is protected from the potential impacts of adjoining development.

Based on the information provided, WaterNSW has no objection to the proposed development as such, however, the EIS has not specifically addressed our comments (made during SEARs consultation; our ref: D2022/10579), or the SEARs requirements. Those being (but not limited to):

- assessment of downstream impacts
- assessment of impacts on drainage paths into the Warragamba Pipelines corridor, particularly at Reedy Creek, and consideration of Water NSW's Guideline for Development Adjacent to the Upper Canal and Warragamba Pipelines, September 2021
- consideration of downstream impacts on the WaterNSW Pipelines corridor including pre-developed and post-developed surface water flows – WaterNSW requires that post-development flows be equal to or less than the pre-development flows for each storm event up to and including 1% AEP event
- former State Environmental Planning Policy (Infrastructure) 2007 (ISEPP) – Clause 127A, now State Environmental Planning Policy (Transport and Infrastructure) 2021 (ISEPP) – Clause 2.163

- SEARs infrastructure requirements –
 - an assessment of any other risks to the integrity and security of the Pipelines, including but not limited to, vibration, soil, water, infrastructure interaction and transport routes across or near the corridor
 - details of measures to avoid any adverse impacts on the Pipelines corridor
 - consideration of proposed infrastructure works adjacent to the site and the pipelines corridor (such as the proposed gas pipeline extension)
- buffer distances between building hardstand and property boundary at precinct 5.

WaterNSW requests that the proponent addresses our comments in any response to submissions.

In addition, WaterNSW offers the following comments and requirements for your consideration (Attachment 1). WaterNSW requests to be consulted as a key stakeholder throughout the project and have the opportunity to review and comment on drafted conditions of consent.

WaterNSW requests the Department and developer continue to consult with us, using the email address Environmental.Assessments@waternsw.com.au.

If you have any questions regarding this letter, please contact Justine Clarke at justine.clarke@waternsw.com.au.

Yours sincerely

A handwritten signature in black ink, appearing to read "Daryl Gilchrist".

DARYL GILCHRIST
Manager Catchment Protection

Attachment 1 – WaterNSW comments and suggested consent conditions for SSD-37486043 (Stage 2)

Stormwater Management

WaterNSW requests that during detailed design stage, measures must be developed ensure flooding, stormwater and associated water quality and quantity risks within the Pipelines corridor are mitigated.

Requested conditions:

- *Detailed design for the development must consider and demonstrate the requirements of the WaterNSW publication 'Guideline for development adjacent to the Upper Canal and Warragamba Pipelines'.*
- *Final levels and design of the proposal must not result in an increase in overland flow of water into the Pipeline corridor of either quantity, quality or velocity. The development must be designed, operated and maintained to ensure post-development flows do not exceed pre-development flows into and through the Pipelines Corridor.*
- *Stormwater directed to or across the Pipelines corridor is not acceptable, except at approved points of discharge for the development.*
- *WaterNSW shall be consulted should there be any impact on existing drainage structures during the works within or adjacent to the Pipelines corridor. Any impacted drainage structures shall be reinstated and/or restored on completion of works at the proponent's expense, to the satisfaction of WaterNSW.*

Protection of WaterNSW infrastructure

Site preparation and construction can pose particular risks to WaterNSW infrastructure. It is vital WaterNSW is actively involved in the development and assessment of detailed design plans and CEMPs for relevant parts of the development including the estate-wide earthworks, infrastructure and services and construction.

Requested conditions:

- *Where development is proposed adjacent to the Warragamba Pipelines Corridor, applicants shall consult with WaterNSW. Development is to be consistent with 'Guideline for development adjacent to the Upper Canal and Warragamba Pipelines (WaterNSW, 2021).*
- *The proponent shall implement all practical measures to prevent damage to WaterNSW water supply infrastructure that may result from construction or operation of the project.*
- *The proponent shall repair, or pay all reasonable costs associated with repairing any damaged WaterNSW water supply infrastructure in a timely manner and to the satisfaction of WaterNSW.*
- *Stockpiles should not be placed in a position where they may interfere or otherwise impede associated WaterNSW drainage infrastructure.*

Erosion and sediment control

It is critically important that the estate infrastructure works are designed and undertaken in a manner that does not impact on the Pipelines corridor. Effective erosion and sediment controls must be installed prior to any earthworks. The controls should be regularly maintained and retained until works have been completed and the ground surface stabilised or ground cover re-established.

Requested condition:

- *Erosion and sediment controls are to be designed, installed and maintained in accordance with the Blue Book, Landcom (2004) Managing Urban Stormwater: Soils and Construction.*

Fencing

In the experience of WaterNSW, development adjacent to the Pipelines corridor has a direct correlation with an increased occurrence of security incidents. These can include trespass, malicious damage, rubbish dumping, arson, assault and threatening behaviour. Both temporary and permanent fencing (depending on the stage of development) is required for any interface with WaterNSW land.

WaterNSW has reviewed the fencing plan (20-798-C1161) and accepts that this meets WaterNSW needs. However, within 20 metres of Reedy Creek, additional bracing must be installed to ensure the integrity of the fencing during peak creek flows.

Requested conditions:

- *Appropriate boundary identification (such as temporary construction fencing) shall be installed prior to works commencing and shall be maintained throughout the construction period.*
- *Prior to occupation certificate, a 2.1m chain mesh fence, plus 3 strand barbed wire on top, for a total height of 2.4m, is to be installed along the entire length of the boundary with WaterNSW, unless otherwise agreed to by WaterNSW.*
- *WaterNSW will not accept any gates from the development site into the Warragamba Pipelines Corridor.*
- *WaterNSW consent must be obtained prior to installation of mutual boundary fencing.*
- *Any existing rural fencing shall be removed and disposed of at an appropriate waste facility licensed to accept the waste.*

Retaining Walls

Where retaining walls are to be installed adjacent to the Pipelines corridor (precinct 5), they should be set back from the boundary, with all footings for retaining walls built entirely within the development site.

Due to the proximity of the retaining wall construction and the water supply pipelines, WaterNSW requests that specific consideration and mitigation measures are incorporated into any Construction Noise and Vibration Management Plan (CNVMP) to protect the pipelines. A vibration and settlement monitoring plan (based on further geotechnical assessment) for works near the Warragamba Pipelines must be compliant with the German Standard DIN 4150-3:2016, 'Structural Vibration Part 3: Effects of vibration on structures'.

Utilities (services)

Utility crossings should be designed to avoid the Warragamba Pipelines Corridor. Any proposed utility crossings must be approved by WaterNSW, and designed and located in accordance with WaterNSW requirements.

Security

The *Water NSW Act 2014* (the Act) and associated *Water NSW Regulation 2020* includes controls, restrictions and penalties designed to protect the water supply infrastructure and drinking water quality from pollution, damage, unauthorised entry or other unauthorised activities. The Warragamba Pipelines Corridor is classified as a 'Controlled Area' under the Act, affording it added protections. As such, for security and safety reasons, there is no public access into the WaterNSW Pipelines corridor at any time.

The proponent of any works within the Pipelines corridor, or any of its contractors, may only enter WaterNSW land in accordance with an access consent issued under clause 9 of the *WaterNSW Regulation 2013*. Information on access permits is available on the WaterNSW website.

Requested condition:

- *Access to the WaterNSW Pipelines corridor is prohibited unless a written access permit has been obtained from WaterNSW.*

Notification of incidents

WaterNSW requires notification of any incident such as a vehicle accident, discovery of any heritage items, spill or fire that affects or could affect the WaterNSW Pipelines corridor. Any such incident should be reported to WaterNSW on the incident Notification Number 1800 061 069 (24 hour service) as a matter of urgency.

Requested condition:

- *All incidents that affect or could affect the WaterNSW Pipelines corridor shall be reported to WaterNSW on the 24 hour Incident Notification Number 1800 061 069 as a matter of urgency.*
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