



Department of Primary Industries

OUT13/14757

14 JUN 2013

Ms Christine Chapman
Industry Projects
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

christine.chapman@planning.nsw.gov.au

Dear Ms Chapman,

**Kemps Creek AWT facility (SSD 5275)
Response to exhibition of Environmental Impact Statement**

I refer to your letter dated 30 April 2013 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

Comment by Fisheries NSW

Fisheries NSW advise no objections, provided the proposed water quality treatment measures are implemented.

For further information please contact Carla Ganassin, Conservation Manager (Wollongong office) on 4254 5527, or at: carla.ganassin@dpi.nsw.gov.au.

Comment by NSW Office of Water

The NSW Office of Water provides the advices and recommended conditions, should the application be approved, in Attachment A.

For further information please contact John Galea, Water Regulation Officer (Penrith office) on 4729 8122, or at: john.galea@water.nsw.gov.au.

Comment by Crown Lands

It is noted that Badgerys Creek is a Crown waterway. Crown Lands advise no issues with the proposal unless works are proposed to the waterway itself in which case the proponent will need to approach Crown Lands to seek appropriate approval and tenure arrangements.

For further information, please contact Stephen Fenn, Senior Area Manager Metropolitan (Parramatta office) on 8236 7113 or: stephen.fenn@lands.nsw.gov.au.

Yours sincerely

Phil Anquetil
Executive Director Business Services

Attachment A

Kemps Creek AWT facility (SSD 5275) Response to exhibition of EIS

Comment by NSW Office of Water

The EIS has covered the issues adequately, however there may be an issue with respect to water licensing of the stormwater harvesting ponds/dams on site.

Appendix E – Water Balance Report, discusses the possibility of increasing the size of the Source Separated Organics (SSO) Leachate Pond to reduce the number of truck trips to transport excess leachate off site for treatment and disposal. Appendix E also has a Water Process Flow Diagram which shows that water may be taken from the Inter-site Clean Stormwater Back-up (which is to the west of the current buildings). This dam has an approximate surface area of 6300m². If it is assumed to be 2 metres deep it would have a nominal storage volume value of 5.0ML. If this pond/dam is included in the water supply, a Water Access Licence may be required.

While beneficial reuse of water is a goal of the Office of Water, the increase in size of the pond/dam may lead to it being in excess of the allowable Maximum Harvestable Right Dam Capacity for the site. For further information in this regard reference should be made to:
<http://www.water.nsw.gov.au/Water-licensing/Basic-water-rights/Harvesting-runoff/Harvesting-runoff>.

The exemptions contained within *Water Management (General) Regulation 2011 – Schedule 1 – Excluded Works* should also be read to confirm whether the works meet these requirements.

The general position recommended by the Office of Water is that the dam/pond should be the minimum size required to adequately fulfil obligations under Clause 3 of Schedule 1 of the Regulation.

The Harvested Stormwater ponds may also be captured by the Harvestable Rights Policy. Although the collection of rainwater from buildings in tanks does not require licensing, water collected in a pond/dam may require licensing. The proponent may wish to consider that instead of increasing the size of the SSO Leachate Pond, it could investigate construction of tanks to collect all harvested stormwater and leachate.

Should the application be approved, the following are recommended as conditions:

1. Prior to construction beginning, detailed plans of the proposed leachate ponds and the harvested stormwater ponds are to be supplied to the NSW Office of Water to determine whether they are in excess of the Maximum Harvestable Rights Dam Capacity for the site.
2. The *Water Management Plan* should indicate if the dam to the west of the site is to be used for water supply or not.
3. Consideration be given to the collection of all rooftop water in tanks rather than ponds.

End Attachment A