

David Mooney - Erskine Park Milk Processing Facility - EIS

From: Wayne Jones <wayne.jones@dpi.nsw.gov.au>
To: <david.mooney@planning.nsw.gov.au>
Date: 13/11/2013 11:58 AM
Subject: Erskine Park Milk Processing Facility - EIS
CC: Kristy Chan <kristy.chan@trade.nsw.gov.au>, Greg Paine <greg.paine@trade.nsw.gov.au>

Hi David

Please see following draft DPI response to the above project. Formal letter should follow soon.

Regards

Wayne

OUT13/33875

Mr David Mooney

Major Projects Assessment

NSW Department of Planning and Infrastructure

GPO Box 39

SYDNEY NSW 2001

David.Mooney@planning.nsw.gov.au

Dear Mr Mooney,

Erskine Park Milk Processing Facility (SSD-6026) Response to exhibition of Environmental Impact Statement

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

Comment by NSW Office of Water

The NSW Office of Water advises the following key issues listed below and detailed comments are provided in **Attachment A**.

Issues

- ✍ Clarification is requested in relation to the degree of likely interaction with groundwater, and procedures to be followed if groundwater is encountered.
- ✍ The Construction Environmental Management Plan (CEMP) needs to clarify the procedures that will be followed if groundwater is encountered during construction works, and include the need to contact The Office of Water in such a situation.
- ✍ Clarification is required as to whether proposed retaining walls are free draining to avoid water-logging. Detention basins should be lined to avoid water logging and recharge of underlying perched water tables.
- ✍ Clarification is required in relation to groundwater monitoring.
- ✍ The EIS has not considered Groundwater Dependent Ecosystems (GDEs) and should consider GDEs that may occur at the local scale in the biodiversity/riparian corridor. Should groundwater be affected by this proposal the proponent should consider the effect on GDEs.
- ✍ Where possible, landscaping on-site should consist of native species from the relevant local vegetation community (particularly adjacent to the biodiversity/riparian corridor).
- ✍ Clarification is required as to whether the proposal involves undertaking activities in, on or under waterfront land (i.e. in relation to stormwater works) and if so, what management measures will be implemented.

Comments

- ✍ It is recommended several amendments are made to the Statement of Commitments as noted in the detailed comments contained within Attachment A to this letter.
- ✍ It is important that erosion and sediment control measures are implemented prior to any earth works commencing and are maintained during and following the completion of works.

Should you require further information please contact Janne Grose, Planning and Assessment

Coordinator on (02) 4729 8262 at the Penrith office.

Attachment A
Erskine Park Milk Processing Facility (SSD-6026)
Response to exhibition of EIS
Comment by NSW Office of Water

Groundwater

The EIS states the building works are not likely to intercept groundwater or disrupt groundwater drainage patterns as the building works are not expected to extend deeper than 2 metres below existing ground surface and the observed perched water table depths are greater than 3 metres below ground (Section 6.6.5, page 6-6-12, Volume 1). The EIS notes the building works are expected to have negligible impact on groundwater (p 6-6-12).

It is not clear if there will be an intersection of the project with groundwater. While the EIS states groundwater occurs at depths greater than 20m below the ground surface (Volume 1, page 6-6-10), it predicts that seasonal perched water tables occur within the fill and the natural soils and the watertable depths are expected to fluctuate significantly in response to season and rainfall (Section 6.6.5, page 6-6-12). As such, the degree of fluctuation needs to be quantified.

It is noted the Construction Environmental Management Plan (CEMP) includes a mitigation measure that *where groundwater is observed during construction works, all works will be stopped immediately and the Senior Site Manager will be notified immediately* (see Table 4, page 8 in Appendix 3 of the EIS, Volume 1). The CEMP needs to clarify the procedures that will be followed if such a situation arises. It should be stated clearly in these procedures that The Office of Water must be contacted if groundwater is encountered. It is suggested this is included as a Statement of Commitment.

The excavation proposed for the project is deemed to be an aquifer interference activity in accordance with the definition in the *Water Management Act 2000*. It is expected that the excavation and construction at the property will be conducted in accordance with the principles of the *Aquifer Interference Policy* (available on-line at <http://www.water.nsw.gov.au/Water-management/Law-and-policy/Key-policies/Aquifer-interference>).

If groundwater is likely to be intercepted or extracted, depending on the volumes encountered and the duration of pumping, an authorisation may be required from the Office of Water in relation to construction excavation and dewatering activities. Consultation with the Office of Water is required to determine these requirements. The Office of Water can advise on the need for an authorization once information is available on the expected groundwater inflows.

Retaining walls

Section 6.1.1 of the EIS states a large keystone retaining wall (approximately 5.5m to 6.5 m high) occurs along the site's northern boundary and the southern boundary comprises a small keystone block retaining wall (approx 1.2 to 1.5 m high). The EIS recommends the retaining walls should be designed with subsoil drains and good drainage to avoid water logging (see Section 6.6.6, Volume 1, page 6-6-14). Clarification is required as to whether the retaining walls are free draining to avoid waterlogging.

Groundwater Monitoring

Section 6.6.5 of the EIS states that due to the predicted negligible impacts on groundwater, there is no justification for groundwater monitoring either during the construction or operation of the proposal (page 6-6-13, Volume 1). However, Technical Paper TP10c includes a Management Method (7) to *monitor groundwater levels periodically* in relation to the prevention of a rising groundwater table level and saline conditions (see Table A Summary of Salinity, Erosion and Sediment Control Management Strategy).

Clarification is required as to why the EIS states there is no justification to monitor groundwater but the Technical Paper TP10c recommends the periodic monitoring of groundwater levels as a management method. It is recommended that regular periodic monitoring of groundwater levels is undertaken in order to demonstrate that the mitigation measures implemented at the site are effective.

Temporary Detention Basins

Technical Paper TP10c recommends that an impermeable liner should be installed at the base and walls of the basins to minimise water logging, infiltration and potential recharge of the underlying perched aquifer (page 24). Details are required on the proposed depth of the temporary detention basins to determine if the basins are likely to intercept groundwater.

Groundwater Dependent Ecosystems (GDEs)

The Office of Water recommended in its DGR submission that the EIS provide details on the presence and distribution of Groundwater Dependent Ecosystems (GDEs) in the vicinity of the site and address any potential impacts on GDEs as a result of the proposal. The EIS has not addressed GDEs and should consider GDEs that may occur at the local scale in the biodiversity/riparian corridor.

Watercourse and Riparian Land

Landscaping

The EIS states that the proposal has incorporated landscaping that integrates the built form into the natural landscape and ecology of the adjacent biodiversity corridor (page xi). Section 2.3.4 of the EIS notes that landscaping to the site perimeter would consist of grassed lawns and borders planted with hardy native plants (page 2-17) and Section 6.10.10 states *“the plant species selected are generally drought tolerant”*. As the site adjoins the biodiversity riparian corridor, the Office of Water repeats the recommendation that any landscaping on the site, particularly adjacent to the corridor, where possible consist of native trees, shrubs and groundcover species from the relevant local vegetation community, consistent with the Guidelines for Controlled Activities on Waterfront Land.

The establishment of local native plant species would also assist in reducing watering requirements at the site and thereby maintain or lower the groundwater table level. Technical Paper TP10c also states that watering activities associated with the proposed landscape areas will tend to increase groundwater recharge and it recommends installing subsoil drains in these areas to avoid excessive recharge of the groundwater system (page 27). To prevent rising groundwater levels and the development of saline conditions, Table A of Technical Paper TP10c includes management measures to *“replace non-native plants with native species”* and the *“design and construction of appropriately sized nature strips to ensure growth of native plants and deep rooted trees”* to maintain or lower the groundwater table level. It is suggested these management measures are also included in the Statement of Commitments.

Stormwater Outlet

Table 3.3B in the EIS indicates the proposal would not involve undertaking activities in, on or under waterfront land (Volume 1, page 3-22). However, Section 6.4.3 of the EIS notes the proposed stormwater works would extend into the Biodiversity Corridor (page 6-4-5) and Appendix 3 of Technical Paper TP3 indicates the stormwater outlet will remove or modify vegetation within the existing bushland corridor south of the proposed development area to the effect of approximately 40-50 m by 5m (page 34). Clarification is required as to whether the proposal involves undertaking activities in, on or under waterfront land.

Appendix 3 of Technical Paper TP3 notes the stormwater outlet location is within cleared lands and River-Flat Eucalypt Forest (page 34). The Office of Water recommends the following:

- the stormwater outlet structure be placed to avoid disturbing remnant native vegetation; and
- a scaled plan is provided which shows the location of:
 - the proposed stormwater structure route
 - the creek and top of bank
 - the boundary of the biodiversity/riparian corridor
 - remnant native vegetation potentially affected by the outlet structure.

If it is not possible to avoid disturbing remnant native vegetation in the corridor, it is recommended:

- the area within the biodiversity/riparian corridor that is disturbed by the works is rehabilitated following the completion of works with native species from the relevant local vegetation community; and
- a Vegetation Management Plan (VMP) is prepared to provide details on how the rehabilitation will be carried out.

It is noted the EIS includes a mitigation measure and Statement of Commitment that all native vegetation areas disturbed as a result of the proposed stormwater works would be stabilised and revegetated with native groundcover and shrub species (page 6-4-5). It is suggested the Statement of Commitment outlines that a VMP is to be prepared and the vegetation should consist of native species from the relevant local vegetation community.

Technical Paper TP6c states there are two potential discharge locations for the stormwater outlets in the south east and south west and in both locations stormwater may need to be conveyed down relatively steep gradients and appropriate grade control structures would be required (page 12). The Office of Water agrees that the works should be designed to discharge stormwater in suitable locations at non-erosive velocities that will not cause damage to the receiving environment. As far as practicable, the works should be kept outside the 40m buffer surrounding the creek.

The outlet structure should be in accordance with the Office of Water Guidelines for Outlet Structures

on Waterfront Land (June 2012).

Sediment Erosion Control

Technical Paper TP6b refers to a sediment slug in the creek at survey site 7 and that the ☐ *sediment appears recent and likely derived from erosion on adjacent landfill/industrial sites*☐. The EIS includes a mitigation measure that erosion and sediment controls would be implemented during construction works (see section 6.10.13, page 6-10-24). It is important that erosion and sediment control measures are implemented prior to any earth works commencing at the site and these control measures are maintained during and following the completion of works until the site is appropriately stabilised and rehabilitated.

Statement of Commitments

It is recommended the following amendments are made to the Statement of Commitments in Table 7A of the EIS (Volume 1 of 4):

Ecology

The Statement of Commitment (E4) is amended as follows:

? ***Where the biodiversity corridor*** ~~All native vegetation areas~~ ***is*** disturbed as a result of the proposed stormwater works, ***the area*** shall be stabilised and revegetated with native ground layer and shrub species ***from the relevant local vegetation community*** post completion of works to minimise erosion and sedimentation.

The following Statement of Commitment is included:

- A Vegetation Management Plan (VMP) shall be prepared in accordance with the Office of Water Guidelines for Vegetation Management Plans (June 2012) to revegetate and rehabilitate areas within the biodiversity/riparian corridor disturbed by the proposal.

N.B. *The VMP should include details on maintenance requirements / weed control of the riparian corridor area that is disturbed as a result of the stormwater works. The VMP could also provide details on the proposed weed control procedures to prevent weeds spreading from the site to the biodiversity/riparian corridor.*

Ground conditions

The following Statement of Commitment is included:

- The landscape areas within the site shall establish native plants and deep rooted trees from the local vegetation community to assist maintain or lower the groundwater table level
- If groundwater is observed during construction works the Office of Water needs to be contacted as part of the stop work process
- Regular periodic monitoring of groundwater levels shall be undertaken to demonstrate that the mitigation measures at the site are effective in preventing a rise in the groundwater table level and the development of saline conditions

Surface Water

The Statement of Commitment (SW1) is amended as follows:

? Erosion and Sediment Controls shall be implemented ***prior to any earthworks commencing at the site and*** during construction works generally in accordance with the Early Works Soil and Water Management Plan and updated as necessary ☐☐..

End Attachment A

Regards

Wayne

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Department of Primary Industries

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