

Shaun Williams
Planning Officer
Industry Assessments
Department of Planning and Environment
320 Pitt Street, GPO Box 39, Sydney NSW 2001

18th June 2018

Re: Erskine Park Resource Management Facility (SSD 7075 Mod 3) – Response to Submissions

Dear Shaun

Background

I refer to the Department's letter of the 13th June 2018 in relation to the above matter.

Stage 1 of the Erskine Park Waste and Resource Management Facility was approved by the Planning Assessment Commission (PAC) on 4th October 2016. The EIS prepared in support of the Development Application included a detailed Surface Water Assessment (*SLR, Surface Water Assessment, October 2015*) which set out the approach to assessing and managing surface water including determining on-site storage and detention requirements (OSD).

A Modification Application (Modification 1) was approved by the Department on 25th August 2017. The Modification Application included an updated Surface Water Assessment (*SLR, Surface Water Assessment, June 2017*) which assessed the surface water impacts of the modification.

A second modification application was approved by the Department on 28th February 2018. A third modification application was lodged with the Department in May 2018.

The project is currently under construction in accordance with the approved project design, including modifications, and is scheduled for completion in December 2018.

Submissions

The Department has requested that Cleanaway provide a response to the following issues raised by Penrith City Council in response to the notification of Modification Application 3:

- On-site Stormwater Detention (OSD) is required to be provided for the site with a Site Storage Rate (SSR) of 280cbm/Ha and a Permissible Site Discharge (PSD) of 120L/s/Ha.
- A restriction as to user and positive covenant relating to the stormwater management systems should be registered on the title of the property under private ownership.

OSD Provision

A surface water assessment was prepared as part of the EIS to support the Development Application for the Waste and Resource Management Facility with an updated surface water assessment prepared for the subsequent Modification 1.

The approach taken for the surface water assessment (EIS) and updated surface water assessment (Modification 1) to determine OSD requirements was to meet the pre-development flow rates post-development.

Both the EIS and Modification 1 were approved by the Department with input from Council. In addition, Cleanaway's surface water specialist contacted Penrith City Council as part of the preparation of the updated surface water assessment and they advised that normal rates should be considered as the pre-development runoff rate of the existing development site.

A PSD rate was not used in the surface water assessments as the site is greater than 5000m². The water management system was designed so that the post development flows were no greater than the pre-development flow rates (using DRAINS software) in accordance with the PCC document titled '*Stormwater Drainage Specification for Building Developments*'.

On this basis, the SSR used in the surface water assessment and to inform the design of OSD was 191 cbm/Ha leading to a OSD provision of 710m³. This is documented in the updated surface water assessment lodged as part of Modification 1 "*ENVIRONMENTAL ASSESSMENT Proposed minor changes to approved Erskine Park Resource Management Facility (SSD 7075) Stage 1 Waste Transfer Station Surface Water Assessment Report Number 610.14324 21 June 2017*".

Notwithstanding the above, the Site Storage Rate (SSR) of 280cbm/Ha and a Permissible Site Discharge (PSD) of 120L/s/Ha are not applicable to the Erskine Park Waste and Resource Management Facility site. The PCC document titled '*Stormwater Drainage Specification for Building Developments*' states that these requirements are only applicable to developments that are less than 5,000m² (refer to Sections 4.2.2 and 4.3.5). The Erskine Park Site is 37,000m².

In response to the Council submissions, Cleanaway does not propose to change the approach to stormwater management on site on the basis that:

- The approach to stormwater management has previously been approved by the Department and Council and the project is currently being constructed to the approved design
- The alternative stormwater requirements proposed by Council are not applicable to a large site such as the Erskine Park site
- Modification 3 has negligible impacts on surface water and has been confirmed via additional third-party assessment that there is sufficient capacity within the approved OSD to manage surface water run-off.

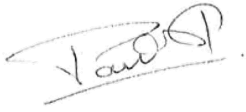
Covenant

The approach to surface water management was approved through the original development consent and subsequent modification (Modification 1) to the consent by the Department with input from Council. The requirement for a covenant in relation to surface water management was not part of the consent and subsequent modification.

The proposed Modification 3 has negligible impacts on surface water and has confirmed that there is sufficient capacity within the approved OSD to manage surface water run-off. As a result, the overall approach to surface water management on site would not change compared to what was approved through the consent and subsequent modification. Therefore, Cleanaway considers that there is no need for additional surface water management requirements such as the proposed covenant and that it is not appropriate to revisit matters that were previously approved where the current proposed modification is not impacting on those matters.

Please let me know if you require any additional information or clarification of any of the above.

Yours sincerely,



Paul Antony

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