Hunter Water Corporation
ABN 46 228 513 446

PO Box 5171
HRMC NSW 2310
36 Honeysuckle Drive
NEWCASTLE NSW 2300
1300 657 657 (T)
(02) 4979 9468 (F)
enquiries@hunterwater.com.au
hunterwater.com.au

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Our Ref: HW2018-3

Mr Scott Hay
Department of Planning and Environment
GPO Box 39
Sydney NSW 2001

Via email: scott.hay@planning.nsw.gov.au

Dear Scott,

SUBMISSION RE: ENVIRONMENTAL IMPACT STATEMENT FOR CATHERINE MCAULEY CATHOLIC COLLEGE – 2 KINGFISHER CLOSE, MEDOWIE – SSD 8989

The proposed Catholic College to be located at Lot 412 and Lot 413 DP 1063902 at 2 Kingfisher Close and 507 Medowie Road, Medowie, falls within Hunter Water's Grahamstown Dam Drinking Water Special Area as gazetted in the *Hunter Water Regulation 2015*. Prevention of pollution or contamination of water in the drinking water catchments is of paramount importance to Hunter Water.

As noted in our letter to Planning (dated 11 January 2018) providing input into the Secretary's Environmental Assessment Requirements for the project, Hunter Water requires all development within drinking water catchments to demonstrate a Neutral or Beneficial Effect on Water Quality (NorBE). A development is considered to demonstrate NorBE if the development:

(a) has no identifiable potential impact on water quality, or
(b) will contain any water quality impact on the development site and prevent it from reaching any watercourse, waterbody or drainage depression on the site, or
(c) will transfer any water quality impact outside the site where it is treated and disposed of to standards approved by the consent authority.

As stated in our previous correspondence, the main ways in which the proposed development may affect water quality are through stormwater discharge during both the construction and the occupation phases, which can introduce sediment, pollutants (such as nutrients, pesticide residues and other contaminants) and pathogens into surface waters and groundwater. In particular, it is anticipated that use of fertilisers and chemical use and storage on site could be a source of pollutants for this development, depending on the proposed school's design and its operation and maintenance procedures.

Section 6.3.2.2 of the Environmental Impact Statement (EIS) states that "*The proposed development is located within the Grahamstown Dam drinking water catchment, with no impact expected due to the development provided appropriate construction and stormwater management controls are in place.*" This statement, however, is not supported by appropriate evidence in the EIS documentation.

The Proponent has not addressed the requirements of the SEARs in relation to stormwater quality. Section 17 of the SEARs state the EIS was to:

- *Detail measures to minimise operational water quality impacts on surface waters and groundwater. The development must demonstrate Neutral or Beneficial Effect on Water Quality (NorBE) in terms of stormwater runoff using Model for Urban Stormwater Improvement Conceptualisation (MUSIC) modelling using the appropriate Port Stephens Council MUSIC Link catchment and default parameters.*
- *A comparison between existing and expected post-development pollutant loads in stormwater runoff should be made to demonstrate that the proposed stormwater infrastructure and treatment train will satisfactorily address water quality concerns for the typical stormwater pollutants of total nitrogen, total phosphorus, total suspended solids and gross pollutants.*

The Stormwater Management Plan (Appendix 15 to the EIS) only assessed treatment train effectiveness and did not address NorBE. In fact, the stormwater management approach described in Section 3 of the Plan and the proposed water quality facilities in Section 4.7 of the Plan refers to the Port Stephens Council DCP but make no mention of NorBE. As such, Hunter Water has not been able to undertake a detailed assessment of the MUSIC modelling at this point. Hunter Water's estimates of the pre-development loads from the site suggest that the proposed treatment train may fail to meet NorBE for both total phosphorus and total nitrogen. The Proponent must undertake the required modelling to demonstrate how the development can meet NorBE prior to determination of the application. The modelling files and the MUSIC Link Report should be provided to Council and Hunter Water for review, at which time a detailed assessment of the model inputs and outputs will be undertaken.

In relation to management of pesticides and fertilisers on the site, it is noted that the EIS specifies that a Vegetation Management Plan will be developed, which will prescribe measures to minimise fertiliser and herbicide use in situations where chemicals could be transported beyond the subject land. Hunter Water requests that this Plan, when developed, is provided to Hunter Water for review and endorsement prior to adoption and implementation.

Hunter Water notes that the contamination assessment identified a number of pollutants on the site in soil and groundwater. Hunter Water recommends that the Construction Environmental Management Plan for the construction phase of the project (including the demolition of existing structures) specifically addresses the management of contaminants identified on the site to ensure that no pollutants present in soil, groundwater or other media cause further contamination of water or land beyond the site.

If you require further advice or clarification regarding the submission, or questions regarding the application of NorBE, please contact me on (02) 4979 9545.

Yours sincerely

Jordi Bates
Team leader Water Resources Planning