NSW GOVERNMENT | Office of Environment & Heritage

Your reference: SSD-5066
Our reference: DOC15/184857
Contact Richard Bonner, 9995 6917

Mr Andrew Beattie
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Department of Planning and Environment
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Dear Mr Beattie

I refer to your letter received by the Office of Environment and Heritage (OEH) on 27 May 2015 requesting comments on the Sydney Intermodal Terminal Alliance (SIMTA) State Significant Development Application (SSD-6766) and Environmental Impact Statement (EIS) for the Stage 1 – Intermodal Terminal and Rail Connection located on the eastern side of Moorebank Avenue, Moorebank.

OEH has reviewed the EIS and provides comments in relation to Aboriginal cultural heritage, biodiversity, stormwater management and water quality at Attachment 1.

If you have any queries regarding these comments please contact Richard Bonner, Conservation Planning Officer, on 9995 6917.

Yours sincerely

S. Harrison 06/07/15

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Attachment 1: OEH comments on the EIS for SIMTA Stage 1 – Intermodal Terminal and Rail Connection Development Application (SSD 6766)

Aboriginal cultural heritage

- OEH recommends that a final decision regarding the long term management of Aboriginal objects be made as soon as possible. If objects are to be reburied on site, the location will need to be registered on the AHIMS and any subsequent impact or harm may require an AHIP. If objects are to be reburied on site, OEH considers that long term protection of the location should be determined and secured.
- OEH notes at dot point 4 of section 15.4 (Mitigation Measures) of the EIS: '*The Proposal is likely to impact one Aboriginal site, MA14 (artefact scatter and deposit) on the eastern bank of Georges River. If impacted mitigation measures included in Section 9.6 of the draft Aboriginal Heritage Impact Assessment (AHMS, 2015) should be implemented. These include open area salvage excavation of up to 100 m^2 in the vicinity of test pit #3*'. Apart from the reference error to section 9.6 (rather the correct section 8.6) of the *draft Aboriginal Heritage Impact Assessment* (AHIA), OEH recommends this statement be amended to specify that the mitigation measures be implemented *prior* to any impacts occurring to site MA14 through development activities. This accords with dot point 6 of Section 8.7 (Recommendations) of the AHIA: *'The Stage 1 Proposal is likely to impact one Aboriginal site, MA14 (artefact scatter and deposit) on the eastern bank of Georges River. Due to the significance of this site, additional mitigation measures prior to development is recommended and outlined in* ***Section 9.6*** *[sic] of this report…'*
- With regard to the salvage excavation methodology presented in Section 8.6.3 (Excavation Methodology) of the AHIA, it is noted that *'sediment from each 5 cm spit would be bucketed separately and sieved through 3mm mesh*' is proposed. OEH recommends that wet sieving is a more appropriate methodology, particularly where clayey soils are present.

Biodiversity

OEH requires the assessor to make the following modifications to the data in the credit calculator:

- Change the Mitchell Landscape to Georges River Alluvial Plain.
- Use a 1000 hectare assessment circle, rather than 2000 ha, and adjust the native vegetation percentile data accordingly. The entire impact fits within a 1000 ha assessment circle.
- Change the Patch Size to >1001 ha, instead of using 90.5 ha.
- Check the vegetation and management zone areas entered into the calculator against the areas in the GIS data (OEH noted some small discrepancies which cannot be specified as the calculator has been assigned back to the assessor. If these discrepancies are confirmed as errors, the correct areas will need to be entered into the calculator).
- The ecosystem credit species included for species credits can be removed from the calculations - there is no need to include these as species credits.

Once the assessor has re-calculated the credits required and export new credit reports, the applicant should then find offsets in accordance with the *NSW Biodiversity Offsets Policy for Major Projects*.

Stormwater management and water quality

<u>Erosion sediment control (during construction)</u>

- No detail is provided on the sizing of the proposed sediment basins. With regard to the sediment basins within the proposed railway corridor, little information is provided on many constraints. OEH notes, for example, soils are predominantly clays and sandy clays. These may be 'Type

D' soils which contain a significant proportion of fine dispersible materials and require special consideration for sediment basins. OEH recommends additional information be provided on the preliminary sizing, underlying soil and management arrangement for the proposed sediment basins.

- The proposed erosion sediment controls (ESC) for the waterway crossings do not appear to have taken into account potential timing constraints in accordance with table 4.3 of *Managing urban stormwater: soils and construction – volume 1* (the Blue Book). OEH recommends this be considered given a soil hazard class 6 applies in these areas.
- A preliminary testing and maintenance regime for all soil and erosion control elements should be included on the plans.

Stormwater quality and quantity management

- No justification is provided in relation to the pollutants generated from the railway corridor in the MUSIC modelling. In particular, no consideration appears to have been given to gross and hydrocarbon pollutants from the railway operations - this is of particularly importance given the proposed use of lubricants to reduce rail noise. OEH recommends these matters be addressed by the proponent.
- The recommended batter side slope for proposed landscape storage systems (on-site detention [OSD] and bioretention systems) are not reflected in the concept designs. OEH recommends designs for the landscape storage systems be amended to comply with Liverpool City Council's OSD Technical Specification.
- Little information on the sizing and location of the drainage systems for the railway corridor is provided. OEH recommends systems be designed that considers the potential flooding of the local urban stormwater system as a result of backflow events from the flooding of the Anzac Creek and Georges River.
- Other matters which should be addressed:
  - Information on planting densities for the bio-retention basin which are currently not included in the vegetation management and concept plans.
  - The high bypass of the bio-basin should be set at the maximum discharge into the detention basins to reflect the stormwater design appropriately.
  - Justification for the values of some properties of the bioretention system and gross pollutant trap used in the developed MUSIC model.
  - Details on the type of filter media for the bioretention system.
  - The location of the CDS Vortex on the concept plans.
  - The less than 3-month flow for the GPT should be defined and reported.
  - The installation of a rainwater harvesting system to provide water for general amenities and landscaping to reduce impacts of the development on low flow hydrology.
  - The inclusion of appropriate controls to capture fuel leaks and hydrocarbons to mitigate impacts from these incidents on the proposed bio-retention systems and downstream aquatic ecosystems.

Acid sulphate soils

- Although the overall risk that acid sulphate soils (ASS) are present is low, data available to OEH suggests bottom sediment of the Georges River are high risk ASS. Consideration should therefore be given to the disturbance of these when constructing the railway bridge.

[END OF SUBMISSION]