NSW GOVERNMENT | Department of Primary Industries

OUT14/40922

Mr Andrew Beattie
Infrastructure Projects
NSW Department of Planning and Environment
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SYDNEY NSW 2001

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Dear Mr Beattie,

SIMTA Moorebank Intermodal Terminal (SSD_5056 and EPBC 2011/6086)
Response to exhibition of Environmental Impact Statement

I refer to letter from Felicity Greenway dated 3 October 2014 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 (Office of Water) has reviewed the Environmental Impact Statement (EIS) and provides detailed comments at Attachment A.

For further information please contact Janne Grose, Planning and Assessment Coordinator (Penrith office) on 4729 8262 or at janne.grose@water.nsw.gov.au.

Comment by Fisheries NSW
Fisheries NSW is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, Fisheries NSW ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*.

The Georges River is considered to be important key fish habitat in the Sydney Region. The upper Georges River in particular is known to support Australian Bass, a popular recreationally fished species. As part of its life cycle this species migrates along the river between saline and fresh water. It is important that fish passage in the Georges River is maintained during construction.

Fisheries NSW has no objections to this proposal and recommends that the proposed mitigation measures in Chapter 28 are implemented. In particular, it is important that:

- Erosion and sediment control techniques are implemented and maintained during construction to ensure that subsequent impacts on the Georges River are mitigated;
- Clearing of the riparian zone during construction is minimised as far as possible and that areas that only needed to be cleared for construction are revegetated afterwards;
- Riparian zones are revegetated/ rehabilitated as an offset to the riparian zone lost during the bridge construction; and
- The proposed stormwater treatment train measures are implemented.

In this submission Fisheries NSW has considered that it is proposed to construct only one of the three identified potential crossing locations of the Georges River.

Fisheries NSW requests that the detailed plans for the bridge design are provided to the Department for comment.

Of the three bridge crossing options presented, the northern site is preferred by Fisheries NSW. The reasons for this are that it will result in the minimal loss of riparian vegetation, both in area and length along the river.

While the Environmental Impact Statement has considered the biodiversity value of the vegetated riparian zone, the ecological value of the function of this zone in filtering stormwater, protecting riverbanks from erosion and providing aquatic habitats seems to have been overlooked. Fisheries NSW has considered such ecological function in its preference of the northern bridge crossing. Largely as the bridge approach does not seem to run along the riparian zone for as long as the other proposed sites, thus having the minimal impact on riparian function of the three options presented.

For further information please contact Carla Ganassin, Fisheries Conservation Manager, (Wollongong Office) on 4222 8342 or at carla.ganassin@dpi.nsw.gov.au.

Yours sincerely

Kristian Holz
Policy, Legislation and Innovation

Attachment A

SIMTA Moorebank Intermodal Terminal (SSD_5056 and EPBC 2011/6086)
Response to exhibition of EIS
Comments by NSW Office of Water

Watercourses and Riparian Land

The DGRs issued for SSD-5066 require the identification of riparian corridors to be established and rehabilitated along the Georges River and Anzac Creek.

Georges River
Section 7.10 of Volume 1A indicates the conservation/riparian area may be up to 270m wide at its widest point but in relation to the minimum riparian width, Technical Paper 3 indicates it will be in excess of 25m (see Section 1.4, page 3). The PEA for the project referred to the provision of a 50m wide riparian corridor along the river. As a minimum, the riparian corridor width should be consistent with the Office of Water guidelines for controlled activities. The guidelines recommend a 40m wide riparian corridor (measured from top of bank) and it is recommended the EIS is amended to increase the minimum widths along the river where necessary.

A number of figures and sections in the EIS are inconsistent in relation to the proposed conservation area/riparian width, for example:

- Figure 6.4 (the preferred technical Options A1/A2 shows the riparian corridor is greater than 250m wide along the northern most section of the Georges River and it indicates existing vegetation in this area is to be retained (page 6-25, Volume 1a).
- Figures 8.4 -8.12 show a very narrow riparian corridor along the northern most section of the Georges River. The corridor width on these figures appears to follow the 1% AEP flood level (see Figures 7.2 with Figure 7.3 in Volume 1a).
- Figures 13.5 -13.7 show a wider conservation area is proposed along the northern most section of the Georges River than shown in Figures 8.4-8.12.
- Figures 13.8 - 13.10 show the proposed biodiversity offset areas are wider along the northern most section of the Georges River than the conservation areas shown in Figures 8.4-8.12.
- The Indicative Concept Site layout shows a much wider width which extends beyond the high risk flood line (Appendix D of Volume 2).
- Table 3.1 in Technical Paper 3 implies the corridor width and connectivity along the river will remain the same before and after development (>30-100m) but Section 1.4 of Technical Paper 3 indicates it will increase up to 270m.

It is recommended the figures in the EIS are amended so they are consistent in relation to the proposed riparian corridor width. Wider riparian widths along the northern most section of the Georges River are supported particularly as remnant alluvial woodland occurs in this location and Technical Paper 3 indicates riparian land within 50m of the river is considered of high value due to the function of vegetation in this area as a wildlife corridor (page 30).

Section 23.2.2 of the EIS indicates the 'dust bowl' would be revegetated as part of the conservation area (page 23-13). While the rehabilitation of cleared areas within the corridor is strongly supported, it would be preferable for the project to retain and protect existing remnant riparian vegetation where feasible.

Anzac Creek
Technical Paper 3 indicates Anzac Creek would be removed and the flows are to be redirected through stormwater detention basins on the site (Section 4.2.1.4, page 85).

On the adjoining SIMTA IMT site, which is located downstream of SSD-5066, the revised Environmental Assessment includes a Statement of Commitment that a 30 metre wide riparian

setback is to be established for Anzac Creek (page 176). This is consistent with advice previously provided by the Office of Water for the SIMTA site and SSD-5066.

As the southern portion of the developed project site is to drain to Anzac Creek adequate mitigation measures need to be in place to ensure the creek downstream of the site is not degraded including bed and bank, stream flow, aquatic habitat, riparian vegetation, water quality etc.

Riparian Restoration Plan

Mitigation Measure 6Z indicates a riparian restoration plan for the Georges River riparian zone would be implemented and this plan would include the widening of the existing vegetation corridor where feasible. Appendix E (Management Plan for Restoration of the Riparian Zone of the Georges River) does not include any details on the riparian widths that are proposed to be established along the river.

It is recommended the EIS and Management Plan is amended to clarify the riparian widths that are proposed to be established. As noted above, as a minimum the riparian corridor along the Georges River should be 40m (measured from top of bank) consistent with the Office of Water Guidelines for Controlled Activities (see Table 28.2, Volume 1b, page 28-26).

Amiens Wetland

Technical Paper 6 notes the Amiens wetland is a wetland/detention basin and the water body is currently utilised for water treatment and detention of runoff from the M5 (see section 4.1.1.2, page 28). It indicates the area will be developed and this will require the treatment and detention function of the wetland to be reinstated elsewhere (page 28).

Technical Paper 10 indicates Amiens wetland is a natural lake basin and "*the lake is now the last remaining relatively unmodified basin from the local Georges River flood plain*" (Volume 7, page 153). The Indicative Concept Site layout included in Appendix D of Volume 2 shows the wetland is retained on the site but Figure 6.4 in Volume 1a shows the wetland has been removed (page 6-25). If possible it is recommended the wetland is retained and rehabilitated on the site.

Bridge/Viaduct crossing

Three crossing options are outlined for bridge crossings over the Georges River. The Office of Water has a strong preference for options with a reduced impact to riparian corridors. At Concept Stage this appears to be the northern rail access option.

If the southern option is selected, consideration should be given at the detailed design stage to locating the rail access corridor further west on cleared land within the Glenfield Waste Services site to avoid disturbing remnant riparian vegetation.

In addition to the bridge crossing for this SSD-5066, the SIMTA Intermodal Terminal proposal (SSD14-6766) shows a rail crossing of the Georges River. In terms of mitigating potential impacts on the Georges River and riparian connectivity it is recommended that only one bridge crossing is constructed for the SIMTA IMT and the Moorebank IMT proposals and not two separate bridge crossings.

The EIS includes inconsistent information in relation to the location of the bridge piers, for example:

- Section 13.3.3 states "*it is not intended to locate any bridge piers within the river channel itself*" Volume 1a, page 13-38).
- Section 7.5.1 of Volume 1b notes "some bridge piers would be located within the Georges River (page 7-8).
- Section 16.3.1 of Volume 1b refers to multiple piers located within the river (page 16-14).
- Technical Paper 3 also states "*if possible it is not intended to locate any bridge piers*

within the channel itself" (see section 4.2.1.4, Volume 4).

- Technical Paper 6 (Surface Water Assessment) states the bridges would have multiple piers located within the Georges River (section 3.1.2, page 28, Volume 6).

Clarification is required as to whether bridge piers are proposed to be located within the river. Where possible, the bridge design should minimise the number of piers located within the bed and banks of the river to reduce obstructing the flow and erosion issues.

Zoning

Section 23.1.7 of Volume 1b indicates the conservation area along the Georges River is proposed to be zoned E3 Environmental Management (page 7-5). It is recommended the riparian /conservation area is zoned E2 – Environmental Conservation rather than E3, particularly as the EIS indicates it is proposed to develop this land for conservation purposes.

Groundwater Dependent Ecosystems

Section 13.3.3 indicates impacts on groundwater dependent ecosystems such as drawdown of groundwater from the root zone may occur as a result of earthworks. It notes the alluvial woodland community along the Georges River has a high potential for groundwater interaction and that potential groundwater impacts would be considered and mitigation measures developed during detailed design (page 13-39).

If the project is approved, a condition of approval should be included to assess potential impacts of the project on groundwater and groundwater dependent ecosystems during detailed design and to provide mitigation measures.

Groundwater

The EIS notes groundwater dewatering is unlikely to be required for the project and that potential groundwater impacts would be considered during the development of the detailed design (Section 16.3.4 of Volume 1b, page 16-28). If the project is approved, a condition of approval should be included to assess potential impacts of the project on groundwater during detailed design and to provide mitigation measures.

Section 16.4.4 of Volume 1b notes additional groundwater assessments would consider potential groundwater supply options if required (page 16-33). The Office of Water should be consulted for any proposed groundwater use to determine any licensing requirements.

End Attachment A