



Reference: DOC15/221438-05  
Contact officer: Claudine Jeffery (02) 6229 7002

Ms Kate Graham  
Planning Services  
Social and Other Infrastructure Assessments  
Department of Planning and Assessments  
GPO Box 39  
Sydney NSW 2001

Attention: Kate Graham

Dear Ms Graham,

### **Eurobodalla Southern Water Supply Storage**

I refer to the Department of Planning and Environment's invitation to provide comments on the Environmental Impact Statement (EIS) for the proposed Eurobodalla Southern Water Supply Storage project, received by the NSW Environment Protection Authority (EPA) on 7 September 2018.

The EPA understands that if project approval is granted, the proposed development will require an environment protection licence pursuant to Schedule 1 of the *Protection of the Environment Operations Act 1997* for conducting 'extractive activities' and 'concrete works' for the construction phase of the project. Based on the information provided, the EPA considers that the proposal will not require an environment protection licence for the operational phase of the project.

The EPA has reviewed the information contained within the EIS and provides the following comments for DPE's consideration and additional information requirements in Attachment A. The EPA has also recommended project approval conditions in attachment B.

#### **Water quality**

The receiving environment for the project is the Tuross River which is classified as a habitat protection zone in the high conservation value Batemans Bay Marine Park. Although the EIS has correctly identified the relevant NSW Water Quality Objectives (NSW WQO) for the receiving Tuross

River, the EIS does not provide adequate information for the EPA to assess the potential water quality impacts on the Tuross River during construction. The EIS states that discharges would be monitored to ensure compliance with NSW WQO and discharge criteria in the environment protection licence however the EIS has not established specific discharge criteria and demonstrated whether the discharges at the established criteria will maintain or restore the NSW WQO of the receiving waters. The EPA has recommended additional information requirements in relation to assessing water quality impacts prior to commissioning construction of the project in attachment A.

If project approval is granted, the proponent will need to make separate application to the EPA for an environment project licence prior to commencing construction of the project.

If you have any questions or wish to discuss the matter further, please contact Claudine Jeffery or myself on (02) 6229 7002 or at [queanbeyan@epa.nsw.gov.au](mailto:queanbeyan@epa.nsw.gov.au).

Yours sincerely



16-10-18

**MATTHEW RIZZUTO**  
**Unit Head, South East Region**  
**NSW Environment Protection Authority**

## **Attachment A –NSW Environment Protection Authority’s recommended additional information requirements prior to construction**

### Water Quality Impacts

The receiving environment for the project is the Tuross River which forms part of the high conservation value Batemans Bay Marine Park. Although the EIS has correctly identified the relevant NSW Water Quality Objectives (NSW WQO) for the receiving Tuross River, the EIS does not provide adequate information for the EPA to assess the potential water quality impacts on the Tuross River during construction.

The EIS states that discharges would be monitored to ensure compliance with NSW WQO and discharge criteria in the environment protection licence however the EIS has not demonstrated whether any discharges will maintain or restore the environmental values of the receiving waters at a specific pollutant concentration. Where this is not possible the EIS must consider any practical measures that can be taken to restore or maintain the relevant environmental values.

*To address this issue, the EPA recommends that the proponent undertake an assessment to determine the potential impact on receiving waters based on the concentration timing and nature of any proposed discharges. The proponent should also demonstrate how water pollution will be avoided in the first instance, and if this is not possible, the NSW WQO can be used to assess the potential pollution impacts. If the impacts are unacceptable, mitigation measures that prevent or minimise impacts on water quality should be outlined.*

It is unclear from the impact assessment whether all pollutants that pose a risk of non-trivial harm to human health or the environment have been considered. Discharges from sediment basins could include, for example, pollutants such as pH, conductivity, residual coagulants and/or flocculants and their breakdown products. The NSW WQO assessment needs to clarify how such other potential pollutants have been considered.

*To address this issue, the EPA recommends that the proponent must consider all pollutants that pose a risk of non-trivial harm to the environment against the NSW WQO for the receiving environment.*

The WQO assessment does not consider the practical measures to prevent, control, abate or mitigate pollution, including, for example:

- avoiding or reducing discharges to waters (e.g. reusing for dust suppression and/or irrigation)
- varying the sediment basin size and design
- minimising pollution by discharging via vegetated swales

- mitigating impacts by discharging pollutants at a particular concentration, volume, frequency or timing (e.g. avoiding discharges during low flows).

*To address this issue, the EPA recommends that the proponent outline the practical measures that will be taken to prevent, control, abate or mitigate pollution of any adjacent waterways during construction*



## **Attachment B – the NSW Environment Protection Authority’s recommended project approval conditions**

### **Construction noise conditions**

The EPA notes that the construction noise levels at the residence identified in the EIS as R1 are likely to significantly exceed the proposed levels. The EPA understands that the proponent intends to acquire this residence (R1) and recommends that the Department of Planning and Environment include the acquisition of this property as a condition.

The EPA also notes that the proponent proposes to limit work to the Interim Construction Noise Guideline standard construction hours outlined and recommends this is adopted as a condition of approval.

### **Construction Noise and Vibration Management Plan (CNVMP)**

The EPA recommends that the Department of Planning and Environment include as a condition in any approval, a requirement to develop and implement a CNVMP consistent with the NSW “Interim Construction Noise Guideline” (ICNG) and the “Transport for NSW Construction Noise Strategy” (or equivalent). The CNVMP may include (but not be limited to):

- Identification of nearby residences and other sensitive land uses
- Description of approved hours of work and what work will be undertaken
- Description of what work practices will be applied to minimise noise
- Descriptions of the complaint handling process
- Applying all feasible and reasonable work practices and mitigation measures to minimise noise impacts;
- Detail a targeted range of management and monitoring options including provision of respite periods during construction, and a detailed communication and complaint management strategy for impacted residents

### **Construction Hours**

All construction and operation work at the premises must only be conducted between the hours of 7:00am to 6:00pm Monday to Friday, 8:00am to 1:00pm on Saturdays, with no work to be carried out on Sundays and Public Holidays.

### **Blasting**

All blasting operations at the premises may only take place between 9:00am - 5:00pm Monday to Friday, 9:00am to 1:00pm on Saturdays and no work is to be carried out on Sundays or Public Holidays.

The airblast overpressure level from blasting operations at the premises must not exceed;

- 120dB (Lin Peak) at any time at any noise sensitive locations; and
- 115dB (Lin Peak) at any noise sensitive locations for more than five percent of the total number of blasts over each reporting period.

Ground vibration peak particle velocity from the blasting operations at the premises must not exceed;

- 10mm/sec at any time at any noise sensitive locations; and
- 5mm/sec at any noise sensitive locations for more than five percent of the total number of blasts over each reporting period.

Error margins associated with any monitoring equipment used to measure this are not to be taken into account in determining whether or not the limit has been exceeded.

To determine compliance with the above conditions;

- a) Airblast overpressure and ground vibration levels experienced at the nearest noise sensitive locations must be measured and recorded for all blasts carried out on the premises;
- b) Instrumentation used to measure and record the airblast overpressure and ground vibration levels must meet the requirements of Australian Standard AS 2187.2-2006.

### **Water**

The proponent must comply with section 120 of the Protection of the Environment Operations Act 1997

### **Dust**

The project must be maintained in a condition that minimises or prevents the generation of dust from the project