

Our ref: DOC21/516154-2

Your ref: SSD 6666 Mod 1

Zoe Halpin

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Dear Ms Halpin

Modification 1 Temporary Water Treatment System (SSD 6666) – Hart Road, Loxford – Cessnock LGA – Request for Advice

I refer to your request for advice on the major projects planning portal, received 21 June 2021 in which the Planning and Assessment Division (P&A) of the Department of Planning, Industry and Environment (the Department) requested Biodiversity and Conservation Division's (BCD) advice in relation to the Modification 1 Temporary Water Treatment System, located at Hart Road, Loxford (SSD 6666).

BCD have reviewed the Environmental Impact Statement, including relevant appendices, in relation to impacts on biodiversity (including matters of national environmental significance [MNES] under the *Environment Protection and Biodiversity Conservation Act 1999*) and flood risk assessment. BCD has no recommendations for the biodiversity assessment and is satisfied with the proposed mitigation measures.

BCD's recommendations for flood risk assessment are provided in **Attachment A** and detailed comments are provided in **Attachment B**. If you require any further information regarding this matter, please contact Jayme Lennon, Senior Conservation Planning Officer, on 9585 6935 or via email at huntercentralcoast@environment.nsw.gov.au

Yours sincerely



Joe Thompson
Director Hunter Central Coast Branch
Biodiversity and Conservation Division

Date: 30/6/2021

Enclosure: Attachments A and B

BCD's recommendations

Modification 1 Temporary Water Treatment System

1. The proposed transfer pipe crosses the proposed location of another major project. An updated route should be identified and assessed for impacts.
2. The feasibility of off-site transfer of leachate when significant rainfall is predicted is not clear. Details on how significant rainfall would be predicted, how site and transport operations would be informed of this and how this operation would be managed should be provided. The definition of significant rainfall should be based on the storage capacity of the on-site storage systems.

BCD's detailed comments

Modification 1 Temporary Water Treatment System

Flooding and flood risk

1. There is conflict between the proposed transfer pipe location and the proposed power station proposal

The un-numbered figure included in Appendix 1 – Leachate management plan Dec 2010 shows the proposed location of the on-site treatment system. This plan shows a plastic pipe transferring liquid captured at the containment area across the unnamed creek to the proposed temporary ponds and portable water treatment plant.

The location of the pipe crosses the location shown for the gas fired power plant covered by another major project application (SSI-12590060). An alternative location for this pipeline or an alternative method of transferring this leachate waste to the on-site or off-site facilities is required, unless the power plant does not go ahead. The alternative route may impact biodiversity aspects of the development if it encroaches into previously undisturbed ground.

Recommendation 1

The proposed transfer pipe crosses the proposed location of another major project. An updated route should be identified and assessed for impacts.

2. Off-site disposal is proposed when significant rainfall is predicted

The EIS indicates that leachate in storages would be pumped out and trucked off-site for treatment when significant rainfall is predicted to ensure capacity is available on site. Significant rainfall is not defined in the document and it is unclear if sufficient warning time is available for such an event or how this operation would be managed. If off-site disposal is not the main mechanism for leachate treatment post installation of the on-site facilities, sufficient truck transport and off-site facilities may not be available. It is noted that facilities are sized for a maximum of the 90% rainfall occurrence based on regional data and do not consider localised storm events which may exceed this capacity.

Recommendation 2

The feasibility of off-site transfer of leachate when significant rainfall is predicted is not clear. Details on how significant rainfall would be predicted, how site and transport operations would be informed of this and how this operation would be managed should be provided. The definition of significant rainfall should be based on the storage capacity of the on-site storage systems.