



OUT21/11458

Mark Wisely
Planning and Assessment Group
NSW Department of Planning, Industry and Environment

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Dear Mr Wisely

**Merimbula Sewage Treatment Plant Upgrade and Ocean Outfall (SSI-7614)
Environmental Impact Statement**

I refer to your email of 23 August 2021 to the Department of Planning, Industry and Environment (DPIE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

The proponent proposes to upgrade the Merimbula Sewage Treatment Plant and construct a new pipeline to convey treated wastewater to a discharge point approximately 2.7km from the Merimbula Bay shoreline.

DPIE Water and NRAR have concerns regarding the water take of the project. Please see **Attachment A** for further information.

Any further referrals to DPIE Water and NRAR can be sent by email to landuse.enquiries@dpie.nsw.gov.au or to the following coordinating officer within DPIE Water:

Alistair Drew, Project Officer- email: alistair.drew@dpie.nsw.gov.au

Yours sincerely

Liz Rogers
Manager, Assessments, Knowledge Division
Department of Planning, Industry and Environment: Water
24 September 2021

Attachment A

Detailed advice to DPIE Planning & Assessment regarding the Merimbula Sewage Treatment Plant Upgrade and Ocean Outfall (SSI-7614) - Environmental Impact Statement

1.0 Water Take

1.1 Explanation

There will be water inflows into the tunnel for the pipeline. This is likely to be minor however DPIE Water would like to see an estimate of the water take. No licence is required if the take is less than 3 ML as specified in *Schedule 4 Part 1 exemptions* in the *Water Management (General) Regulation 2018*.

DPIE Water notes that the construction processes, specifically relating to the pipeline construction, are not yet confirmed. DPIE Water requires additional clarification regarding the processes to give confidence in the assertions that dewatering '*would be seawater / marine (saline) groundwater, and therefore impacts to terrestrial (fresh or saline) groundwater are unlikely (as water pumping would occur from the seaward side of the salt-water wedge*' (EIS, 2021).

The proponent should note that they have an obligation under the NSW Aquifer Interference Policy (AIP) to demonstrate predicted groundwater take and potential impacts – regardless of the salinity of the water. DPIE Water notes that *aquifer* is defined under the *Water Management Act 2000* to mean 'a geological structure or formation, or an artificial landfill, that is permeated with water or is capable of being permeated with water', and that the NSW AIP defines groundwater as 'all water that occurs beneath the ground surface in the saturated zone'. The rules of the relevant Water Sharing Plan apply to the location of the works.

DPIE Water acknowledges that dewatering volumes will potentially be small, and that the water may be extracted from the marine-side of the saltwater wedge, however, to improve DPIE Water's confidence in the proponent's assessment, the predicted take should be quantified and the potential impacts suitably demonstrated.

1.2 Recommendation

Prior to determination

That the proponent:

- Provide a quantified prediction (using analytical methodology) of any potential groundwater take related to the project, from the 'intermediate drilling site' or otherwise.
- Indicate predicted drawdown impacts and location of any proposed dewatering, in relation to the marine water-groundwater demarcation, in a conceptual model cross-section.

Not required prior to determination

That the proponent:

- Develop a groundwater monitoring program prior to the commencement of construction.
- In the event groundwater is intercepted during construction, ensure that any take is appropriately licenced unless an exemption under the *Water Management (General) Regulation 2018* applies.