



Mark Wisely
Senior Planning Officer
Social and Infrastructure Assessments
Department of Planning, Industry and
Environment

Our ref: DOC21/791833

Your ref: SSI 7614

16 September 2021

Dear Mr Wisely,

Subject: Proposed Merimbula Sewage Treatment Plant Upgrades and Ocean Outfall Project

Thank you for the opportunity to review the Environmental Impact Statement (EIS) for the proposed Merimbula sewerage treatment plant (STP) upgrades and ocean outfall project.

The project has demonstrated avoidance of biodiversity values by siting the project as much as possible in the existing STP footprint, by deploying an underground trenchless drilling method to install the outfall pipeline and by using the neighbouring golf course as a site compound and laydown area. Some clearing of native vegetation is required mostly for access purposes, though the threatened ecological communities identified in the study area will be avoided. Nevertheless, the small area being cleared is threatened species habitat and will generate an offset obligation that will need to be retired.

Management measures to mitigate against potential indirect impacts are described in Section 6.2 of the Merimbula Sewage Treatment Plant Upgrade and Ocean Outfall Biodiversity Assessment Report prepared by Eco Logical Australia. They are also attached to the EIS at Appendix H.

These are endorsed. We recommend that they are formalised in a Construction Environmental Management Plan (CEMP) and flora and fauna management subplan to be prepared and approved prior to the commencement of the proposed activity. BCD have included additional recommendations in Attachment 1 of this letter to ensure the residual risks of potential indirect impacts to threatened species are managed to reduce the likelihood of impacts.

If you would like to discuss the contents of the letter please contact Nat O'Rourke, Senior Conservation Planning Officer, on 02 6229 7132 or via email at nat.orourke@environment.nsw.gov.au.

Yours sincerely,

MICHAEL SAXON
Director - South East
Biodiversity and Conservation Directorate

Enc: Recommendations

Attachment 1: Recommendations

Threatened shorebirds

The proposed activity indirectly poses a small potential risk to threatened shorebirds utilising Pambula Beach. Indirect impacts are often difficult to quantify, particularly when species such as threatened shorebirds are involved that may or may not be utilising certain habitats at certain times. To address this small but unknown risk, specific safeguards should be included in the CEMP. The CEMP should include a trigger action response plan (TARP) to be implemented if threatened shorebirds are utilising the beach along key access points. The TARP should be prepared by an ecologist and include a set of management measures that could include establishing no-go zones, delaying access, speed reductions and/or other management measures considered important by the ecologist to ensure indirect impacts related to construction activities are negligible.

Green and golden bell frog (*Litoria aurea*)

Similar to threatened shorebirds, there is a small potential risk that green and golden bell frogs could be temporarily impacted by the proposed activity when existing effluent ponds are decommissioned. The biodiversity assessment report includes recommendations for 'pre-clearance' survey prior to the decommissioning of the effluent ponds. BCD recommend that an additional TARP be included in the CEMP (or appropriate subplan) that include management measures to be implemented if green and golden bell frogs are identified in effluent ponds during pre-clearance surveys. The TARP relating to green and golden bell frogs should be prepared by an ecologist and include appropriate management measures, for example delays to draining ponds, to reduce the likelihood of an unacceptable impact to this threatened species.