DOC21/747628-5

Mark Wisely
Senior Planning Officer – Infrastructure Assessments
Department of Planning, Industry and Environment
Via the Major Projects Portal

17 September 2021

Dear Mr Wisely,

Major Projects – State Significant Infrastructure - Bega Valley Shire Council – SSI-7614
Merimbula Sewage Treatment Plant Upgrade and Ocean Outfall

Thank you for providing the NSW Environment Protection Authority (EPA) with the opportunity to provide comment on the Environment Impact Statement (EIS) for the proposed Merimbula STP Upgrade and Ocean Outfall (the Project). The EPA understands that the Project will include an upgrade of the existing STP with improved and additional treatment processes, construction and operation of a 3.5km ocean outfall pipeline from the STP and ceasing the use of existing dunal exfiltration ponds.

The EPA has reviewed the EIS for the Project and provides detailed comment and recommendations in **Attachment A**.

Bega Valley Shire Council (the proponent) currently holds Environment Protection Licence 1741 (the Licence) permitting sewage treatment at the Premises. Should approval be granted for this proposal, the proponent will need to make a separate application to the EPA to vary this licence.

The EPA notes that the Project is located in the Genoa and Towamba catchments, including Merimbula Lake and Pambula Lake and the ocean waters of the south coast. The EPA reminds the Proponent that the important and sensitive environmental values of these receiving environments require a high level of protection from construction and operational activities associated with the Project.

If you have any questions or wish to discuss the matter further, please contact Carlie Armstrong on (02) 6229 7002 or at info@epa.nsw.gov.au.

Yours sincerely,

Nigel Sargent
Manager - Regulatory Operations Regional

Phone 131 555 **TTY** 133 677 Locked Bag 5022 4 Parramatta Square **info@epa.nsw.gov.au**
Phone +61 2 9995 5555 **ABN** 43 692 285 758 Parramatta 12 Darcy St, Parramatta **www.epa.nsw.gov.au**
(from outside NSW) NSW 2124 Australia NSW 2150 Australia

Attachment A

WATER

Treatment Processes

The Environmental Impact Statement (EIS) identifies that tertiary filtration will be considered in the upgraded sewage treatment process during the detailed design. This decision will be based on the projected performance of the sewage treatment plant (STP) against the water quality objectives for the Project and consideration of whether it will provide a material benefit or additional security to the treatment performance.

The EPA considers that if the proposal is approved, the approval should include mandated contingency measures such as addition of tertiary filtration to the STP if the projected performance of the plant does not meet the water quality objectives for the receiving waters.

The EIS also identifies that the existing 17ML effluent storage pond will be decommissioned, and its potential final use/s will be determined in the detailed design phase. The proponent has indicated that this storage pond may be retained and used as an emergency wet weather storage pond. The EPA is supportive of this option and considers it to be a suitable contingency measure for the operation of the STP.

Mixing Zone Verification Program

The EIS includes dispersion modelling undertaken to understand the behaviour of treated wastewater plume dispersion from the ocean outfall discharge point. This modelling indicates that the mixing zone (i.e. the zone in which potential water quality impacts associated with the discharged treated effluent are likely to be detected) is expected to be within 25m of the discharge point. The EPA notes that this modelling adopted a conservative approach based on the existing treated wastewater quality, which is likely to improve under the upgraded sewage treatment plant.

The EPA considers it appropriate for the proponent to undertake a Mixing Zone Verification Program to validate the discharge quality and dispersion behaviour of treated effluent. The Mixing Zone Verification Program will be required by the EPA as a condition of the Environment Protection Licence (EPL) if the Project is approved. This program will also be used by the EPA to refine any discharge limits attached to the EPL.

Opportunities for reuse of treated effluent

The EPA acknowledges that the proponent has explored all available options to expand the program for reusing treated effluent from the STP. Approval of the project does not preclude the proponent from developing further opportunities to reuse treated effluent or implement water conservations. The EPA will continue to encourage the proponent to look for new opportunities to reuse treated effluent in the future.

Groundwater

The EIS identifies that construction activities could impact on groundwater if not appropriately managed, including potential impacts resulting from mismanagement of drilling activities and associated drilling fluids. The EPA acknowledges that the proponent has nominated mitigation and management measures to overcome these potential impacts. This includes the adoption of a trigger response process for monitoring of groundwater quality during construction.

The EPA is supportive of the implementation of a Trigger, Action, Response Plan linked to the groundwater monitoring program. The EPA recommends that all reasonable and feasible measures are adopted to protect groundwater quality during construction.

The EPA acknowledges that the proponent will select either horizontal drilling or direct drive drilling for the pipeline during the detailed design phase of the Project. The EPA recommends that the environmental impacts of both methods are considered during this selection process, and that all feasible and reasonable mitigation measures are adopted to mitigate these impacts.

The EPA recommends that the proponent develops an Asset Management and Leak Detection Program to ensure any leaks from the ocean outfall pipeline are avoided or rapidly identified and efficiently mitigated once the ocean outfall is operational.

The EPA reiterates that it is an offence under section 120 of the Protection of the Environment Operations Act 1997 (POEO Act) to pollute any waters.

AIR

The EIS identifies that potential impacts relating to air emissions are primarily from dust and odour. The EIS confirms that reasonable and feasible measures will be implemented to manage these potential impacts during both construction and operation. The EPA acknowledges that impacts from dust and odour will be appropriately managed through the EPL.

NOISE

The EIS identifies that there are no predicted exceedances of the Interim Construction Noise Guideline (ICNG) noise management levels at sensitive receivers with the exception of Pambula Beach Caravan Park. At this location noise levels may exceed the noise management levels by up to 6 dB(A) during standard hours for a period of 2 weeks. All reasonable and feasible noise mitigation and management measures must be undertaken during the construction of the Project.

If the project is approved, the EPA recommends that the hours of operation during construction are captured in the infrastructure approval.

SOIL

Acid Sulphate Soils

The EIS identifies that some sections of the Project area are mapped as having a high probability of acid sulphate soils. Reasonable and feasible mitigation and management measures to manage the potential impacts from acid sulphate soils will be captured in the Construction Environment Management Plan for the Project.

The EPA reminds the proponent that all waste must be classified according to the Waste Classification Guidelines and disposed of appropriately.

Sediment and Erosion Controls

The EIS identifies that sediment and erosion controls will be implemented in accordance with *Managing Urban Stormwater: Soils and Construction* (the Blue Book). The EPA reiterates that it is an offence under section 120 of the POEO Act to pollute any waters. The standard of environmental performance required by the legislation may necessitate the proponent implementing enhanced sediment and erosion controls which exceed the standards in the Blue Book.

The EPA considers it appropriate for the proponent to consider:

1. Modifying controls in the context of terrain constraints and to minimise vegetation clearing
2. Implementing enhanced controls to reduce the risk of erosion wherever possible. Examples may include, but are not limited to:
    a. staging construction activities to minimise land disturbance at any one time
    b. using timber windrows during clearing to assist erosion control
    c. retaining vegetation within flow lines for as long as possible
    d. retaining groundcover on soils to minimise the potential loss of sediment
    e. treating topsoils with a high level of care to enable reuse in the rehabilitation phases
    f. using surface covers and binders to limit soil loss
    g. installing clean water diversions early; and
    h. ensuring prompt stabilisation and rehabilitation of the site.
3. Reusing any water collected within sediment basins to avoid or minimise discharges