

16 September 2021

Dear Sir/Madam

**Proposal: Merimbula STP and Ocean Outfall Project – EIS Review**

Thank you for providing the EIS to DPI Fisheries for our initial comments.

DPI Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*. In addition, DPI Fisheries is responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture and marine protected areas within NSW.

DPI Fisheries welcomes the proposed upgrade to improve the quality of water currently being discharged from the Sewage Treatment Plant based in Merimbula. We believe that the project will reduce the risk of adverse impacts to water quality to Lake Merimbula and the local oyster industry. We also support and encourage beneficial reuse of treated effluent (eg: for irrigation, playing fields, etc), however acknowledge that such uses can be limited by rainfall, available areas for irrigation and proximity and risk to nearby recreational waterways and aquaculture industries.

**Pipe Weighting**

Currently two options for weighting the pipe to the sea floor have been proposed, via concrete or rock mattress. Concrete structures offer very little complexity in habitat and are not as readily colonised by fouling and reef organisms. Large natural angular rock would provide a dual purpose of weighting the structure and providing complex rocky reef habitat and would support the statement in the EIS that the proposal would result in a long-term gain of Type 2, subtidal rocky reef fish habitat. This is the preferred option of the Department.

**Tertiary Treatment**

The EIS has flagged tertiary treatment of wastewater as a potential option which will be considered in greater detail at the detailed design phase. The benefits of tertiary treatment have not been described in great detail, however the primary benefit appears to be the reduction of phosphorus, aluminium and other metal levels in waste water.

As is well documented, metals can bioaccumulate within aquatic organisms and food chains. Given the projected lifespan of 100 years for the STP, the annual volumes of Aluminium and other bioaccumulating elements to be discharged over the lifespan of the outfall should be quantified both with, and without tertiary

treatment. This information would better inform any potential long-term benefits or potential impacts to support the case for implementation of tertiary treatment.

The efficacy and cost of retrofitting tertiary treatment capability to the facility compared with initial installation costs should also be considered. Water quality discharge criteria and social licence expectations evolve over time, should this occur, or should environmental operational monitoring indicate adverse levels of contaminants there would be an expectation that tertiary treatment be included to meet best practice objectives.

### **Monitoring**

We note that a commitment to periodic operational water quality monitoring is stated for 24 months, following this period it is unclear if episodic monitoring (to coincide with releases) will definitely be undertaken into the future, or is just being considered. This point should be clarified.

As was identified in the aquatic ecology report, there is a risk of the accumulation of metals within the aquatic food chain. The Department supports the recommendations for environmental operational monitoring as detailed in Chapter 11.8 of the EIS. The proposed monitoring programs listed should include reporting requirements and defined trigger values linked to mitigation commitments. The Department requests that these plans are provided to us for comment prior to endorsement.

### **Drill Rigg Pad**

There are currently 3 options for the establishment of the drill rig pad, one of which is located on Merimbula Beach. Temporary working platforms placed within mobile, dynamic, high energy environments have a risk of failure, any structure proposed for this area will require significant engineering solutions to ensure that it is able to withstand storm and erosive events.

DPI's preference is for any temporary working platforms to be located wholly above highest astronomical tide (HAT). Any material placed below HAT must be removed in its entirety on completion of works.

Should you or wish to discuss any of the matters further please do not hesitate to contact me on 0429 918 575.

Yours sincerely



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