

Natasha Harras  
Department of Planning and Environment  
GPO Box 39  
Sydney NSW 2001

Dear Ms Harras,

**RE: Modification to Edmondson Park concept plan - Remediation works to Sewerage Treatment Plant**

I write in response to your email sent to Murray Wilson – Senior Strategic Planner 4 August 2016, seeking comment on the decommissioning of the Sewerage Treatment Plant (STP) at Edmondson Park. Council makes the following comments on the proposed decommissioning of the STP.

**Water Quality**

The Environmental Assessment Report under section 5.2 reported that the oxidation ponds will be discharged into a tributary of Maxwells Creek. The report indicated that heavy metal and organic contaminant concentrations in the oxidation pond were considered not to represent an unacceptable risk to sensitive receptors at, or downgradient of the site.

Council officers disagree: The water quality parameters being discharged from the oxidation pond should not exceed Council's adopted water quality parameters.

**Contamination**

Based on the submitted information, Council officers are concerned with the modification application to dispose contaminated fill 5m below existing ground level at the subject premises. This is not considered to be the best strategy for remediation. Liverpool City Council recommends excavation and disposal of contaminated materials to a licensed waste facility.

In addition to the above, the works proposed may constitute an 'Integrated Development' and the activity is likely to trigger Schedule 1 of Protection of the Environment Operations Act 1997

**Zoning**

The Statement of Environmental Effect states that the land is zoned under the *Liverpool Local Environmental Plan 2008*. This is incorrect. The land is zoned under *State Environmental Planning Policy (State Significant Precincts) 2005*.

The western oxidization pond is located on the land zoned RE1 Public Recreation also under State Environmental Planning Policy (State Significant Precincts) 2005, and will be transferred to Council at some point in the future. Please be advised Council **will not** accept the transfer of this land until the site has been remediated and deemed suitable for its intended land use. This must be supported through submission of a Stage 4 – Validation Report prepared by a suitably qualified contaminated land consultant. The Validation Assessment must be undertaken in accordance with the NSW EPA Contaminated Site Guidelines and any other guideline or criteria.

### **Recommendations**

Based on the submitted information the following is recommended by Liverpool City Council:

1. The Statement of Environmental Effects is updated in lieu of the incorrect statement referring to the incorrect Environmental Planning Instrument.
2. Appropriate water quality treatment must be undertaken prior to discharging any water to Maxwells Cree, in accordance with Council's adopted water quality parameters.
3. It is also noted that at the completion of the decommissioning and remediation works, it is intended to reproduce the existing (or pre-existing) ground levels in order to minimise impacts to the surface water drainage regime around the site. The final landform will therefore ensure that water from the site will continue to drain into Maxwells Creek. Council requires that proposed works must not increase flows into the creek and must be maintained at pre-existing discharge. Appropriate water quality control measures must be incorporated to ensure that water quality parameters are maintained as per Council's DCP requirements.
4. Liverpool City Council is concerned with the modification application to dispose of contaminated fill 5m below existing ground level at the subject premises. The above is not Liverpool's preferred strategy for remediation. Liverpool City Council recommends excavation and disposal of contaminated materials to a licensed waste facility.
5. The NSW Environmental Protection Authority is the appropriate regulatory authority (ARA) for a 'scheduled activity' and therefore, pursuant to Section 91A (2) of the Environmental Planning and Assessment Act 1979 and Regulations, the modification application must be referred to the NSW Environment Protection Authority for comment. The application should be referred to the Environment and Health Section of Liverpool Council once a suitable response has been received from the NSW Environment Protection Authority.

If you would like to discuss any of these comments further do not hesitate to contact Murray Wilson on 9821 9569.

Yours sincerely,

**Bruce Macnee**  
Manager Strategic Planning