



Ms Carolyn McNally
Secretary
Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

23 May 2017

Dear Ms McNally

**Determination of Modification Request
Edmondson Park South (MP10_0118 MOD 3)**

Thank you for the Department of Planning and Environment's (the Department) letter received on 10 May 2017 referring the above modification request to the Planning Assessment Commission (the Commission) for determination under Ministerial delegation of 14 September 2011, as Liverpool City Council made objections. The request has been lodged pursuant to section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act). Lynelle Briggs AO, Chair of the Commission, nominated Mr David Johnson and myself to constitute the Commission to determine the modification.

The proponent seeks to modify Concept Plan and Project Approval MP 10_0118 for the redevelopment of Edmondson Park South. The modification request proposes to modify the scope of the approval to include decommissioning, demolition and remediation of a former sewerage treatment plant (STP) and oxidation ponds, and specify that these works can be carried out without the need for further environmental assessment.

Proposed Remediation Method

The Department's assessment report noted that the proponent undertook a detailed site assessment for the remediation of the STP, which identified contamination at the site and concluded that the site can be made suitable for future use as open space and recreation subject to the preparation and implementation of a Remedial Action Plan (RAP).

The Commission notes the proponent's preferred remediation measure for on-site containment of contaminated material. Council raised concern with this measure and subsequently recommended excavation and disposal of any contaminated materials at a licensed waste facility. The Commission acknowledges that the Environment Protection Agency (EPA) has not raised concerns with the proponent's containment strategy and notes that on-site containment is preferred to the removal of contaminated material to an off-site facility. The land which will contain the containment cell will be transferred to National Parks and Wildlife Service who has not objected to the proposed containment.

The Commission acknowledges Council's concern that discharges from the oxidation ponds into a tributary of Maxwells Creek would exceed their adopted water quality parameters. The proponent sought clarification from Council regarding these parameters, who subsequently confirmed that the EPA's standard requirements for water quality discharging wastewater into natural waterways applied and that Council had no additional requirements.

The Commission notes that the EPA recommended conditions requiring monitoring of groundwater and surface water for all chemicals during the remediation and validation work and that these conditions have been adopted. The proponent has confirmed that surface water conditions will be monitored prior to and during oxidation pond dewatering activities and an additional round of groundwater sampling will be carried out prior to the commencement of works. These commitments have been reflected in the Department's conditions of consent.

The Commission is satisfied that the proposed remediation strategy is acceptable and there would be no adverse impacts to surface water or ground water, subject to the Department's recommended monitoring, validation and management conditions.

Construction traffic

The Commission requested the Department provide a condition requiring the proponent to undertake a Traffic Management Plan in consultation with Roads and Maritime Services (RMS) to ensure the safety of construction vehicles entering and exiting the temporary access to the site via Campbelltown Road. The Commission has amended the conditions of consent accordingly.

Commission determination

The Commission has carefully considered the proposal, the Secretary's assessment of the proposal and for the reasons set out above, the Commission accepts the Department's recommendation that this proposal be approved. Consequently, the Commission has determined to grant consent to the modification request subject to the conditions set out in the Modification of Approval.



Mr John Hann
Member of the Commission (Chair)



Mr David Johnson
Member of the Commission

cc. The Hon. Anthony Roberts, MP
Minister for Planning
GPO Box 5341
SYDNEY NSW 2001