



Drysdale Clifton Springs Community Association

(Incorporation No. A0046568H)

Independent public inquiry into the EPA by a Ministerial Advisory Committee Submission by the Drysdale Clifton Springs Community Association (DCSCA)

DCSCA offers the following recommendations for consideration by the inquiry.

1. All Planning Applications to Council be allocated an Environmental Classification.

These to be based on designated criteria: e.g.

Involving the storage of hazardous, flammable and toxic materials.

Within 200 metres of a water course, a dam or the coast (high water line)

Within 5km of underground spring water activity or anywhere where there is demonstrable risk to groundwater.

Risk to flora or fauna, etc.

Suggested Environmental Classifications: -

Low – None of the designated criteria

Sensitive – One of the designated criteria

Highly Sensitive – Two or more of the designated criteria

It is suggested that a one page form be constructed and be required to be completed by council as part of the planning application process. This will encourage councils to be pro-active rather than re-active in environmental issues.

Questions would be such as: -

Does the proposal involve the storage of hazardous, flammable and toxic materials?

Is the proposal within 200 metres of a watercourse, a dam or the coast (high water line)? Etc.

An Environmental Classification would then be allocated appropriately.

2. The Planning and Environment Act 1987 Section 52 Notice of Application be amended such the EPA be notified of all planning applications that are classified as Sensitive or Highly Sensitive.

These classifications would be as above and be inline with EPA guidelines.

3. The EPA be required to assess all planning applications that are classified as Sensitive or Highly Sensitive, and the granting of planning permission be contingent on EPA approval.

It is suggested that the EPA be required to assess and document any short term and long term (e.g. hazardous, toxic site) risks to any nearby watercourse, the groundwater and the local environment. The granting of planning approval should be then contingent on EPA approval - in consideration of any environmental risks that are associated with the proposed development.

Where the planning application involves the installation of underground fuel tanks it should be a requirement that the lowest point of the tanks and associated pipe work must be at least one metre above the water table. Bore tests should be conducted to determine this level.



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4. Where Sensitive planning applications are approved, the development should be required to have a Site Environment Managing Plan (SEMP) that has been assessed and approved by both the EPA and the Council prior to any earth movements on the site.

EPA personnel should conduct a site inspection prior to any work being conducted at the site. This to include baseline water quality tests on any adjacent watercourse and ground water quality tests where applicable.

The SEMP should be approved prior to the commencement of any work at the site.

5. The EPA should ensure the SEMP is being complied with.

It is suggested that the EPA conduct an initial site inspection and thereafter inspections at appropriate intervals during the construction phase to ensure the SEMP is being complied with. (e.g. at 3-month intervals).

In addition, where the development is adjacent to a dam or watercourse, these site inspections should include water quality tests to ensure the nearby water is not suffering degradation during the construction phase.

6. The EPA have access to historical satellite imagery such as Nearmap.

This should enable EPA personnel to keep track of changes over time enabling better analysis of events that occurred during the construction phase.

7. New and existing “Sensitive Site” Developments, involving the installation of UNDERGROUND PETROLUM STORAGE SYSTEMS, be required to install groundwater monitoring and the EPA be empowered to conduct site inspections to ensure compliance. (Currently it appears that the EPA just provides guidelines)

The EPA should have the power to ensure that the operator is conducting effective ongoing monitoring to ensure that hazardous and toxic materials are not leaking into the groundwater.

This will assist in ensuring that any deterioration in equipment, maintenance processes or work practices do not result in hazardous materials contaminating the environment.

It is recommended that the EPA conduct yearly inspections on all sites involving the storage of hazardous and toxic materials.

8. EPA website recommendations.

The EPA website provide information on all “sensitive site” developments and this information to be accessible by the community.

The SEMP for any “sensitive site” development be available on the EPA website.

Any Pollution Abatement Notices be listed on the EPA website and when complied with should remain on the website: with a note of the date that compliance was achieved.

(DCSCA understands that currently they are removed once compliance has been achieved).

These actions would enable the desirable outcome of both the EPA and members of the community being able to assess the environmental record of different organizations and different developments.



Background Information

The Drysdale Clifton Springs Community Association submits these recommendations as a result of DCSCA's experience with the [REDACTED] Vehicle Fuel Service Centre development at Drysdale. DCSCA does so in order to assist in increasing the effectiveness of the EPA in protecting the environment and our watercourses. Note! DCSCA accepts VCAT's ruling re the service station and is no longer trying to have the planning permit overturned.

The planning application for the Service Station involved the creation of a construction site, the installation of underground petroleum storage systems and the long-term storage of hazardous material only 70 metres uphill from a private dam. This dam is part of a designated watercourse (Scarborough Creek), which continues northwest through livestock (and watering hole) properties to Corio Bay.

"The State Environment Protection Policy (Groundwaters of Victoria) (Publication Number S160) requires protection of all identified beneficial use of groundwater (refer to Table 2 of the policy). This acknowledges the long-term importance of groundwater as a natural resource".

DCSCA believes that the above recommendations would improve the EPA's effectiveness in meeting the Policy goals and principles of the above policy. The Drysdale Service Station is used to illustrate how these recommendations would assist and the following comments and observations are made.

Comments related to Recommendations 1.2. and 3.

The EPA was not informed or consulted as to the suitability of the site for a service station.

Recommendations 1,2 and 3 will require the EPA to be informed of proposed "sensitive site" developments and require planning approval to be contingent on EPA approval. There currently appears to be no requirement for the EPA to be informed of developments such as these.

DCSCA also believes that it would be desirable for other state bodies responsible for water (such as Southern Rural Water) be required to be notified of developments adjacent to watercourses.

It is an unfortunate fact that sites that involve the storage of flammable and toxic materials, such as Service Stations, almost invariably become toxic sites at the end of their working life.

Furthermore, it is evident that the world is starting to move away from the internal combustion engine and fossil fuels as an energy source for road transport. It is, therefore, quite possible that in 30 years time service stations will be being phased out and many current service stations will become derelict toxic sites. There would be locations where a toxic site would cause more problems than at others and the EPA could take this into account in its approval process.

One of the concerns that DCSCA had with the service station was that there are already two service stations only about one kilometer away and it possible that there may not

be enough trade to support three service stations so close together. This could potentially result in two derelict toxic sites in Drysdale High Street.

Comments related to Recommendations 4, 5, and 6.

The City of Greater Geelong did draw up a Site Environment Management Plan (SEMP) that showed NO ACCESS and a continuous sediment fence along the lower boundary adjacent to the dam.

A copy of the SEMP can be provided if required.

Unfortunately this was not complied with (heavy vehicle movements across the roadside swale were commonplace resulting in muddy water in the region of the under-road pipe to the dam).

Construction work was conducted at the site before plans had been approved. This resulted in degradation of the dam and the EPA issuing of a Minor Work Pollution Abatement Notice.

The EPA were concerned with the pollution but the fact that the SEMP was not complied with, appeared not to be considered the concern of the EPA – vehicles movements across the roadside swale continued.

Lisa Neville's letter of 10/8/2015 states EPA officers *didn't observe any conclusive evidence that sediment from the site had an impact offsite*. Recommendations 4 and 5 would provide data that would assist in this process.

It is also possible that an examination of historical satellite imagery would show if, when and how sediment and algae had contaminated the adjacent dam.

(Recommendation 6.)



Google Image Feb 10, 2015 shows the appearance of the dam prior to work starting.



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Comments related to Recommendation 7.

The EPA currently recommends that “Sensitive Site” Developments install groundwater monitoring.

I.E. sites within 200m of a designated watercourse and involving the storage of flammable or toxic materials and/or the installation of Underground Petroleum Storage Systems (UPSSs).

Ref: - EPA pub 892 - DESIGN, INSTALLATION & MANAGEMENT REQUIREMENTS FOR UPSSs. This details recommendations for the monitoring of groundwater contamination.

Ref also: EPA Publication 888.3 Jul 2014 GUIDELINES ON THE DESIGN, INSTALLATION AND MANAGEMENT REQUIREMENTS FOR UNDERGROUND PETROLUM STORAGE SYSTEMS (UPSSs) – APPENDIX 4 – SITE CLASSIFICATION SYSTEM – where Table A4.1 indicates that where there is “*Surface water (e.g. creek open drain, lake) < 200m from UPSS*” the site should be classified as “Sensitive”.

DCSCA understands, however, that currently it is entirely up to the owner/operator whether or not they choose to comply with the EPA recommendations.

Comments related to Recommendation 8.

DCSCA was unable to locate the Minor Work Pollution Abatement Notice on the EPA website.

The DCSCA Committee 14/9/2015

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