

Date: 30 November 2018

Alex King
Director, Cabinet and Legislation Services
Department of Industry Lands and Water Division
Level 49, 19 Martin Place
Sydney NSW 2000

Dear Alex,

RE: Kendall Bay Sediment Remediation Project (SSD 6701) – Department of Industry Submission on Environmental Impact Statement.

Introduction

The NSW Department of Planning and Environment (DP&E) provided Jemena Limited (Jemena) with a letter prepared by the NSW Department of Industry (DoI) dated 22 November 2018 (Document reference: OUT18/15470). The letter contained the DoI's comments on the Environmental Impact Statement for the Kendall Bay Sediment Remediation Project. The letter from DoI is provided as **Attachment A** in this letter.

Jemena has prepared this letter, with input from its consultant/specialists and remediation contractor as required, to respond to the comments presented in the DoI letter. The response to the DoI's submission is provided below.

Response to Submission

Jemena is committed to managing the remediation process implementation of detailed mitigation measures which will be contained within the Remediation Works Environmental Management Plan (RWEMP), the Remedial Work Plan (RWP), and Validation Sampling Analysis and Quality Plan (VSAQP) as well as a number of other documents as described in EIS Chapter 18. These documents are still to be completed.

Response to Comment 1: DoI - Water and Natural Resources Access Regulator

As mentioned in Section 18.6 of EIS, the Remediation Works Plan (RWP), Remediation Works Environmental Management Plan (RWEMP) and associated project-specific EMPs will be developed in accordance with Guidelines for the Preparation of Environmental Management Plans (Department of Infrastructure, Planning and Natural Resources, 2004) and Guidelines for Consultants Reporting on

Contaminated Sites (OEH 2011), as well as other relevant guidelines which will include the Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018).

Response to Comment 2: DoI - Water and Natural Resources Access Regulator

Jemena are committed to ensuring all relevant parties are involved in the project and are consulted accordingly. DoI Water will be consulted during the preparation of the draft Remediation Works Plan; draft Remediation Works Environmental Management Plan and draft Water and Sediment Management Plan.

Response to Comment 3: DPI Fisheries

The approach to the construction of the rock groyne wall is described below. We believe this design meets Fisheries recommendation for a rip rap design which promotes aquatic habitat diversity on this wall over time.

Rock Groyne (Seawall Extension)

The small groyne wall is an extension to the existing seawall and will be used to contain the replenished material in SA4 and SA5. The concept design is presented below within the rendered NAVISWORKS model.

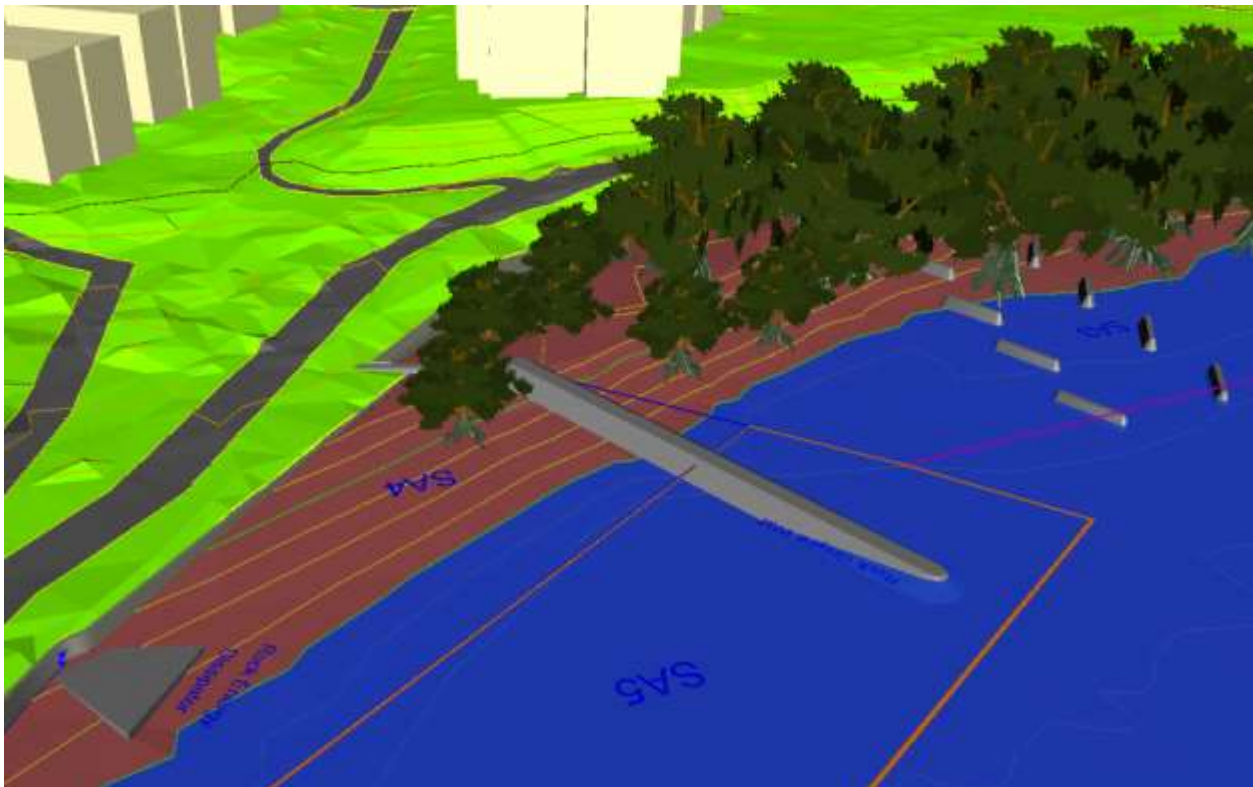


Figure 1: Proposed concept design of the Rock Groyne (Seawall Extension)

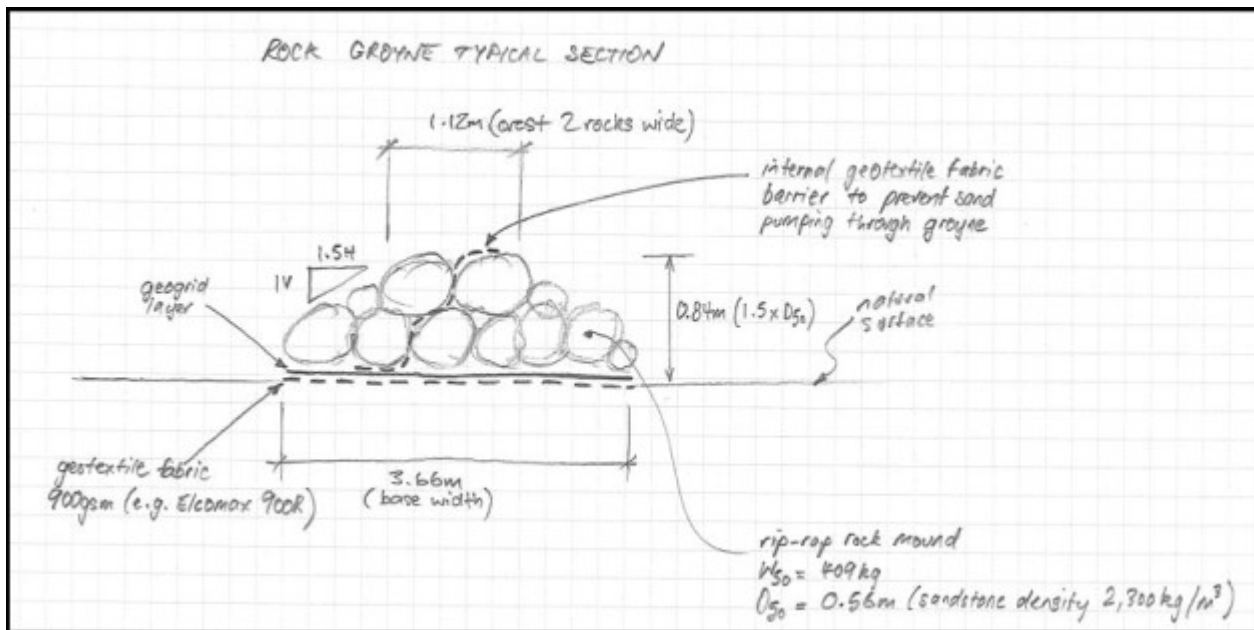


Figure 2: Proposed Typical Section of the Rock Groyne (Seawall Extension)

The groyne wall will be constructed sequentially in sections prior to the replenishment of sand in SA4 and SA5. The sub-base will be prepared by an 8T excavator, levelling the natural surface along the alignment prior to placement of geotextile fabric and geogrid liners. The eastern section of the groyne wall will be constructed allowing the internal geofabric barrier, which prevents the mobilisation of sand through the groyne wall, to be placed and secured. The western section will then be placed to complete the wall. Quarried sandstone material which is compliant to the design grading envelope will be delivered to the Tennyson Road facility (staging area) and placed on material barges for transport to Kendall Bay. The 8T excavator will unload the material. It will be transported by power barrows and a skid steer loader to the designated placement location. Placement of the individual sandstone pieces will be via the 8T excavator. Where practicable, sandstone cobbles will be site won through a sieving process at the beaches of SA3, SA4 and SA5 and from remediation areas SA1, SA2, NA1 and NA2/3. Cobbles that fall within the design grading envelope and are clean and free from contaminants will be reused.

The rock groyne will consist of graded sandstone cobbles up to a maximum size of 0.56m in diameter. Geofabric will be required at the base and within the cross section of the wall. The typical concept section of the rock groyne is shown in the figure above.

Response to Comment 4: DPI Fisheries

As mentioned in Section 12.7 of the EIS, an Ecological Risk Assessment (ERA) was undertaken for the Project by Synnot and Wilkinson in 2018. The findings of the Ecological Risk Assessment include an assessment of the level of potential harm to mangrove pneumatophores during works are summarised in Section 12.7 of the EIS which includes an assessment of impacts to threatened species, habitat loss and water quality. To minimise and manage impacts to mangrove pneumatophores during work within and adjacent to the Project Area, mitigation measures include; minimising the disturbance footprint, rubbish, debris, coke and coal present in the mangroves in SA3 will be manually removed to minimise any impacts to the mangroves and clean sand (VENM) distributed throughout mangroves by hand using wheelbarrows, spades and raked to protect the integrity of the mangroves. The mitigation measures will be captured in the RWP/RWEMP.

Response to Comment 5: DPI Fisheries

Jemena will provide the draft Remediation Works Plan; draft Remediation Works Environmental Management Plan and draft Water and Sediment Plan for DPI Fisheries review.

Closing

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Phil Hutson', with a stylized flourish at the end.

Phil Hutson

Project Manager, Kendall Bay Sediment Remediation Project

Encl: Attachment A - DoI Submission (reference OUT18/15470)



Department of Industry

OUT18/15470

Deana Burn
Environmental Assessment Officer
Key Sites and Industry Assessment
NSW Department of Planning and Environment

deana.burn@planning.nsw.gov.au

Dear Ms Burn

Kendall Bay Sediment Remediation Project (6701) EIS Exhibition

I refer to your email of 3 October 2018 to the Department of Industry (DoI) in respect to the above matter. Comment has been sought from relevant branches of Lands & Water and Department of Primary Industries. Any further referrals to Department of Industry can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

The department provides the following comments and recommendations for consideration in assessment of the proposal.

DoI — Water and Natural Resources Access Regulator

- The proposed draft Remediation Works Management Plan; draft Remediation Works Environmental Management Plan and draft Water and Sediment Management Plan should be developed in accordance with the Guidelines for Controlled Activities on Waterfront Land (NRAR, 2018).
- The management plans identified above should be prepared in consultation with DoI Water.

DPI Fisheries

- The department requests further information on the dimensions of the 30m wall to be constructed in area SA4 and what it will likely be constructed with. A rip rap design to promote aquatic habitat diversity over time is recommended.
- An assessment should be conducted on the level of potential harm to mangrove pneumatophores during these works and a description of what mitigation measures will be implemented to minimise such harm should be included in the draft Remediation Works Environmental Management Plan. This should cover both the sediment removal and 'clean' sediment placement stages of these works. For the long-term survival and growth of the mangrove trees, it is important that harm of pneumatophores is minimised and that they are not completely covered with the placed 'clean' fill, and that the fill is not packed down too firmly.
- DPI Fisheries should have the opportunity to review and provide comment on the draft Remediation Works Plan; draft Remediation Works Environmental Management Plan and draft Water and Sediment Plan.

Yours sincerely

A handwritten signature in black ink, appearing to read 'A King'.

Alex King
Director, Cabinet & Legislation Services
Lands and Water - Strategy and Policy
22 November 2018