

Our ref: OUT24/13198

Sally Munk
Planning Group
NSW Department of Planning, Housing and Infrastructure

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29/08/2024

Subject: Waste Management Facility, Botany (SSD-62855708) – Environmental Impact Statement

Dear Sally Munk,

I refer to your request for advice sent on 2 August 2024 to the NSW Department of Climate Change, Energy, the Environment and Water (DCCEEW) Water Group about the above matter.

The proposed development is for a facility that proposes to accept up to 300,000 tonnes per annum (tpa) of commercial and domestic waste. It would operate as a waste transfer station undertaking receipt and basic sorting with aggregation of material for bulk transport to resource recovery facilities within the KLF group where more advanced sorting and recycling would be undertaken.

NSW DCCEEW Water Group has reviewed the Environmental Impact Statement and has recommendations regarding site water demands, water take and licensing. Please see **Attachment A** for more detail.

Should you have any further queries in relation to this submission please do not hesitate to contact Water Assessments water.assessments@dpie.nsw.gov.au.

Yours sincerely



Tim Baker,
Senior Project Officer, Water Assessments, Knowledge Division
NSW Department of Climate Change, Energy, the Environment and Water

Attachment A

Detailed advice to DPHI Planning regarding the Waste Management Facility, Botany (SSD-62855708) – Environmental Impact Statement

1.0 Site Water Demands

1.1 Recommendation – pre-determination

That the proponent:

- Quantifies construction water demands and identifies sources to meet this demand.
- Confirms consultation has occurred with the relevant potable water supply authority to demonstrate this is a feasible option.

Explanation

Insufficient information has been provided to understand site water demands. The report provides estimates of take during operation but not during construction. Construction take must be quantified and sources identified. Operational take is noted to be sourced from Potts Hill Authority, but it is unclear if the feasibility of this option has been confirmed.

2.0 Water take and licensing

2.1 Recommendation – pre-determination

That the proponent quantifies the maximum annual volume of water take due to aquifer interference activities and demonstrates the ability to acquire sufficient water entitlement unless an exemption applies.

Explanation

The proponent notes groundwater is not expected to be impacted. However, based on the information provided it is unclear if this is to be the case. The groundwater tests noted water to 2m below ground level with the remediation action plan noting shallow groundwater to 1m below ground level. The EIS notes that excavation would be to a maximum of 3m with the removal of UST tanks. This would suggest the potential for excavation activities to intercept groundwater. There is also potential for GW interception with footing construction, however there is no detail on footing construction methods. Quantification of maximum potential groundwater take is required along with demonstration sufficient entitlement can be obtained unless an exemption applies.

2.2 Recommendation – post determination

The proponent should ensure a water access licence (WAL) is obtained to account for the maximum predicted water take for construction and operation activities unless an exemption applies under the Water Management (General) Regulation 2018.

Explanation

Under the *Water Management Act 2000*, if groundwater is intercepted a WAL must be obtained prior to any water take occurring unless an exemption under Clause 7 of Schedule 4 of the *Water Management (General) Regulation 2018* applies. An exemption may be available if water take is less than or equal to 3 ML per water year, subject to the development meeting other exemption requirements, such as:

- the water is not taken for consumption or supply;
- the person claiming the exemption keeps a record of the water taken under the exemption and provides this to the Minister within 28 days of the end of the water year; and
- the records are kept for 5 years.

Further information on these requirements and other information on licensing and approvals, exemptions, including an exemption application form and a form to report and record water taken can be found at:

<https://water.dpie.nsw.gov.au/licensing-and-trade>

3.0 Groundwater impacts and dewatering requirements

3.1 Recommendation – pre-determination

If the take of groundwater is found to be greater than 3 ML per year, the proponent must assess the impacts due to aquifer interference activities in accordance with the NSW Aquifer Interference Policy and framework (2012). These documents are available at:

- https://water.dpie.nsw.gov.au/__data/assets/pdf_file/0005/151772/NSW-Aquifer-Interference-Policy.pdf
- https://water.dpie.nsw.gov.au/__data/assets/pdf_file/0007/171097/Aquifer-Interference-Assessment-Framework.pdf

Explanation

As per Recommendation 1.1 above, the EIS has not provided a volumetric quantification of groundwater take. Additionally, the EIS has not provided an assessment of impacts to groundwater due to construction or operation of the project. NSW DCCEW Water Group notes that without groundwater take estimations it is difficult to assess the level of risk. Therefore, the proponent should determine the estimated take volume.

End Attachment A
