



30 JUL 2013

OUT13/19253

Mr Pascal van de Walle
Industry Projects
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

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Dear Mr van de Walle,

**Kurnell Refinery Conversion (SSD 12_5544)
Response to exhibition of Environmental Assessment**

I refer to your letter dated 21 May 2013 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter, now also known as the Kurnell Finished Product Terminal project.

Comment by Fisheries NSW

Fisheries NSW advise:

- (i) The proposal has been considered in relation to the policies and provisions under the Fisheries Management Act.
- (ii) No objections are raised.
- (iii) To manage potential flow-on effects to nearby aquatic environments it is important that the proposed mitigation measures for 'Soils, Groundwater and Contamination' and 'Surface water, Wastewater and Flooding' are implemented.

For further information please contact Carla Ganassin, Conservation Manager (Wollongong office) on 4254 5527, or at: carla.ganassin@dpi.nsw.gov.au.

Comment by NSW Office of Water

The NSW Office of Water advises as follows:

- (i) The environmental assessment notes the stormwater discharge quality from the site is not currently measured and there is no data available on the majority of stormwater quality discharged from the site (page 11-9, Vol 1). As stormwater from the site is discharged to three receiving environments, namely the environmentally sensitive Quibray Bay (adjacent to the Towra Point Nature Reserve Ramsar site), Botany Bay and the freshwater Marton Park wetland (see page 11-7, Volume 1), the proposed management measure to undertake stormwater flow monitoring in consultation with the EPA is supported (see

pages 11-20 and 21-6). It is important the EPA is satisfied that the sensitive downstream receiving environments are adequately protected.

- (ii) In respect to groundwater, potential ground disturbing works include:
- modification to pipelines
 - tank refurbishment; and
 - pump installation activities.

Should groundwater be encountered during these works, the environmental assessment has indicated that a Groundwater Management Plan (GWMP) would be developed and included in the CEMP to outline measures to manage the testing, dewatering, storage, movement and treatment of any groundwater during the construction phase (pages 9-19 and 9-22). The proposed measures as listed on page 9-19 and the inclusion of this mitigation measure C10 in Table 21-1 is supported.

The inclusion of mitigation measure D4 in Table 21-1 is also supported (see page 21-5), that is, that Caltex would continue to monitor groundwater quality in areas that are known to contain impacts to ensure that significant mobilisation of COPC from groundwater to surface water is not occurring.

As groundwater is not expected to be intersected within the groundwater works, impacts to the local or regional groundwater system are expected to be negligible.

Considerations of the Aquifer Interference Policy are not required as the project will have a minimal (if any) impact on water-dependant assets.

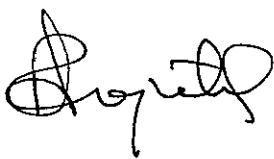
Should the application be approved, the following condition is recommended:

In the event that groundwater is intersected during works, the proponent is to:

1. Make application to the NSW Office of Water for a determination of any required water approvals, and
2. Develop a Groundwater Management Plan for the testing dewatering, storage, movement and treatment of any groundwater in consultation with the NSW Office of Water.

Should you require further information please contact Janne Grose, Planning and Assessment Coordinator (Penrith office) on 4729 8262, or at: Janne.Grose@water.nsw.gov.au.

Yours sincerely



Phil Anquetil
Executive Director Business Services