



OUT13/16861

- 5 JUL 2013

Ms Ingrid Ilias
Infrastructure Projects – Rail & Ports
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Ingrid.Ilias@planning.nsw.gov.au

Dear Ms Ilias,

**Patrick's Container Terminal (Port Botany) (DA-453-12-2002-i)
Proposed Modification (Mod. 7)**

I refer to your letter dated 7 June 2013 requesting advice from the Department of Primary Industries (DPI) in respect to the above matter.

Comment by Fisheries NSW

Fisheries NSW advise no issues.

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) Groundwater Assessment and Water Licensing

Section 6.4 of the Environmental Assessment (EA) has indicated the potential to intercept groundwater during excavation to install building foundations and the requirement to pump out water and treat prior to disposal. The NSW Office of Water advises the proponent may require licensing under the *Water Act 1912* or *Water Management Act 2000* for this activity and this will need to be confirmed and obtained prior to commencement of the groundwater interception activities. It is assumed this project would not require ongoing groundwater extraction or interception during the operational phase of this project.

The EA has not indicated the likely volumes to be extracted or the time period for dewatering, however it is recommended this information be provided as part of the Soil and Groundwater Contamination Assessment within the Construction Environmental Management Plan. Details of the water quality of the groundwater

should also be requested to support an understanding of potential impacts due to the activity. Analysis for the potential of Acid Sulfate Soils and development of mitigating measures within an Acid Sulfate Soils Management Plan is supported.

It is recognised the project site is located within Zone 1 of the Botany Basin Groundwater Extraction Exclusion Zone. Based on the proposed potential interception and use of groundwater for this project no specific restrictions will apply. However, it is important to recognise that the activity should not have an adverse impact on the clean up of the Botany Bay groundwater contamination.

(ii) Surface Water Management

The Office of Water supports the proposed development of a Soil and Water Management Plan as part of the Construction Environmental Management Plan to address industry standards such as the guideline *Managing Urban Stormwater: Soils and Construction (Landcom 2004)*. It is also recommended the NSW Office of Water *Guidelines for Controlled Activities on Waterfront Land (July 2012)* be addressed in developing the Soil and Water Management Plan.

(iii) Conditions

Should the application be approved, the following conditions are recommended:

1. The proponent is required to obtain the necessary water licenses for the project under the *Water Act 1912* or *Water Management Act 2000* prior to commencement of activities.
2. The proponent shall prepare a Soil and Water Management Plan in consultation with the NSW Office of Water. This is to include:
 - (i) baseline details of groundwater water quality and water level,
 - (ii) details of water interception, extraction volumes and disposal requirements,
 - (iii) details of water licence requirements,
 - (iv) assessment for Acid Sulfate Soils and potential impacts,
 - (v) assessment of soil and groundwater contamination,
 - (vi) details of surface water and groundwater management controls, and
 - (vii) details of surface water and groundwater monitoring and response protocols.

For further information please contact Tim Baker, Senior Water Regulation Officer (Dubbo office) on 6841 7403, or at: Tim.Baker@water.nsw.gov.au.

Yours sincerely



Phil Anquetil
Executive Director Business Services