



Department of Primary Industries

OUT12/33425

Mr Mick Fallon
Infrastructure Projects-Rail and Ports
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

- 9 JAN 2013

Mick.Fallon@dpi.nsw.gov.au

Dear Mr Fallon,

QR National Train Support Facility (MP07_0171) Response to exhibition of Environmental Assessment

I refer to your letter dated 19 November 2012 to the Department of Primary Industries in respect to the above matter.

Comment by Fisheries NSW

Fisheries NSW advise the following comments, and the recommended conditions for any approval detailed in Attachment A:

- (i) impacts generally are limited to isolated SEPP14 wetland area and previously impacted landscapes. There is the potential for some impacts on adjoining saltmarsh areas due to discharge of stormwater to the southern end of the site. This area adjoins Smithy's, an area that has been slowly rehabilitated to ensure saltwater intrusion to return saltmarsh and fish habitat to the area. There will be some benefit as the existing area of wetland/saltmarsh complex will be placed under a management regime as an environmental offset.
- (ii) the assessment of the impact on the saltmarsh community in the southern areas is understated. The potential impact of increasing freshwater inputs into the saltmarsh community is likely to have long-term effects. The increases in freshwater gradually leach the salt from the soils, allowing the introduction of less salt tolerant species over a long period of time. Any changes to the flushing of this area with saline (tidal) water will result in a degradation of the site that is above and beyond the impacts mentioned by the proponent. Consequently, the proponent should include a commitment to manage appropriately the downstream waterway that drains this location to ensure the continued tidal flushing of the site.
- (iii) the scale of the diagrams and lack of final design detail of the rail layout at the southern crossover makes it difficult to determine the potential impacts of the development on the creek that drains the southern saltmarsh area. If the new crossover requires the construction of culverts or a bridge over the creek, Fisheries NSW should be involved in discussions in relation to blockage of fish passage and flow management to avoid detrimental impacts on the upstream aquatic habitats and fauna.

NSW Department of Primary Industries
Level 6, 201 Elizabeth Street, Sydney NSW 2000
PO Box K220, Haymarket NSW 1240

Tel: 02 8289 3999 Fax: 02 9286 3208 www.dpi.nsw.gov.au ABN: 72 189 919 072

For further information please contact Scott Carter, Senior Conservation Manager (Nelson Bay office) on 4916 3931 or at: scott.carter@dpi.nsw.gov.au.

Comment by NSW Office of Water

The NSW Office of Water advise the following comments, and the recommended conditions for any approval detailed in Attachment A:

(i) Surface water

- Works within riparian zones should be designed and constructed so as to minimise potential impacts on the hydrologic, geomorphic and ecological integrity of watercourses.
- All works taking place in, on or under waterfront land, as defined in the *Water Management Act 2000*, are considered controlled activities. While State Significant Infrastructure projects are excluded from the requirement to obtain and hold approvals for controlled activities (section 115ZG of the *Environmental Planning and Assessment Act 1979*), such activities, for example excavations and watercourse crossings, should be conducted in accordance with the Office of Water's *Guidelines for Controlled Activities*.

(ii) Groundwater

- Groundwater within the project area is governed under the *Water Act 1912* (Water Act). A licence under Part 5 of the Water Act is required for all activities with the potential to intercept groundwater, including excavations, dewatering works and the installation and operation of monitoring bores, prior to the activity commencing. In addition, all existing groundwater works are required to be licensed.
- The Office of Water supports the proposal to line or raise the stormwater treatment ponds so as to prevent connection with the groundwater table. Given the low surface relief and high (and fluctuating) groundwater levels, lining of the ponds is considered the preferred option.

(iii) Management Plans

- The proposed Site Water Management Plans should be developed in consultation with the Office of Water and should incorporate monitoring programmes, impact triggers and response actions for all surface water and groundwater sources potentially impacted by the project.

For further information please contact Rohan Macdonald, Planning and Assessment Coordinator (Newcastle office) on 4904 2642, or: rohan.macdonald@water.nsw.gov.au.

Yours sincerely



Phil Anquetil

Executive Director Business Services

Attachment A

QR National Train Support Facility (MP07_0171) Response to exhibition of Environmental Assessment

Recommended Conditions for any Approval.

Conditions recommended by Fisheries NSW

- (1) Any management plans for the offset site in the southern section of the proposal to include a commitment to manage appropriately the downstream waterway that drains this location to ensure the continued tidal flushing of the site, including maintenance of the culverts under the railway corridor to the Hunter River.
- (2) If the design of the rail layout at the southern crossover requires the construction of culverts or a bridge over the creek at this location, the design is to be developed in consultation with Fisheries NSW and avoid any detrimental impact on the upstream aquatic habitats and fauna by making adequate provision for fish passage and water flow management.

Conditions recommended by NSW Office of Water

- (1) Works must be designed and undertaken in such a way as to minimise potential impacts to waterways and riparian areas and all impacted areas must be rehabilitated so as to maintain or improve the hydrologic, geomorphic and ecological integrity of the waterways.
- (2) All works taking place in, on or under waterfront land, as defined in the *Water Management Act 2000*, are to be conducted in accordance with the NSW Office of Water's Guidelines for Controlled Activities.
- (3) A licence under Part 5 of the *Water Act 1912* is required for all works likely to intercept or extract groundwater prior to the works commencing.
- (4) A Site Water Management Plan is to be developed in consultation with the NSW Office of Water which outlines measures to mitigate potential impacts to surface water and groundwater sources and incorporates monitoring, impact trigger definition and response actions for all water sources potentially impacted by the project.

End Attachment A
