



Department of Primary Industries

OUT13/9355

26 APR 2013

Ms Christine Chapman
Major Development Assessment
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Christine.Chapman@planning.nsw.gov.au

Dear Ms Chapman,

**Modification to the Orica Southlands Remediation and Warehouse
Development Project (MP 06_0191 Mod.1)**

I refer to your letter dated 6 March 2013 requesting advice from the Department of Primary Industries in respect to the above matter.

Comment by NSW Office of Water

The advice of the NSW Office of Water is detailed in Attachment A.

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

Comment by Crown Lands

It is noted that the Project Approval dated 16 April 2012 includes an area of Crown land (Springvale Drain, adjacent to Nant Street), and that the proposed modification plans suggest there may be earthworks that will encroach on this area. Any works on this area will require specific approval under the *Crown Lands Act 1989*. No approval should be given to such works where they differ from the original Project Approval without a corresponding landowner consent from the Minister administering the *Crown Lands Act 1989*.

For further information, please contact Paul Layt, Group Leader Natural Resource and Property Services (Parramatta), on 8836 5328 or paul.layt@lands.nsw.gov.au.

Yours sincerely

Phil Anquetil

Executive Director Business Services

Attachment A

Modification to the Orica Southlands Remediation and Warehouse Development Project (MP 06_0191 Mod.1) Comment by NSW Office of Water

1. Groundwater

The relocation of the compensatory flood storage area has been proposed in response to the detection of shallow groundwater conditions along the eastern boundary of Southlands Block 1 (property to the east of Springvale Drain) that would almost certainly interact with the excavation. The outcome of the modification should therefore be a reduction in the likely impacts on groundwater beneath the properties in that regard.

However, the proposed warehouse development continues to have the potential to impede the operation and maintenance of the Primary Containment Area hydraulic containment borefield in existence at Southlands. The need for any component of any current or future development proposal for the site to avoid adversely impacting on the long-term clean up operation being undertaken by Orica is reiterated.

The Office of Water previously advised the following in regard to the master plan for the site, as well as any individual future development applications.

...any works proposed under the Master Plan and future individual development applications are recommended to:

- Not impede, hinder or otherwise adversely affect the Orica Botany Groundwater Clean Up Project as provided for by the Joint Determining Authorities Report and regulated under the Notice of Clean Up Action (together with any subsequent amendments).*
- Not extract groundwater under any circumstances except as provided for under the Remediation Action Plan.*
- Not prevent ready access to any monitoring or groundwater extraction installation for the purposes of water quality sampling, inspection, audit, rehabilitation or maintenance.*

These recommendations are reiterated for the proposed modification.

2. Springvale Drain

Volume 1 of the Environmental Assessment (page 11-5) indicated the proposal is to provide a setback distance width of 20 metres either side from Springvale Drain. It is noted the Project Approval (dated 16 September 2012) includes Landscape and Biodiversity Condition 31(b) which requires detailed plans and procedures to plant and maintain a 20 metre riparian corridor each side of Springvale Drain on the site.

The modification application now seeks to construct compensatory flood storage to the east and west of Springvale drain. It is unclear if the reconfiguration of the flood basin is proposed to be setback from the drain, and if so by what distance. Clarification is therefore requested.

End Attachment A