



Department of Primary Industries

OUT13/37679

Ms Jessie Giblett
Mining Projects
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

20 DEC 2013

jessie.giblett@planning.nsw.gov.au

Dear Ms Giblett,

**Gloucester Gas Project (MP08_0154 Mod.1)
Proposed Modification (Mod.1)**

I refer to your email dated 11 December 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 on the basis that the modification does not propose any change to construction methods.

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

Comment by NSW Office of Water

The NSW Office of Water advises as follows:

(i) General

The Office of Water notes that the activity of trenching (such as for laying of pipelines) is a defined minimal impact aquifer interference activity according to Section 3.3 of the NSW Aquifer Interference Policy. In addition, the proposal is not expected to increase impacts or to intercept groundwater or take surface water. Accordingly, the NSW Office of Water's comments are minimal.

Review of the proposal under the Aquifer Interference Policy is at Attachment A.

(ii) Water Licences under the Water Management and Water Acts

The *Water Management Act 2000* (WMA) governs sustainable and integrated management of water sources across NSW. Licensing of water is regulated under the WMA for areas which are subject to a Water Sharing Plan, and under the *Water Act 1912* (WA) for water sources not covered by a Water Sharing Plan.

The proposed pipeline corridor realignments are within the Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources.

The proposed pipeline corridor realignments are located within the areas covered by the following Water Sharing Plans:

- Water Sharing Plan for the Hunter Unregulated and Alluvial Water Sources;
- Water Sharing Plan for the Tomago Tomaree Stockton Groundwater Sources.

The northern part of the proposed pipeline (including the Seaham section) lies within the area covered by the Water Sharing Plan for the Northern Fractured and Porous Rock Groundwater Sources, which has not yet commenced. As such, this area is still regulated under the *Water Act 1912*.

The proponent will need to discuss the licensing requirements for the proposed pipelines with the Office of Water. It is noted that the environmental assessment states that the proponent's recent experience with the Newcastle Gas Storage Facility construction indicates that it is unlikely that water licences will be required for construction of the proposed modification, however temporary transfer of Hunter Water Corporation's allocations under the Tomago-Tomaree Water Sharing Plan may be required. It is also noted that as part of the preparation of the Construction Environmental Management Plan (condition 7.2 of the Project approval), AGL will liaise with Hunter Water Corporation and the Office of Water prior to construction regarding any licence requirements for the construction of the pipeline in the Tomago section.

(iii) Water crossings

The proponent is exempt from the requirement for a controlled activity approval for this project. However, the proponent should still consider the Office of Water *Guidelines for laying pipes and cables in watercourses on waterfront land (2012)*, available at <http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx>

(iv) Conditions of approval

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

Water Licensing Requirements

1. All appropriate licences under the *Water Act 1912* and *Water Management Act 2000* are to be obtained from the NSW Office of Water prior to the activity commencing.

Access Road Construction and Watercourse Crossings

2. Construction activity within 40 metres of any watercourse, including access tracks and watercourse crossings, should be designed by a suitably qualified person, consistent with the *NSW Guidelines for Controlled Activities (2012)*.

Erosion and Sediment Control

3. Adequate erosion and sediment controls should be installed across the project site to control sediment and runoff to protect surface water resources from potential contamination.

Site Rehabilitation

4. Rehabilitation of all disturbed areas should occur during construction and completion of the Gloucester Gas Project pipeline construction.

For further information please contact Richard Nevill, Senior Water Regulation Projects Officer (Parramatta office) on 8838 7570, or at: Richard.Nevill@water.nsw.gov.au.

Comment by Crown Lands

Crown Lands advise:

- (i) the proponent has identified that Crown land is impacted by the proposal.
- (ii) the proponent is to acquire easements under the *Land Acquisition (Just Terms Compensation) Act 1991* for affected Crown lands and waterways.
- (iii) the proponent must acquire easements over any Crown roads affected by the proposal. Enquiries in this regard should be made to the NSW Trade & Investment-Crown Lands Crown Road Closing and Sale Project, at: acquisition@lands.nsw.gov.au.

For further information please contact Mark Grace, Natural Resource Management Project Officer (Maitland office) on 4937 9331, or at: mark.grace@lands.nsw.gov.au.

Comment by Office of Agricultural Sustainability & Food Security.

In accordance with procedures for resource projects that affect agricultural land, the Office of Agricultural Sustainability & Food Security has responded direct to your Department by letter dated 19 December 2013.

For further information please contact Rob Williamson, Leader Land Use Planning (Orange office) on 6391 3166, or at: robert.williamson@dpi.nsw.gov.au.

Yours sincerely



Tony Heffernan
A/Executive Director Business Services

Attachment A

Gloucester Gas Project (MP08_0154 Mod.1) Proposed Modification (Mod.1)

Assessment against the NSW Aquifer Interference Policy

Assessing a proposal against the NSW Aquifer Interference Policy

Table 1: Does the activity require detailed assessment under the AIP?

| Consideration | | Response |
|----------------------|---|--|
| 1 | Is the activity defined as an aquifer interference activity? | YES , continue to 2. |
| 2 | Is the activity a defined minimal impact aquifer interference activity according to section 3.3 of the AIP? | YES , then no further assessment against this policy is required. Volumetric licensing still required for any water taken, unless exempt. |

End Attachment A