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NSW Department of Planning, Industry and Environment

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Dear Ms Scott

**Botany Rail Duplication (SSI-9714)  
EIS Exhibition**

I refer to your email of 14 October 2019 to the Department of Planning, Industry and Environment (DPIE) Water and the Natural Resources Access Regulator (NRAR) about the above matter.

The following advice for you to consider is from DPIE Water and NRAR. Please note the Department of Primary Industries (DPI) and Crown Lands now provide a separate response.

- Under Part 2, Division 2 of the Water Management (General) Regulation, the Australian Rail Track Corporation (ARTC) is specifically exempt from requiring water access licenses when engaged in rail infrastructure construction. As a result we have not considered potential dewatering. However the proponent should consult with EPA in regards to discharging the product of any such dewatering. A license may be required to discharge to receiving waters.
- The proposed Construction Environmental Management Plan should be developed in consultation with DPIE Water.
- Drainage culverts should be designed to the 1:100 design flood criteria.
- It is very important that the Blue Book is used for construction methods as proposed, particularly for stockpile management or construction in areas adjacent to the Mill Stream.
- The detailed design stage should include modelling of discharge velocities near outfalls, noting the particular sensitivity of Mill Stream to incision, knickpoint migration and erosion under altered flow regimes. This model should extend to at least upstream of the wetlands, and should inform the culvert and detention basin system design.
- Scour protection is imperative, particularly into the Mill Stream. Post-development, the scour protection should be monitored for effectiveness of their protective performance and review of culvert design criteria.
- Once the Soil and Water Management Plan, Environmental Management Plan and Construction Environmental Management Plan are implemented the proponent should verify the effectiveness of the measures outlined in these plans to prevent groundwater quality impacts.
- The proponent should undertake Quarterly Base Line and ongoing monitoring during construction as proposed.
- The project works should be designed in accordance with the Guidelines for Controlled Activities on Waterfront Land (NRAR 2018). <https://www.industry.nsw.gov.au/water/licensing-trade/approvals/controlled-activities> This includes but are not limited to the following:
  - In-stream works
  - Watercourse crossings; and
  - Outlet structures.

Any further referrals to DPIE – NRAR & Water can be sent by email to:  
[landuse.enquiries@dpi.nsw.gov.au](mailto:landuse.enquiries@dpi.nsw.gov.au).

Any further referrals to DPI & Crown Lands can be sent by email to: [dpi.cabinet@dpi.nsw.gov.au](mailto:dpi.cabinet@dpi.nsw.gov.au)  
& [lands.ministerials@industry.nsw.gov.au](mailto:lands.ministerials@industry.nsw.gov.au) respectively.

Yours sincerely

A handwritten signature in blue ink that reads "Liz Rogers". The signature is written in a cursive, flowing style.

Liz Rogers  
Manager, Assessments  
**Water – Strategic Relations**  
17 January 2020