



EPBC ref: 2020/8825

Andrew Dooley
Senior Project Manager
Transport for NSW
33 James Craig Road
ROZELLE NSW 2039

Request for additional information for Kamay Ferry Wharves Project, NSW

Dear Mr Dooley

I refer to the proposed action listed above which is currently being assessed under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act).

Under section 132 of the EPBC Act, the Minister may request further information for the purposes of making a decision on whether or not to approve a controlled action. As a delegate of the Minister, I am writing to request you provide the following further information in regards to potential contamination:

- Undertake surficial sediment characterisation at both sites (including chemical, physical and biological) within the upper 1 metre of the marine deposit profile using detection limits in Table 1 of the *National Assessment Guidelines for Dredging, Commonwealth of Australia, Canberra, 2009*. The department notes that dredging does not form a component of the proposed action, however, these guidelines provide relevant limits for typical sediment contaminants and other analytical parameters.
- Provide an analyses of the sampling include, at a minimum:
 - the common metals and metalloids such as copper, lead, zinc, chromium, nickel, arsenic and selenium, cadmium and mercury;
 - total petroleum hydrocarbons (TPH), volatile hydrocarbons benzene, toluene, ethylbenzene, xylenes and naphthalene (BTEXN), and polycyclic aromatic hydrocarbons (PAHs) present in petroleum hydrocarbons;
 - organotins from antifouling paints (TBT);
 - organochlorines and polychlorinated biphenyls (PCBs);
 - grainsize analysis and Total Organic Carbon (TOC); and
 - any other contaminants of potential concern determined from a detailed review of known and likely pollution sources to the water and sediments of Botany Bay.

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- Determine whether the sediment, soil, groundwater or pore water is contaminated based on the following guidelines:
 - *Toxicant default guideline values for water quality in aquatic ecosystems, Australian and New Zealand Guidelines for Fresh & Marine Water Quality (2020)* available at: <https://www.waterquality.gov.au/anz-guidelines/guideline-values/default/water-quality-toxicants>; and
 - *Toxicant default guideline values for sediment quality, Australian and New Zealand Guidelines for Fresh & Marine Water Quality (2019)* available at <https://www.waterquality.gov.au/anz-guidelines/guideline-values/default/sediment-quality-toxicants>.
- If contamination exceeds the above guidelines:
 - Describe the likely dispersal pathways during construction and operation for contaminants identified in the sediment analysis.
 - Discuss the potential impacts of contamination on protected matters during construction and operation, including *Posidonia australis* Seagrass Meadows of the Manning-Hawkesbury Ecoregion, White's Seahorse (*Hippocampus whitei*), Cauliflower Soft Coral (*Dendronephthya australis*), and Black Rockcod (*Epinephelus daemeli*).
 - Demonstrate how contamination will be managed to ensure construction and operation do not impact protected matters.

Please note, under subsection 5.19(1) of the *Environment Protection and Biodiversity Conservation Regulations 2000*, this request for information is subject to cost recovery. A Statement of Charges for the fee of \$1,701 has been sent to you separately.

Please note that the timing for the Minister to make a decision on whether or not to approve the proposed action stops on the date of this letter, and restarts once we have received satisfactory information and the fee has been paid.

If you have any questions about this request, please contact the project manager, Lucinda Bilstoft, by email to lucinda.bilstoft@dcceew.gov.au, or telephone 02 6274 1981 and quote the EPBC reference number shown at the beginning of this letter.

Yours sincerely



Terri-Ann English
A/g Director
Canberra Sydney Assessments
Environment Assessments NSW and ACT Branch
22 November 2022