



Department of Primary Industries

OUT17/11117

Ms Lauren Evans
Resource Assessments
NSW Department of Planning and Environment
GPO Box 39
SYDNEY NSW 2001

lauren.evans@planning.nsw.gov.au

Dear Ms Evans

New Berrima Clay Shale Quarry (MP 08_0212 MOD 2) Comment on the Environmental Assessment (EA)

I refer to your email of 28 February 2017 to the Department of Primary Industries (DPI) in respect to the above matter. Comment has been sought from relevant divisions of DPI. Views were also sought from NSW Department of Industry - Lands that are now a division of the broader Department and no longer within NSW DPI.

Any further referrals to DPI can be sent by email to landuse.enquiries@dpi.nsw.gov.au.

DPI has reviewed the application and Environmental Assessment and provides the following recommendations:

- Any works in or around watercourses should be undertaken in accordance with DPI Water [Guidelines for Controlled Activities \(2012\)](#) and DPI Fisheries [Policy and Guidelines for Fish Habitat Conservation and Management \(2013\)](#)
 - o Of note, should a culvert be approved it should be designed with the floor recessed a minimum of 100mm below the invert level of the stable stream bed, or the centre cell of the culvert is recessed a minimum of 100mm below the side cells to maintain a channel navigable by fish at low flows. It should also incorporate elevated dry cells for the movement of terrestrial fauna.
- In order to assist DPI in assessing the impacts of the project and providing recommendations for mitigation and management of potential impacts, the proponent should provide details on the total area of riparian land that will be permanently affected by the new crossing and the total area that will be temporarily disturbed during construction including a scaled plan showing the location of:
 - o Stony Creek;
 - o top of bank;
 - o the 40 m wide riparian corridor along either side of the creek;
 - o existing native vegetation;
 - o the footprint of the proposed works within the riparian corridor;
 - o total area of riparian land that will be affected by construction of the crossing;
 - o the site boundary.

- The environmental assessment (EA) indicates that stock currently have access along the creek and this is preventing the regeneration of native vegetation. DPI supports the recommendation by the proponent's ecological consultant on page 25 of the EA that stock be excluded from rehabilitation areas.
- The EA indicates that once all works are stabilised the bunding, diversion piping and swale would be removed. These areas should be monitored and maintained until certified as stable.
- Any approval for the modification should include a Condition of Consent requiring the proponent to consult with DPI Fisheries (ahp.central@dpi.nsw.gov.au) on the detailed design of the proposed watercourse crossing.
- The proponent should be required to update the water management plan and landscape management plan, and any other relevant management plans as required, for example to include any rehabilitation, monitoring and maintenance requirements.

Yours sincerely



Mitchell Isaacs
Director, Planning Policy & Assessment Advice
14 March 2013

DPI appreciates your help to improve our advice to you. Please complete this three minute survey about the advice we have provided to you, here:

<https://goo.gl/o8TXWz>