

Our Ref: C21/346 in FE20/98#9

18 June 2021

Your Ref: SSD-10446

Mr Jeffrey Peng
Senior Environmental Assessment Officer
DPIE Planning and Assessment

c/o: jeffrey.peng@planning.nsw.gov.au
via Major Projects Portal

Mr Peng,

Request for advice on Response to Submissions – Luddenham Resource Recovery Facility (SSD-10446) at 275 Adams Road, Luddenham NSW 2745 (Lot 3 DP 623799) – Oaky Creek

Thank you for your referral seeking comment on the Response to Submissions (RtS) from DPI Fisheries, a division of NSW Department of Primary Industries on the proposed works stated above.

DPI Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (namely the aquatic habitat protection and threatened species conservation provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*. DPI Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPI Fisheries has previously provided comments on the Environmental Impact Statement (EIS) for this project in OUT20/10220 on 24/08/2020. In that document DPI Fisheries requested that a riparian vegetation plan be developed and implemented on the eastern side of the proposed site as Oaky Creek is Key Fish Habitat and a third order stream.

DPI Fisheries have reviewed the Luddenham Advanced Resource Recovery Centre – Submissions Report (Coombes Property Group & KLF Holdings, May 2021, J190749RP38) and was unable to locate a riparian vegetation plan.

After contacting yourself, I have been advised that the revegetation of the riparian zone of Oaky Creek (eastern side of the site) would be addressed in the biodiversity management plan for a related development (i.e. reactivation of the Luddenham Quarry, DA315-7-2003-Mod) as a post-approval matter.

If you require any further information, please contact Josi Hollywood on (02) 4222 8311 or josi.hollywood@dpi.nsw.gov.au

Yours sincerely,



Scott Carter
Senior Fisheries Manager, Coastal Systems Unit