

Our Ref: FE22/174

8 April 2022

Your Ref: SS1-22338205

Dear Department of Planning and Environment,

Re: EIS for Kurri Kurri Lateral Pipeline Project (SS1-22338205)

Thank you for your referral seeking consultation from DPI Fisheries, a division of NSW Department of Primary Industries, on the proposed works stated above.

DPI Fisheries offers the following comments on the EIS:

1. The EIS and Biodiversity Assessment do not adequately assess aquatic ecosystems. DPI Fisheries recommends that the Biodiversity Assessment be revisited by a REAP with aquatic ecology specialisation.
2. The EIS does not consider the potential distribution of any threatened species listed under the *Fisheries Management Act 1994*, including the Southern Purple Spotted Gudgeon.
3. In assessing the 21 waterway crossings, the EIS does not identify whether the waterways are Key Fish Habitat.
4. The EIS does not assess the habitat features of each waterway in accordance with the DPI Policies and Guidelines for Fish Habitat Conservation and Management.
5. The EIS does not identify the fish species that are likely to exist in each of the impacted waterways.

DPI Fisheries offers the following recommendations to minimise impacts to fish and key fish habitat:

- a) Any pumps extracting or diverting water from a natural waterway should include a gauze or mesh cover on the pump intake to prevent fish and eggs from being drawn in. The gauze or mesh should have a maximum aperture of 5mm.
- b) All waterway crossing sites should be rehabilitated to pre-construction conditions, or enhanced conditions. Creek banks should be revegetated with native riparian vegetation to provide bank stability immediately after construction.
- c) DPI Fisheries has a preference for bridges or box culverts over pipe culverts for temporary crossings. These crossing types enable more natural flows and fish passage.

If you require any further information, please contact me on 8437 4981 or sarah.conacher@dpi.nsw.gov.au

Yours sincerely,



Sarah Conacher
Fisheries Manager, Coastal Systems Unit