

Our Ref: C22/554

FE21/69

9 September 2022

Mick Fallon
The Department of Planning and Environment

Re: Inland Rail – Narromine to Narrabri (SSI-9487) Preferred Infrastructure Report and Amendment Report

Dear Mr Fallon,

The Department of Primary Industries (Fisheries) is responsible for ensuring that fish stocks are conserved and that there is “no net loss” of Key Fish Habitat upon which they depend. To achieve this, the Department ensures that developments comply with the *Fisheries Management Act 1994 (FMA 1994*; 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 (Update 2013)*. In addition, DPI Fisheries is responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing within NSW. DPI Fisheries has reviewed the Inland Rail - Narromine to Narrabri Preferred Infrastructure Report and Amendment Report and provides the following recommendations.

Fish Passage

The design of bridge, culverts, and waterways crossings should be in accordance with the document *Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (NSW Fisheries 2003)* and the *Policy and Guidelines for Fish Habitat Conservation and Management (Update 2013)*. Consideration should also be given to the detailed design of any scour protection below watercourse crossing structures to ensure that fish passage is not impeded.

Riparian Buffer Zones

DPI Fisheries policy advocates the use of terrestrial buffer zones as per the *Policy and Guidelines for Fish Habitat Conservation and Management (Update 2013)* available on the Department’s website at <http://www.dpi.nsw.gov.au/fisheries/habitat/publications/policies,-guidelines-and-manuals/fish-habitat-conservation> which states that “NSW DPI will generally require riparian buffer zones to be established and maintained for developments or activities in or adjacent to TYPE 1 or 2 habitats or

CLASS 1-3 waterways.” The department anticipate that adequate riparian buffer zones will be maintained adjacent to the watercourses that will be crossed as part of this project. Where disturbance is inevitable, environmental management plans should be prepared to minimise the extent of the disturbance footprints and re-establish riparian and aquatic habitat features.

Construction Environmental Management Plan consultation with DPI Fisheries

DPI Fisheries should be consulted with regards a number of sub-plans of the Construction Environmental Management Plan. DPI fisheries require consultation with regards the following sub plans;

- Aquatic Biodiversity Management Plan,
- Soil and Water Management Plan,
- Rehabilitation Plan,

These sub plans should aim to minimise, avoid and mitigate the loss of Key Fish Habitats and should also detail the stockpiling of felled timber from the footprint of the development for use as Snags (large woody debris) to rehabilitate and improve the habitat quality of Key Fish Habitats as part of the rehabilitation strategy or aquatic biodiversity management plan.

Should you have any queries regarding this correspondence please contact me on (02) 6763 1255 or 0429 908 856.

D. Ward

David Ward
Fisheries Manager (Tamworth)