

Our Ref: C25/407

20/05/2025

Your Ref: PAE-82435714

Jarrold Blane

Department of Planning, Housing and Infrastructure
c/o: Major Projects Portal

Dear Jarrod,

Request for comment and advice on recommended conditions for the proposed SSD (MP07_0087-Mod-5) - Modification 5 Bloomfield Colliery Continuation Project

Thank you for your referral of 11/04/2025 seeking advice on the Modification Report from DPIRD Fisheries, a division of NSW Department of Primary Industries and Regional Development.

DPIRD 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, DPIRD 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)*. In addition, DPIRD Fisheries is responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPIRD Fisheries has reviewed the modification report (*Bloomfield Colliery Continuation – Modification 5 Modification Assessment*, Bloomfield Collieries Pty Limited 28 March 2025) and provides the following key advice:

- We note the location of the proposed modification is adjacent Four Mile Creek, which is mapped as key fish habitat.
- It is noted that the modification report does not reference section 3.2.4.2 of DPIRD Fisheries Policy and guidelines for fish habitat conservation and management (Update 2013) (P&Gs) in accounting for riparian corridor buffers for waterways.
- Where waterways are determined to be key fish habitat (3rd order streams or above), DPIRD Fisheries recommend that the proponent reviews whether proposed riparian buffers meet DPIRD policy and guidance and adjust them accordingly if needed.

DPIRD Fisheries recommends the following for inclusion in conditions of approval:

- Environmental safeguards (e.g. sediment fences) are to be used during construction works to ensure there is no escape of turbid plumes into the adjacent aquatic environment.
- DPIRD Fisheries (1800 043 536) and the Environment Protection Authority (131 555) is to be notified immediately if any fish kills occur in the vicinity of the works. In such cases, all works other than emergency response procedures are to cease until the issue is rectified and approval is given by DPI Fisheries and/or the Environment Protection authority for the works to proceed.

If you have any queries, please contact Cherie Colyer-Morris, Fisheries Manager, Coastal Systems (Central) at cherie.colyer-morris@dpi.nsw.gov.au.

Yours sincerely,

A handwritten signature in purple ink that reads "C. Colyer-Morris".

Cherie Colyer-Morris
Fisheries Manager, Coastal System