



Department of Primary Industries

OUT12/32858

18 DEC 2012

Mr Andrew Beattie
Infrastructure Projects-Roads
NSW Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Andrew.Beattie@planning.nsw.gov.au

Dear Mr Beattie,

**Windsor Bridge Replacement project (SSI-4951)
Response to exhibition of Environmental Impact Statement**

I refer to your letter dated 9 November 2012 to the Department of Primary Industries (DPI) in respect to the above matter.

Comment by Crown Lands

Crown Lands reiterates previous advice, included in the DPI letter dated 30 October 2012, about the necessity to consider the implications, in terms of both the design of the proposal and its timing, of the existence of Aboriginal Land Claims over Crown land proposed to be acquired to permit the works. Early consultation should be made with the local (Parramatta) Crown Lands office in this regard.

For further information, please contact Stephen Fenn, Acting Senior Area Manager Metropolitan (Parramatta office) on 8236 7113 or at: stephen.fenn@lands.nsw.gov.au.

Comment by Fisheries NSW

Fisheries NSW advise:

- (i) the Environmental Impact Statement (EIS) has adequately addressed the matters raised by Fisheries NSW in the Director General Requirements, except for potential changes in flow direction arising from an increased area of bank scour protection.
- (ii) in this regard, the EIS acknowledges that the scour protection design is only at a concept stage and will require more detailed drawings and design as the project progresses. Further referral of these designs to Fisheries NSW should be made to allow an assessment of potential impacts due to flow refraction and/or reflection and this assessment be made at this detailed design stage.

For further information please contact Marcel Green, Senior Environmental Assessments Officer (Wollstonecraft office) on 8437 4933, or at: marcel.green@dpi.nsw.gov.au.

Comment by NSW Office of Water

The NSW Office of Water provides the comments and recommended conditions, should the application be approved, detailed in Attachment A.

For further information please contact Janne Grose, Planning and Assessment Coordinator (Penrith office) on 4729 8262 or at: Janne.Grose@water.nsw.gov.au.

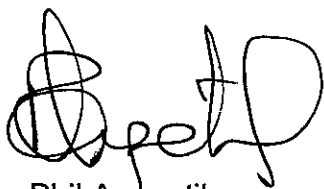
Comment by Agriculture NSW

The proposed design plans are inconsistent in their identification of the possible retention of turf farming area in conjunction with the design of the bridge approaches.

As noted in the DPI letter dated 30 October 2012, this land is classified as agricultural land class 1 (land suitable for intensive cultivation, such as vegetable production). As such it is an important resource within the Sydney basin, should be valued accordingly, and the retention of these lands should be maximised through detailed attention in the overall design and rehabilitation measures following construction works. In this regard attention is also drawn to the previous advice that such land is still viable for certain agricultural purposes even where consolidated area may be small.

For further information please contact Andrew Docking, Acting Leader Regional Services Land Use (Richmond office) on 4588 2128 or at: Andrew.Docking@dpi.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Phil Anquetil', with a stylized, cursive script.

Phil Anquetil
Executive Director Business Services

Attachment A

Windsor Bridge Replacement project (SSI-4951) Response to exhibition of EIS

Comment and recommended approval conditions by NSW Office of Water

Bridge design

The Office of Water in its DGR submission of 16 November 2011 suggested the replacement bridge be designed to allow sufficient natural light and moisture to penetrate beneath the structure to allow for plant growth on the banks to assist in improving riparian connectivity and naturalised stabilisation. Similarly, in its submission on the draft EIS, included in the Department of Primary Industries letter of 30 October 2012, the Office of Water again suggested the EIS address whether the bridge design can incorporate these design features.

The EIS does not appear to have addressed this issue other than the Hydrology Working Paper noting that non-vegetated bank protection is to be used under the northern abutment to mitigate impacts due to shading under the bridge (page 40).

Section 4.2 of the Flora and Fauna Working Paper notes the project would not impact on habitat connectivity and fragmentation (page 52). While it is noted the study area does not include any land identified as part of the regional biodiversity corridor identified in the Hawkesbury-Nepean Catchment Management Area (page 52), riparian corridors do provide habitat connectivity and the bridge design should incorporate design features which improves riparian connectivity.

Riparian Corridors

Table 10-1 in the EIS includes a mitigation measure whereby the riparian zone rehabilitation will include appropriate native species (page 452). However, the EIS does not address the riparian zone width that is proposed to be rehabilitated. Based on the Office of Water publication *Guidelines for Riparian corridors on Waterfront Land* (July 2012), the Hawkesbury River is greater than a fourth order stream and the corresponding recommended riparian corridor width is 40m. The guideline can be accessed at:

<http://www.water.nsw.gov.au/Water-Licensing/Approvals/Controlled-activities/default.aspx>

It is recommended a plan showing the extent of riparian zone rehabilitation be provided. The proposed revegetation of the river bank areas disturbed by construction is supported, including the southern and northern banks and the former site of the existing bridge (see Section 5.2.8, page 99). It is recommended riparian land disturbed by the project is rehabilitated with local native species which mimic the relevant local native vegetation community.

Section 5.2.7 of the EIS notes temporary scour protection may be required further downstream of the northern abutment and this would be removed following construction (page 98). Once the rock is removed, it is suggested this area is rehabilitated with local native vegetation to assist stabilise the bank and improve riparian habitat.

Water Quality Basin

The EIS notes the project would include the construction of a permanent water quality basin on the northern bank to intercept and treat stormwater runoff. Based on Figures 5-5b and 5-5c the basin appears to be located outside the 40 m wide riparian corridor. The Office of Water supports the proposed planting of the basin with native riparian species (page 273) and planting the perimeter with native species (page 271). It is recommended local native plant species from the local vegetation community are used.

In addition, it is recommended the basin and any outlet structure be consistent with the following:

- *Guidelines for riparian corridors on waterfront land* (July 2012)
- *Guidelines for outlet structures on waterfront land* (July 2012)

Recommended conditions of approval

1. A riparian corridor consisting of vegetation from the relevant local native vegetation communities shall be established along the Hawkesbury River within 40 m of the areas disturbed by the project (measured from mean high water mark) with the exception of those areas required for scour protection for the safety of the bridge. The riparian corridor is to be consistent with the *Controlled Activities on Waterfront Land Guidelines for riparian corridors on waterfront land* (July 2012).
2. A Vegetation Management Plan (VMP) is to be prepared consistent with the *Controlled Activities on Waterfront Land Guidelines for Vegetation Management Plans on Waterfront Land* that demonstrates the protection of remnant native riparian vegetation and the rehabilitation of the riparian corridor.
3. Seed sources used for the rehabilitation of the riparian corridor are to be from local native botanical provenance where possible.
4. A minimum 2 year monitoring and maintenance period is required for the riparian zone commencing after final planting, or until such time as a minimum 80 per cent survival rate of each species planted and a maximum 5 per cent weed cover for the treated riparian corridor is achieved. The monitoring program is to include weed control monitoring.
5. The outlet structure for the water quality basin must be consistent with the *Controlled Activities on Waterfront Land Guidelines for outlet structures on waterfront land*

End Attachment A
