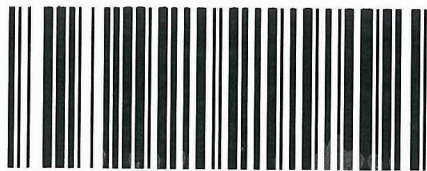




**Industry &  
Investment**



PCU020663

Your Ref: MP07\_0037

OUT11/3756

Andrew Beattie  
Senior Planner  
Infrastructure Projects  
Department of Planning  
GPO Box 39  
SYDNEY NSW 2001



Dear Mr Beattie,

**Re: North Nowra Link Road (MP07\_0037) – Environmental Assessment.**

Thank you for your letter dated 14 February 2011 seeking Industry & Investment NSW (I&I NSW) comments on the Environmental Assessment (EA) for the above Major Project Concept Plan.

I&I NSW 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, the Department ensures that developments comply with the requirements of the *Fisheries Management Act 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 Aquatic Habitat Management and Fish Conservation (1999)*. In addition the Department is responsible for ensuring the sustainable management of commercial and recreational fishing and aquaculture within NSW.

I&I NSW notes that the proposal is located adjacent to Bomaderry Creek and will involve a new bridge crossing of the creek. The potential impact of the development upon water quality and aquatic habitats in Bomaderry Creek is of particular interest to this Department in relation to this Major Project. The Agriculture, Mineral Resources and State Forests Divisions of I&I NSW have no issues with the proposal.

**Issues Related to Fisheries**

I&I NSW has reviewed the Environmental Assessment (EA) prepared by JBA Planning Pty Ltd (dated February 2011). Overall, I&I NSW has no objection to approval of the Concept Plan (and preferred Central Option route) as outlined in the EA and Appendices (including draft Statement of Commitments and site plans) but makes the following comments and recommendations:

1. I&I NSW concurs with the proposed construction of a new bridge to span Bomaderry Creek as this is consistent with the Department's *Policy and Guidelines for Fish Friendly Waterway Crossings* (2004) and *Why Do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings* (2004). I&I NSW recommends that copies of the final bridge design plans for the approved crossing route are sent to I&I NSW for review and approval in line with the above Policy and Guidelines during the Project Approval stage. The Department recommends that this is made a specific approval condition for the development.
2. I&I NSW concurs with the proposed biodiversity mitigation measures in Section 13 and Appendix F of the EA. In particular, the Department concurs with the proposal for Shoalhaven City Council to dedicate 50 hectares of Council land (including riparian areas along Bomaderry Creek) for inclusion into the Bomaderry Creek Regional Park as compensation for the environmental impact of the proposed road development (Section 13.3.4).
3. I&I NSW concurs with the proposed mitigation measures for soils and water in Section 17. In particular, I&I NSW concurs with the proposal to include gross pollutant traps and other management measures to treat stormwater and run-off discharges from the new bridge and roadway to prevent water quality impacts on Bomaderry Creek (Section 17.2). I&I NSW recommends that further details of the proposed stormwater treatment and management measures (and proposed ongoing maintenance) are provided to I&I NSW during the Project Approval stage for review and approval. The Department recommends that this is made a specific approval condition for the development.
4. I&I NSW recommends that a copies of the Erosion and Sediment Control Plan and Soil and Water Management Plan are provided to this Department for comment and approval (Section 17.2.1).
5. I&I NSW concurs with the commitment to design and construct the new bridge structure to avoid and minimise impacts on the Bomaderry Creek gorge riparian vegetation (Section 17.4).

I&I NSW requests that all the above commitments and recommendations are made approval conditions for the development.

Should you have any queries please contact Dr Trevor Daly on (02) 4478 9103 or 0408 487 083.

Yours sincerely

 11/3/11

**Bill Talbot**  
**Director, Fisheries Conservation & Aquaculture**