



7 May 2020

Re: Request for comment on Modification Application and Report for the Rye Park Wind farm (SSD-6693 Mod 1)

DPI Fisheries are 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 and major projects 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 Fish Habitat Conservation and Management (Update 2013)*. DPI Fisheries have reviewed Modification Application and Report for the Rye Park Wind farm (SSD-6693 Mod 1) and provide the following comment.

General Comments

1. All waterway crossings proposed to be constructed or upgraded within Key Fish Habitat as part of the development must comply with the requirements of the *Fisheries Management Act 1994*, the associated *Policy and Guidelines for Fish Habitat Conservation and Management (Update 2013)* and National Guidelines Why do fish need to cross the road? Fish passage requirements for waterway crossings (2003).

Appendix G.4 – Biodiversity Assessment

Table 4.2 Preliminary Mitigation Measures: Installation of Safe Fish Passageway

2. As per previous advice date 19 July 2016, the proponent must consult with DPI Fisheries in relation to the design of any proposed new or upgraded waterway crossing of Blakney Creek, its tributaries and Pudman Creek and its tributaries in order to avoid impacts to the Southern Pygmy Perch (*Nannoperca australis*).

Appendix H: Preliminary Road Investigation

Attachment D – Detailed Structure Upgrade Schedule

3. Attachment D outlines 15 existing waterway crossings to be upgraded or removed as part of the development activities. All waterway crossings must meet the requirements of Comments 1 and 2 above.

Should you require further information please contact me on 0418 204 207 or via email evan.knoll@dpi.nsw.gov.au.

Sincerely

Evan Knoll
Fisheries Manager – Murray Darling
Aquatic Ecosystems
NSW Department of Primary Industries (Fisheries)