

1 September 2023

Andy Nixey
The Department of Planning & Environment

Re: **Dumaresq Solar Farm (SSD-61740963) SEARs**

DPI 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, DPI Fisheries 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 Fish Habitat Conservation and Management (2013)*. In addition, DPI Fisheries is responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

The EA should specifically address impacts on the aquatic ecology and controls to be established for permanent access tracks, temporary access tracks, powerlines and solar arrays in or adjacent to *Key Fish Habitats* (Third order streams or larger (Strahler Stream Order System) such as Log Creek, and potential impacts on riparian vegetation as per below:

AQUATIC ECOLOGICAL ASSESSMENT

An aquatic ecological assessment is required that addresses all direct and indirect impacts of the Dumaresq Solar Farm Project on Key Fish Habitat and associated flora and fauna including during construction and operation for the life of the asset.

The Aquatic Ecological Assessment should cover the assessment requirements outlined in Chapter 3 of the *Policy and Guidelines for Fish Habitat Conservation and Management (2013)* including:

- Recent aerial photograph (preferably colour), map or GIS of the locality which details the Key Fish Habitat of the development site, all habitats impacted by the development, and waterway classification (CLASS) as defined in Tables 1 and 2 of the *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*.
- Location details of all temporary and permanent infrastructure and construction activities, such as waterway crossings, powerlines, access tracks, etc
- Development of mitigation measures during construction (e.g. Environmental Management Plans) and operation (e.g. Operational Management Plan) including monitoring of proposed mitigation measures and plans to confirm their effectiveness.

RIPARIAN BUFFER ZONES (SETBACK ZONES)

The “*degradation of native riparian vegetation*” has been listed as a Key Threatening Process under the provisions of the *Fisheries Management Act 1994*. 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 Log Creek in order to limit disturbance and susceptibility to bed or bank erosion.

D. Ward

David Ward
Fisheries Manager, Murray Darling.