

FE23/670
C25/629

30 July 2025

Department of Planning and Environment
Lodged via NSW Major Projects Planning Portal

Attention: Amy Alessi

Re: SSD- 59701722 – Tchelery Wind Farm - Request for advice on EIS

Dear Amy,

Thank you for referring the above proposal to DPI Fisheries. 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 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)*.

The EIS and associated documents have been reviewed and DPI Fisheries provides the following advice:

- The construction of waterway crossings to support access for the project is the primary pathway of potential impact to key fish habitat.
- As outlined in previous DPI Fisheries advice and also noted in the EIS, the design and construction of watercourse crossings in key fish habitat should be in accordance with the Department’s *Policy and Guidelines for Fish Habitat Conservation and Management (Update 2013)* and *Why Do fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings (2003)*.
- Although The Forest Creek and Abercrombie Creek were dry during the survey period, mitigations to provide for fish passage should be in place for when ephemeral waterways are inundated after heavy rainfall periods.

- Consultation with DPI Fisheries should occur regarding the retention and stockpiling of felled trees from the footprint of the development for use as instream large woody habitats to rehabilitate and improve the habitat quality of Key Fish Habitats.

Please contact me on 0484 907 343 or Alison.McLean@dpi.nsw.gov.au if you require any further information.

Sincerely



Alison McLean

Fisheries Manager - Murray Darling

Aquatic Assessment, Regulation and Engagement