

Department of Planning, Housing and Infrastructure
c/- Kirsty Vogel
Major Projects Planning Portal

Re: Request for Secretary's Environmental Assessment Requirements (SEAR's) Baulkham Hills
Battery Energy Storage System

Dear Kirsty,

Thank you for your referral of 14 March 2025 seeking consultation on the proposal from DPIRD Fisheries, a division of NSW Department of Primary Industries & Regional Development on the proposed works stated above.

DPIRD 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, DPIRD Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (FM Act) (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)* (P&G). DPIRD Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPIRD Fisheries notes that Toongabbie Creek is mapped Key Fish Habitat and is located approximately 90m north from the project footprint. It is understood from the Scoping Report for the project that stormwater flows and water quality would not be substantially altered by the proposal, and that these would be directed into existing systems. However, it is not clear from the Scoping Report as to whether new stormwater discharges would be into Toongabbie Creek or elsewhere. The department recommends that the project is designed to:

- Avoid works in or adjacent to Toongabbie Creek,
- Minimise potential erosion and sedimentation impacts to the creek during and following construction,
- Maintain or expand the current vegetated riparian buffer zone to the creek and

- Ensure that surface water and groundwater volumes (including stormwater) into Toongabbie Creek are equal to or less than current volumes, or appropriately drip managed, and that water quality in these flows is equal to or improved from current levels.

As the degradation of native riparian vegetation along NSW watercourses is listed as a key threatening process (KTP) under the *Fisheries Management Act* DPIRD-Fisheries recommends that this activity is avoided. Please refer to <https://www.dpi.nsw.gov.au/fishing/threatened-species/what-current/key-threatening-processes/degradation-of-native-riparian-vegetation> for more information on this KTP.

If you require any further information, please contact me on craig.blount@dpi.nsw.gov.au

Sincerely



Craig Blount
Senior Fisheries Manager, Coastal Systems
DPIRD Fisheries