



## Department of Primary Industries

FE20/905

C20/617

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Department of Planning, Industry and Environment

### **RE: DPI Fisheries Response to Submissions Report – McPhillamys Gold Project (SSD-9505)**

DPI Fisheries are responsible for ensuring that fish stocks are conserved and that there is “no net loss” of *key fish habitat* 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)*.

#### **Aquatic Ecology Offset Package**

DPI Fisheries have reviewed the McPhillamys' Gold Project Submissions Report & Amendment Report- Aquatic Ecology Assessment Addendum (Appendix N Aquatic Ecology Assessment Addendum) and concur with the conclusions that an area of 40,381 m<sup>2</sup> of Key Fish Habitat will be directly impacted by the development.

The *NSW Biodiversity Offsets Policy for Major Projects* allows for both site-based offsets to compensate for the loss of each aquatic habitat type or the payment of an amount to compensate for the value of the aquatic habitat being lost to be considered. The policy and guidelines require a minimum 2:1 offset for Type 1–3 key fish habitats to help redress both direct and indirect impacts of development.

DPI Fisheries therefore require that an area of 80,762 m<sup>2</sup> of Key Fish Habitat offsets downstream within the Belubula River, and/or Tributaries A & Tributary B of the Belubula River or elsewhere downstream within the Belubula catchment.

DPI Fisheries recommend that an Aquatic Ecological Offset Strategy shall be developed and implemented to address the direct loss of 40,381 m<sup>2</sup> of Key Fish Habitat as a result of this project. The strategy shall be developed:

- (a) In consultation with DPI Fisheries
- (b) Comprise of elements of the following: removal of exotic riparian & aquatic weed species, remediate eroded bed & banks with native aquatic macrophytes, native riparian plants, large woody debris, fence off rehabilitated areas to grazing, removal of existing barriers to fish passage and aquatic and riparian habitat mapping so as to be consistent with the *NSW DPI Policy & Guidelines for Fish Habitat Conservation and Management (Update 2013)*.

- (c) Require a minimum 2:1 offset strategy such that 80,762 m<sup>2</sup> of Key Fish Habitat is remediated as a result of the Aquatic Ecological Offset Strategy.
- (d) Allow for supplementary measures via payment of funds to the Fish Conservation Trust Fund to provide flexibility in fulfilling offset strategy requirements. Supplementary measures are currently costing at \$113.50/m<sup>2</sup> for the loss of 40,381 m<sup>2</sup> of Key Fish Habitat.
- (e) Include a long-term monitoring and maintenance program to monitor the success of the Aquatic Ecological Offset Strategy meeting targets and Key Performance Indicators.

### **Rehabilitation and Landscape Management Strategy**

DPI Fisheries have reviewed the McPhillamys' Gold Project Rehabilitation and Landscape Management Strategy Addendum T and are satisfied that the amended design for the clean water diversion channel will comprise of a geomorphologically stable watercourse with riparian vegetation avoiding the need for two large drop structures which would have formed barriers to the passage of fish.

DPI Fisheries recommend that the Rehabilitation and Landscape Management Strategy for the Permanent Clean Water Diversion shall be developed to the satisfaction of the department. The plan must:

- (f) be prepared in consultation with DPI Fisheries
- (g) be consistent with the *NSW DPI Policy & Guidelines for Fish Habitat Conservation and Management (Update 2013)*.
- (h) Include a long-term monitoring and maintenance program to monitor the success of the Rehabilitation and Landscape Management Strategy meeting targets and Key Performance Indicators.

Should you require further clarification on the above issues, please contact David Ward (Fisheries Manager) on 6763 1255 or 0429 908856.