



Department of Primary Industries

FE21/212

C21/127

15 March 2021

May Patterson

Department of Planning, Industry and Environment

Dear May

RE: New Request for Advice – Oxley Solar Farm (SSD-10346)

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)*.

WATERWAY CROSSINGS

As mentioned in the EIS, the construction or upgrade of permanent or temporary access tracks, cabling, transmission line construction, roads and services upgrades across *Key Fish Habitat* such as the Gara River should be in accordance with DPI Fisheries Guideline document: *Policy and Guidelines for Fish Habitat Conservation and Management (Update 2013)*. This is to ensure that the works are designed and constructed in accordance with best management practice to ensure fish passage and with minimal impact on the aquatic environment.

RIPARIAN BUFFER ZONES

The EIS recommends that creek lines and retained dams should be planted with native riparian vegetation and transformed into wetlands for wildlife. DPI Fisheries policy advocates the use of native riparian buffer zones as per the *Policy and Guidelines for Fish Habitat Conservation and Management (Update 2013)* available on the Department's website at www.dpi.nsw.gov.au/fishing/habitat/publications/pubs/fish-habitat-conservation in order to maintain a riparian buffer zone and limit disturbance and susceptibility to bed or bank erosion that may be associated with the proposed solar development. The policy & guideline document recommends the width of riparian buffer zones based on the sensitivity of Key Fish Habitat and the classification of the Key Fish Habitat Habitat. Note: The “*degradation of native riparian vegetation*” has been listed as a Key Threatening Process under the provisions of the *Fisheries Management Act 1994*.

Should you require further clarification on the above issues, please contact myself on 6763 1255 or 0429 908 856.

D. Ward.

David Ward
Fisheries Manager (Tamworth)

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