

OUT20/9400

Marcus Ray
Group Deputy Secretary
Planning and Assessment
NSW Department of Planning, Industry & Environment
Locked Bag 5022
PARAMATTA NSW 2124

Dear Mr Ray

Re: Consultation regarding section 3.25 Environmental Planning and Assessment Act 1979 relating to the State Environmental Planning Policy (Activation Precincts) 2020 (Activations Precincts SEPP).

Thank you for your letter dated 28 July 2020 referring your Department's proposal to amend the State Environmental Planning Policy (Activation Precincts) 2020 (Activation Precincts SEPP), for review and comment in accordance with the "specialist consultation procedures concerning threatened species" pursuant to Section 3.25 of the *Environmental Planning and Assessment Act 1979*.

Threatened species, populations and communities listed under the *Fisheries Management Act 1994* which are known or expected to occur within the precinct area (based on mapping available at: <http://www.dpi.nsw.gov.au/fishing/species-protection/threatened-species-distributions-in-nsw>) include:

- Trout Cod (*Macullochella macquarensis*) listed under Schedule 4 as an endangered species.
- Silver Perch (*Bidyanus bidyanus*) listed under Schedule 5 as a vulnerable species.
- The Murray Darling Population of the Eel Tail Catfish (*Tandanus tandanus*) listed under Schedule 4 as an endangered population.
- The Endangered Aquatic Ecological Community in the Lower Murray River listed under Schedule 4 (which includes the Murrumbidgee River to below Burrinjuck Dam).

The Fisheries Branch of the Department of Primary Industries has reviewed the Wagga Wagga Special Activation Precinct draft Master Plan and Discussion Paper and is satisfied that it will not adversely affect critical habitat or threatened species, populations or ecological communities, or their habitats, as listed under the *Fisheries Management Act 1994*.

For further information or assistance please contact Sarah Fairfull, Director Aquatic Environment on 0419 185 534.

Yours sincerely



Sean Sloan
Deputy Director General
DPI Fisheries

Date: 18 August 2020