

MAITLAND CITY COUNCIL  
Attn: Scott Fatches  
Via NSW Planning Portal

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Re: Review of determination- DA/2024/763:1, CNR-89002 – Proposed subdivison - Hunter River -  
559 Anambah Road, Gosforth - Lot 177 DP 874171 & Lot 55 DP 874170

Dear Scott,

Thank you for your referral of this integrated development application dated 4 November 2025 to the Department of Primary Industries and Regional Development (DPIRD) - Fisheries.

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)*. DPI Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves in NSW.

DPIRD Fisheries has reviewed the proposal and the application for review. DPIRD Fisheries can confirm that the advice provided on 22 August 2025 (Ref No: IDA 25/27) remains current. DPIRD Fisheries has no objections, subject to the proponent meeting the General Terms of Approval that follow. As per s.4.47(3) of the Environmental Planning and Assessment Act 1979, any consent issued by Council must be consistent with these GTAs.

1. Permanent and temporary waterway crossings are to be designed and constructed in accordance with Chapters 4.1 and 4.2 of DPIRD Fisheries Policy & Guidelines and national guidelines entitled 'Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings' (Fairfull and Witheridge 2003). This document can be access via the website at this link:  
[https://www.dpi.nsw.gov.au/\\_data/assets/pdf\\_file/0004/633505/Why-do-fish-need-to-cross-the-road\\_booklet.pdf](https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0004/633505/Why-do-fish-need-to-cross-the-road_booklet.pdf)

2. A permit under s198-202 of the *Fisheries Management Act 1994* for dredge and reclamation works or a Controlled Activity Approval (CAA) under the *Water Management Act 2000* is to be obtained prior to the commencement of any dredging and reclamation works.
3. Environmental safeguards (e.g. sediment fences, silt booms etc.) are to be installed consistent with “Managing Urban Stormwater: Soils and Construction” (4th Edition Landcom, 2004, aka the Blue Book see <https://www.environment.nsw.gov.au/sites/default/files/managing-urban-stormwater-soils-construction-volume-1-fourth-edition.pdf> ) to ensure that there is no escape of turbid plumes into the adjacent aquatic environment.

For any further information, please contact me on 0456 660 757 or [emily.messer@dpird.nsw.gov.au](mailto:emily.messer@dpird.nsw.gov.au).

Sincerely



**Emily Messer**

A/ Snr Fisheries Manager, Aquatic Ecosystems Assessments

DPIRD Fisheries

ATTACHMENT A – DPIRD Fisheries previous response

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Department of Primary Industries and Regional Development



IDA25/27  
22 August 2025

Emmilia Marshall  
Maitland City Council  
c/o: ePlanning Portal

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Re: **CNR-79066 - DA/2025/52 - OFP - Proposed subdivision 291 Lots - Hunter River - 559 Anambah Road, Gosforth - Lot 177 DP 874171 & Lot 55 DP 874170**

Dear Emmilia,

Thank you for your referral of 20 February 2025 seeking comment on this proposal from DPIRD Fisheries, a division of NSW Department of Primary Industries and Regional Development.

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)* (herein referred to as DPIRD Fisheries Policy & Guidelines). In addition, DPIRD Fisheries is responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPIRD Fisheries has reviewed the proposal in light of these provisions and has no objections, subject to the proponent meeting the General Terms of Approval that follow. As per s.4.47(3) of the *Environmental Planning and Assessment Act 1979*, any consent issued by Council must be consistent with these GTAs.

1. Permanent and temporary waterway crossings are to be designed and constructed in accordance with Chapters 4.1 and 4.2 of DPIRD Fisheries Policy & Guidelines and national guidelines entitled 'Why do Fish Need to Cross the Road? Fish Passage Requirements for Waterway Crossings' (Fairfull and Witheridge 2003). This document can be access via the website at this link: [https://www.dpi.nsw.gov.au/\\_data/assets/pdf\\_file/0004/633505/Why-do-fish-need-to-cross-the-road\\_booklet.pdf](https://www.dpi.nsw.gov.au/_data/assets/pdf_file/0004/633505/Why-do-fish-need-to-cross-the-road_booklet.pdf)

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ahp.central@dpi.nsw.gov.au  
1243 Bruxner Hwy, Wollongbar NSW 2477

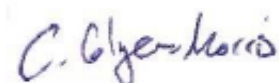
0472 713 714  
[dpi.nsw.gov.au](http://dpi.nsw.gov.au)

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2. A permit under s198-202 of the Fisheries Management Act 1994 for dredge and reclamation works or a Controlled Activity Approval (CAA) under the Water Management Act 2000 is to be obtained prior to the commencement of any dredging and reclamation works.
3. Environmental safeguards (e.g. sediment fences, silt booms etc.) are to be installed consistent with "Managing Urban Stormwater: Soils and Construction" (4th Edition Landcom, 2004, aka the Blue Book see <https://www.environment.nsw.gov.au/sites/default/files/managing-urban-stormwater-soils-construction-volume-1-fourth-edition.pdf>) to ensure that there is no escape of turbid plumes into the adjacent aquatic environment.

If Council or the proponent require any further information, please do not hesitate to contact me on Cherie.colyer-morris@dpird.nsw.gov.au.

Yours sincerely,



Cherie Colyer-Morris  
Fisheries Manager, Aquatic Ecosystems Assessments  
Fisheries and Forestry Division  
Department of Primary Industries and Regional Development

