

Sutherland Shire Council  
Attn: .David Sheehan  
Via NSW Planning Portal

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Re: CNR-63461 - DA23/0721 - Mixed use development - 13 ENDEAVOUR ROAD - CARINGBAH - Lot 2  
DP714965 – DPIRD Fisheries Amended GTAs

Dear David,

Thank you for your rereferral of this integrated development application dated 12/01/2024 to DPIRD Fisheries, a division of NSW Department of Primary Industries and Regional Development, and for providing us with the amended documentation regarding stormwater treatment and other issues raised by the Department in its RFI dated 30 January 2024 (Our ref: IDA24/7) and regarding the proximity of the proposed stormwater outlet in relation to key fish habitat in an additional RFI dated 21 March 2025 (Our ref: IDA24/7(2)).

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 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)*. DPIRD 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 is also responsible for managing marine protected areas, including marine parks and aquatic reserves, under the *Marine Estate Management Act 2014* (MEM Act). This development and associated plans must have regard to the requirements of this Act, specifically:

- Sections 55 and 56 of the MEM Act relating to aquatic reserves, as well as the Marine Estate Management Regulation 2017 and the Marine Estate Management (Aquatic Reserve) Notification 2020.

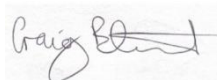
DPIRD Fisheries has reviewed the additional information/amended plans in light of those provisions and has no objections, subject to the proponent meeting our amended General Terms of Approval

(GTAs) that follow. The amended GTAs supersede the GTAs previously issued for the proposal on 30 January 2024 (Our ref: IDA24/7). Previously issued GTAs that have been amended are highlighted and those that are no longer required have been struck out. 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. ~~The Vegetation Management Plan (Ecologique, 9/10/2023) be amended to specify that only local native species are to be planted within the foreshore buffer zone. This will protect and enhance the biodiversity of TPAR and reduce the likelihood of threats, such as weed invasion.~~
2. Environmental safeguards as stated in the Construction Environmental Management Plan (CEMP) (SLR, 31 October 2024) and its appendix E Erosion, Sediment Control Plan and Acid Sulfate Soils Management Plan and Assessment (JBS&G, 27/09/2023) are to be used and regularly inspected and maintained during construction and until vegetation has established and the site is stabilised. Failure to conduct timely inspections and regular maintenance is likely to result in sediments and site contaminants entering Towra Point Aquatic Reserve and causing harm to the plants, animals and habitats within the Aquatic Reserve. This would constitute a breach of the *Marine Estate Management Act 2014*.
3. Stormwater treatment measures be maintained according to manufacturers and best practice maintenance requirements for the life of the development.
4. Environmental safeguards (silt fences, silt curtains, booms etc.) are to be used during construction to ensure that there is no escape of sediment or turbid plumes into the aquatic environment. Turbid plumes have the potential to smother aquatic vegetation and have a deleterious effect on benthic organisms.

For further information, please contact me on 0418 925 757 or at [craig.blount@dpi.nsw.gov.au](mailto:craig.blount@dpi.nsw.gov.au).

Sincerely,



Craig Blount, Senior Fisheries Manager, Coastal Systems