

**Our Ref: C21/99**

25 February 2021

Patrick Copas  
NSW Department of Planning, Industry and Environment  
patrick.copas@planning.nsw.gov.au

Dear Mr Copas,

**West Culburra Mixed Use Subdivision (SSD-3846)**

Thank you for your referral of 14 January 2021 seeking advice on the above proposal from NSW Department of Primary Industries (DPI). The following advice includes input from the Aquaculture Management Unit and Coastal Systems Unit of DPI Fisheries and the NSW Food Authority, and considers the amended project design, revised EIS and supporting documents for the referral.

DPI Fisheries

Curleys Bay and the Crookhaven River supports a long-established productive oyster industry and the area is mapped as a Priority Oyster Aquaculture Area. The area also supports significant areas of seagrass, mangrove and saltmarsh key fish habitat areas, and commercial and recreational fishing activities.

The NorBE approach applied to development at West Culburra is a valid objective given the ecological sensitivities of the adjacent waterway, and associated industries and recreational use.

To protect the oyster industry, it is important that the development complies with the: former State Environment Planning Policy 62 – Sustainable Aquaculture (now incorporated into the State Environmental Planning Policy – Primary Production and Rural Development 2019); NSW Oyster Industry Sustainable Aquaculture Strategy; and Healthy Estuary for Healthy Oysters Guidelines.

DPI Fisheries is encouraged to see an improved approach (including a reduction in the size of the development) to the proposed West Culburra concept plan that seeks to address the comments previously provided.

Particularly encouraging is the consideration placed on addressing sewage and stormwater management. We are pleased to see incorporation of a water sensitive treatment train that includes: gross pollutant traps; bioretention basins; stormwater detention basins; groundwater recharge; stormwater re-use; and stormwater dispersal system. The Department looks forward to reviewing more detailed drainage plans and bioretention basin plans during the development application process.

DPI Fisheries would like to confirm that installation of the proposed water sensitive urban design infrastructure to manage rainwater runoff will meet the NorBE objective, to achieve no increased nutrient and sediment load to the estuary. Consequently, we would like to confirm if the proposed rainwater infrastructure is designed to capture 1 in 20, or 1 in 100 year rainfall events. Further, DPI Fisheries recommends that an independent review of the inputs into the MUSIC modelling be conducted to provide assurance that the stated NorBE objective will be achieved.

DPI Fisheries notes reference to no new stormwater outlet pipes being installed from the development. We would like to confirm that excess rainwater leaving the development site through existing stormwater pipes will not result in additional scouring and increased sediment load, or cause re-suspension of sediment in the estuary.

DPI Fisheries is pleased to see reference to construction of a new sewage pumping station, and inclusion of numerous mitigation measures to counter potential pump station failure.

We note reference to undertaking the development in accordance with current best practice, either independently or in conjunction with Shoalhaven Council and Shoalhaven Water. It is important that best practise erosion and sediment control measures in accordance with the Blue Book be implemented during construction, this includes the appropriate sizing of temporary sediment basins and earth diversion bunds. Construction related erosion and sedimentation impacts are a key risk to the aquatic environment. Consideration should be given to conducting land clearing activity just prior to commencing construction of each stage of the development, to reduce this risk.

DPI Fisheries stresses that both the sewer and stormwater infrastructure system are appropriately maintained over time, according to manufacturers specifications where relevant, to ensure the water quality targets that have been applied to development on this site are achieved over time. Poor maintenance of these systems reduces the pollution reduction effectiveness of these systems. Any approval of this development should ensure the developer, and respective agencies as recipients of these assets, have the financial operation capability to maintain and improve these facilities during construction and upon hand over by the developer. Ongoing long-term maintenance plans agreed to by the ultimate sewer and stormwater infrastructure manager(s) to achieve the water quality objectives at this site are recommended.

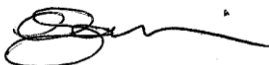
#### NSW Food Authority

The proposed new sewerage system meets best practice and provides a high level of risk mitigation for overflows to the Crookhaven River. It is particularly pleasing to see the undertaking to install water level monitoring at key manholes.

It is noted that sewage from the eastern portion of the concept plan will drain to the existing Culburra Beach sewerage network, an assessment of the existing infrastructure to handle the additional flows is needed to ensure that the development does not result in an increase in unplanned sewage overflows due to increased pressure on existing infrastructure.

If you wish to discuss this advice, please contact me on 4222 8342.

Yours sincerely,



**Carla Ganassin**

Senior Fisheries Manager, Coastal Systems