

Northern Beaches Council  
c/o: [daplanningportal@northernbeaches.nsw.gov.au](mailto:daplanningportal@northernbeaches.nsw.gov.au)

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Re: DA2024/1216, CNR – 74128- Alterations and additions to North Harbour Marina (formerly Davis Marina) - Lot 1 DP 793093 and Lot 10 DP 192010 – North Harbour

Dear Northern Beaches Council,

Thank you for your referral of this integrated development application dated 14 November 2024 to DPIRD Fisheries, a division of NSW Department of Primary Industries & 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* (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 has reviewed the proposal in light of those provisions and has no objections, subject to the proponent meeting the impact mitigation measures in the Marine Habitat Survey (Author: Marine Pollution Research Pty Ltd, Dated September 2024, our ref: INW24/25987) and the General Terms of Approval (GTAs) 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. The proponent must apply for and obtain a Part 7 permit for harm marine vegetation under the FM Act from DPI Fisheries prior to any works on site. Permit application forms are available from the DPI Fisheries website at: <https://www.dpi.nsw.gov.au/fishing/habitat/help/permit>.
2. A permit under the *Fisheries Management Act 1994* for dredge and reclamation works is to be obtained prior to the commencement of any dredging and reclamation works.

3. The 9 m berth closest to shore on the western arm must not be used by a sailing boat or a boat with a fixed propeller of any kind, it must only be used by a boat with an adjustable outboard motor to avoid any impact to the seagrass habitat in the vicinity of the berth.
4. The proposed 10 m and 12 m berths closest to shore on the eastern arm is to be berthed with the bow of the boat entering the berth first so that the propellers are further away from the seagrass beds closer to shore.
5. Identification buoys are to be laid at the edge of the seagrass bed adjacent to the 3 x 9 m berths on the western arm to avoid any impact on the adjoining seagrass beds. In addition an identification sign is to be erected on the entry gate to the western arm which says, "Please keep clear of seagrass beds when entering and exiting the marina, identification buoys show the edge of the seagrass beds and must be avoided at all times".
6. Conditions of consent must require a detailed sediment disposal management plan and water quality monitoring plan to be prepared by a suitably qualified consultant that clearly outlines appropriate mitigation measures to prevent the dispersal of contaminated sediments within the waterway.
7. No stockpiling of demolition or construction materials is allowed to occur on the seabed.
8. All demolished material is to be deposited appropriately on land above the astronomical high tide level.
9. A minimum of 900 mm is to be maintained between the underside of the pontoon and the substrate at all times.
10. Stormwater and groundwater leaving the site during construction and operations do not degrade downstream water quality.
11. All other relevant authorities have no objections to this proposal.
12. Environmental safeguards (silt curtains, booms etc.) are to be used during construction to ensure that there is no escape of turbid plumes into the aquatic environment. Turbid plumes have the potential to smother aquatic vegetation and have a deleterious effect on benthic organisms.

For any further information, please contact me at [karthika.krishnapillai@dpi.nsw.gov.au](mailto:karthika.krishnapillai@dpi.nsw.gov.au).

Sincerely

*Karthika*

Karthika Krishna Pillai  
Fisheries Manager, Coastal Systems  
DPIRD Fisheries