

Northern Beaches Council
c/o – ePlanning Portal

Re: CNR-56328 – Subdivision and development - 16 Macpherson Street, Warriewood Lot 4 DP 553816

Dear Northern Beaches Council,

Thank you for your referral of this integrated development application, received on 16 June 2023, to DPI Fisheries, a division of NSW Department of Primary Industries.

DPI 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, DPI 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)* (DPI P&G). 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.

We were unable to locate any assessment of the aquatic habitat values within Narrabeen Creek as part of this proposal, or potential impacts of the proposed development on these values. Following a desk-top analysis we note that the creek is not mapped key fish habitat and a site inspection by myself confirmed this. As such, we have no objections to the proposed works within and adjacent to the waterway.

Notwithstanding this, we do note that the development is located approximately 250 meters upstream of a coastal wetland, listed under the Resilience and Hazards SEPP 2021, and this is considered key fish habitat. Given the important habitats downstream, protection of the riparian areas and water quality should be considered an important outcome for the development. Please also note that degradation of native riparian vegetation along NSW water courses has been listed as a 'key threatening process' under the FM Act in recognition of its role in the decline of several threatened species of fish. Protection of native riparian vegetation and creation and maintenance of effective riparian buffer zones are essential for water quality, bank stabilisation in adjacent waterways and to maintaining key fish habitat. The Statement of Environmental Effects provided refers to works to 'rehabilitate the creekline', however no specific rehabilitation plan has been provided. The Warriewood Concept Landscaping plan shows the proposed removal of all vegetation within 25 meters of the waterway and the Civil Works plans show extensive cut and fill works within 25 meters of the waterway, including excavation of the bed and banks of Narrabeen creek (longitudinal section D).

Works to realign waterways, or increase capacity of waterways to convey flood flows are not considered by the Department to be rehabilitation works. Developments should ensure that existing native riparian vegetation is retained to the greatest extent possible in an undamaged and unaltered condition and that revegetation of disturbed areas with local native species is also done.

For any further information , please contact me on 0418 925757 or craig.blount@dpi.nsw.gov.au

Sincerely,

Craig Blount
Senior Fisheries Manager
Coastal Systems, Central