

Our Ref: IDA22/68

24 August 2022

Your Ref: CNR-41618

Northern Beaches Council
c/o: NSW Planning Portal

Dear Northern Beaches Council,

Proposal: IDA referral for extension of existing shared jetty, addition of two sets of sea stairs on the jetty end, construction of new boat shed with decking and skid ramp to service No. 5 Richard Road.

Property: 5 & 7 Richard Rd, Scotland Island (Lot 48, DP 12749) – Pittwater

Thank you for your referral of 30/6/2022 seeking comment on this proposal from 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 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)*. In addition, DPI Fisheries is responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPI 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. The jetty must not extend within 2m of the *Posidonia australis* seagrass bed offshore of this property. This population of seagrass is listed as endangered under the FM Act and must not be harmed.
2. The construction of the jetty must not impact on seagrass. There must be no anchors, mooring blocks, chains, ropes or other devices deployed within seagrass.
3. It is not appropriate to use a sediment curtain around the proposed jetty extension due to the close proximity to the endangered seagrass. Turbulent conditions can cause the sediment curtain to drag or break free and scour the seagrass bed, causing harm.
4. A sediment curtain should be used around the boat shed and skid ramp during construction, but not around the jetty extension.
5. Provided that the above conditions (1 – 4) are met, the proponent does not require a Part 7 permit under the FM Act, as the proposal does not involve dredging, reclamation, harm marine vegetation or block fish passage.

If Council or the proponent require any further information, please do not hesitate to contact me on (02) 8437 4981.

Yours sincerely,

A handwritten signature in black ink, appearing to read "S. Conacher".

Sarah Conacher
Fisheries Manager, Coastal Systems