

IDA22/84
20 December 2022

Northern Beaches Council
Attn: daplanningportal@northernbeaches.nsw.gov.au
Lodged via Planning Portal

Re: DA2022/1155, CNR-43697 – Construction of a seawall and swimming pool above the mean high water mark – 167 Riverview Rd, Avalon – Lot 102 DP 803977

Dear Ms Williamson,

Thank you for your referral of this integrated development application dated 30 November 2022 to DPI Fisheries, a division of NSW Department of Primary Industries.

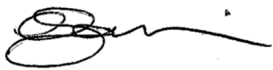
DPI Fisheries is responsible for ensuring that fish stocks are conserved and that there is no net loss of key fish habitats upon which they depend. To achieve this, DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act* (FM Act) (namely the aquatic habitat 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 Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves in NSW.

DPI Fisheries has reviewed the proposed works, detailed in revision 5 of the Site Plans for this proposal dated 15 November 2022. We have noted that as these works are being conducted above the Mean High Water Mark, that a permit under the FM Act is not required. That said, DPI Fisheries makes the following comment on this proposal:

1. 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; and
2. Demolished material and spoil is to be deposited at an appropriate land based waste facility. No demolished waste is to be deposited into the waterway.

For any further information, please contact me on 4222 8342 or carla.ganassin@dpi.nsw.gov.au.

Sincerely



Carla Ganassin

Senior Fisheries Manager, Coastal Systems

DPI Fisheries