

Our Ref: C21/486

26 August 2021

Joshua Parsons  
Australian Ports and Marinas Pty Ltd  
c/o: joshua@aports.com.au

Dear Joshua,

**Proposal: Jetty, ramp, pontoon and two pontoon stabilising piles**  
**Property: 167 Riverview Rd, Avalon (Lot 102, DP 803977) – Pittwater**

Thank you for your referral of 23/8/2021 seeking comment on the 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)*. DPI Fisheries is also 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, provided that:

1. The pontoon must not exceed 3m x 4m. DPI Policies and Guidelines state that pontoons must not exceed 2.4m x 3.6m. Some additional allowance has been made in this situation based on the size of neighbouring pontoons at Avalon and exposure of the site.
2. No permanent berthing is to occur at this facility.
3. There must be no harm to seagrass during construction. This means:
  - No anchors, chains, ropes or mooring blocks within seagrass; and
  - At least 900mm clearance must be maintained between the vessel/barge hulls and the seagrass. The same clearance must be maintained between the propeller and the seagrass. This must be achieved at all tidal conditions. If this clearance can not be achieved at low tide, the works must be restricted to high tide only; and
  - Vessels must not moor over seagrass for longer than 48 hours (as this prevents light from reaching the seagrass and causes it to die).

This letter and attached plan (date stamped 26/8/2021) may be forwarded to the Crown Lands Division of DPI for their consideration in assessing your application for land owner's consent.

The proposal does not include any dredging, reclamation, harm to marine vegetation, or blockage of fish passage, and therefore DPI Fisheries does not consider the proposal to constitute Integrated Development under s.91 of the *Environmental Planning and Assessment Act 1979*. DPI Fisheries does not need to be consulted at the development application stage unless there are amendments to the proposal.

This advice operates from the date shown on the top of this notice and will lapse unless this advice is received by Crown Lands within 12 months. Should this advice lapse, and/or the proposal be modified, the applicant will be required to resubmit the proposal, accompanied by payment of the appropriate fees and updated aquatic habitat surveys and related information as advised by the relevant officer of DPI Fisheries.

If you, Crown Lands or Northern Beaches Council 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

NSW Department of Primary Industries  
Fisheries

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Officer: *A. Lewis*

Date: 26/8/2021

