

Our Ref: C18/508

21st September 2018

Stephen Crosby
Stephen Crosby & Associates Pty Ltd
c/o: scrosby@internode.on.net

Dear Steve,

Proposal: New jetty and stairs
Property: 104 Cabarita Rd, Avalon (Lot 9, DP 629464) – Pittwater

Thank you for your referral of 10/9/2018 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 and has no objections, provided the following conditions are adhered to:

1. All contractors undertaking construction work are to ensure that their activities do not cause any harm to seagrasses.
2. The proponent must brief all contractors on the location of seagrass beds, as identified in Figures 5 and 6 of the Aquatic Ecology Impact Report (30/8/2018) and provide a copy of these figures to the contractor to retain on site.
3. No vessel is to moor or anchor within seagrass beds.
4. The construction contractor must utilise inshore infrastructure for mooring vessels and plant wherever possible. Temporary mooring blocks, if required, must only be placed in unvegetated habitat and positioned so that mooring lines cannot scour seagrass.
5. If mooring lines do need to be deployed over seagrass, they must be suitably buoyed prior to laying to ensure they don't come in contact with the seagrass.
6. In order to minimise wash, prevent scouring and prevent mobilisation of the pest algae *Caulerpa*, towing or pushing vessels must not use excessive power to manoeuvre barges into place near seagrass habitats.
7. Barges must only remobilise during high tides to avoid scouring of seagrass and bottom sediments.
8. No vessel is to drive over or idle over seagrass beds unless there is adequate vessel clearance depth (including allowance for tidal movement plus swell/wind wave heights). The estimations of clearance depths should include allowance for vessel propulsion gear clearance depths.
9. There must be no stockpiling of demolition or construction materials below the mean high water mark.

This letter and attached plan (date stamped 21/9/2018) 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.

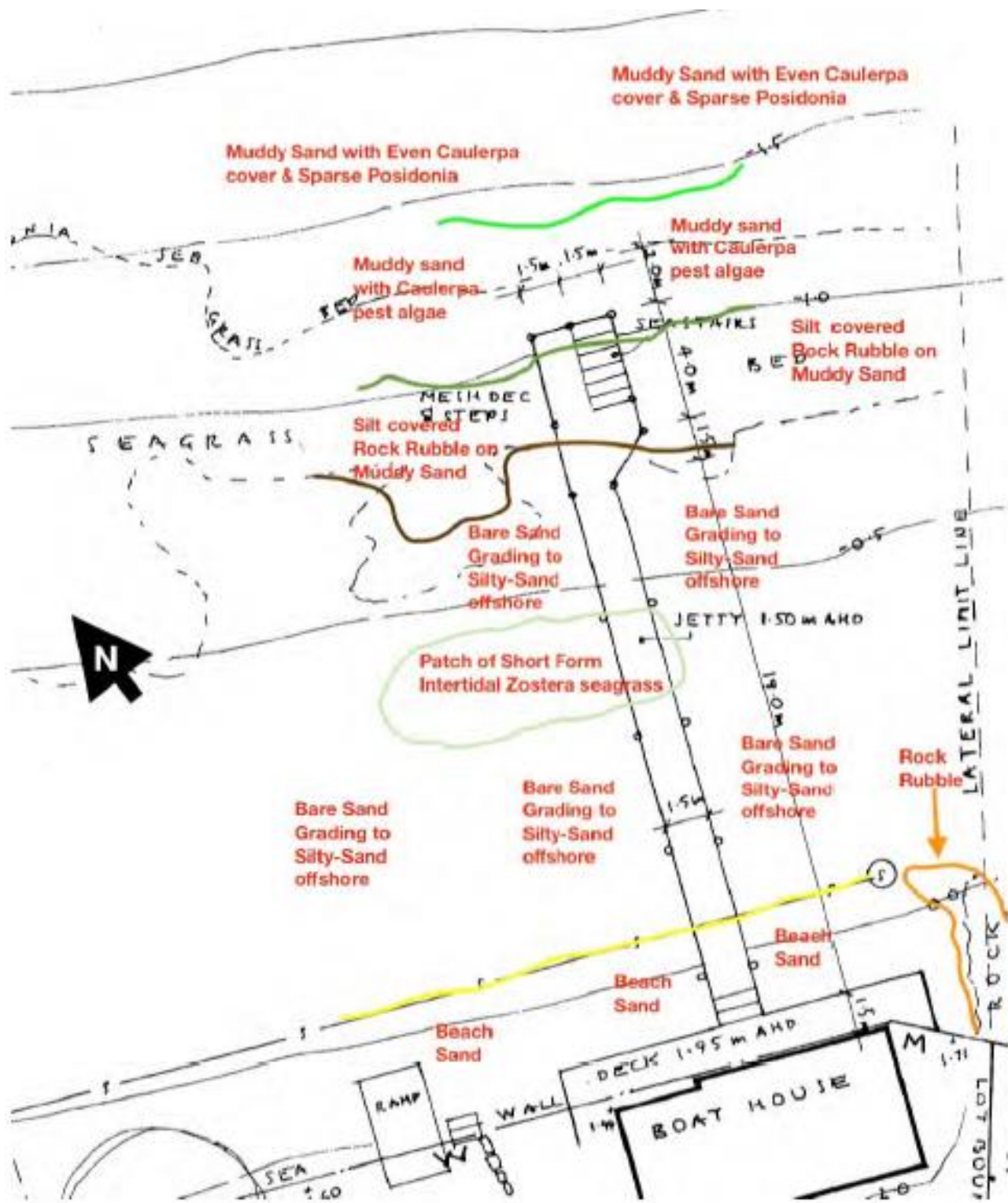
If you, Crown Lands or Northern Beaches Council require any further information, please do not hesitate to contact me on (02) 8437 4981.

Yours sincerely,



Sarah Conacher

Fisheries Manager, Aquatic Ecosystems



NSW Department of Primary Industries
Fisheries

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Officer: *A. Lander*

Date: 21/9/2018