

Our Ref: C19/604

19 November 2019

Your Ref: DA2019/0910

Spencer Jones
Corben Architects
c/o: sj@corben.com.au

Dear Spencer,

Proposal: Modification to seawall and jetty
Property: 4 Cabarita Rd, Avalon Beach (Lot 1, DP 344054) – Pittwater

Thank you for your referral of 21/10/2019 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 the modified seawall incorporates elements of fish friendly design. Please refer to the *Environmentally Friendly Seawalls Guideline* (OEH, 2012) for recommendations. Some suggestions include:

- The addition of sandstone boulders (150 – 300mm diameter) at the toe of the seawall to prevent erosion and provide fish habitat (see page 12 of the Guide).
- Maximise habitat diversity on the seawall by incorporating microhabitats such as pools, crevices, boulders and ledges, and by maximising surface roughness and texture (see pages 15 and 20 - 23 of the Guide).

This letter and attached plan (date stamped 19/11/2019) 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, Coastal Systems

