

Our Ref: IDA20/29

20 March 2020

Your Ref: DA2020/0233 (CNR-5860)

Northern Beaches Council
c/o: ePlanning Portal

Dear Northern Beaches Council,

Proposal: IDA referral demolish and rebuild like for like the existing boat shed, jetty, ramp and pontoon at higher RLs
Property: 23 Robertson Rd, Scotland Island (Lot 140, DP 12749) – Pittwater

Thank you for your referral of 17/3/2020 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 construction methodology must ensure that no harm occurs to the *Posidonia australis* seagrass bed. The seagrass population is listed as endangered under the FM Act.
2. The proponent must apply for and obtain a Part 7 permit to harm *Zostera* and *Halophila* seagrasses during piling activities, in accordance with s205 of the FM Act. This permit must be obtained from DPI Fisheries **prior to any works on site**. Permit application forms are available from the DPI Fisheries website at: <https://www.dpi.nsw.gov.au/fishing/habitat/help/permit>; and
3. 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.

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

Yours sincerely,



Sarah Conacher
Fisheries Manager, Coastal Systems