

IDA23/146
27 October 2023

Northern Beaches Council
daplanningportal@northernbeaches.nsw.gov.au

Re: Mod2023/0415, CNR-58878 – Proposed construction of cafe, boat hire, seaplane booking office and replacement of wharf piles - 1191 Barrenjoey Road Palm Beach - Lot 298 DP 721522 - Hawkesbury River

Dear Northern Beaches Council,

Thank you for your referral of this integrated development application dated 24 October 2023 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 proposal in light of those provisions and has no objections, subject to the proponent meeting the General Terms of Approval (GTAs) in relation to the original Development Application DA2021/0669 (our ref IDA21/68 and IDA23/39), and those 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 proponent must apply for and obtain a Part 7 permit for dredging and reclamation under the FM Act 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
2. 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.

For any further information, please contact me at karthika.krishnapillai@dpi.nsw.gov.au.

Sincerely



Karthika Krishna Pillai
Fisheries Manager, Coastal Systems
DPI Fisheries