

Business Systems & Administration Team
Northern Beaches Council
c/o: teresa.greenow@northernbeaches.nsw.gov.au

Re: DA2024/1409, CNR – 74921- Reconfiguration of existing marina - 122-128 Crescent Road
Newport – Lot 295 DP 820302 - Pittwater

Dear Northern Beaches Council,

Thank you for your referral of this integrated development application dated 25 October 2024 to DPIRD Fisheries, a division of NSW Department of Primary Industries & Regional Development.

DPIRD 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, DPIRD 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)*. DPIRD Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves in NSW.

DPIRD 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) 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. A permit under the Fisheries Management Act 1994 for dredge and reclamation works or a Controlled Activity Approval (CAA) under the Water Management Act 2000 is to be obtained prior to the commencement of any dredging and reclamation works;
2. DPIRD fisheries recommend that the seawall is constructed in accordance with the [“Environmentally Friendly Seawalls: A Guide to Improving the Environmental Value of Seawalls and Seawall-Lined Foreshores in Estuaries”](#).

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;
4. Conditions of consent must require a detailed sediment disposal management plan and water quality monitoring plan to be prepared by a suitably qualified consultant that clearly outlines appropriate mitigation measures to prevent the dispersal of contaminated sediments within the waterway;
5. No stockpiling of demolition or construction materials is allowed to occur on the seabed;
6. All demolished material is to be deposited appropriately on land above the astronomical high tide level;
7. A minimum of 900 mm is to be maintained between the underside of the pontoon and the substrate at all times;
8. Stormwater and groundwater leaving the site during construction and operations do not degrade downstream water quality, and
9. All other relevant authorities have no objections to this proposal.

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

Sincerely

Karthika

Karthika Krishna Pillai
Fisheries Manager, Coastal Systems
DPIRD Fisheries