

Our Ref: C22/493

10 August 2022

Your Ref: SSD-5227

Ms Palitja Woodruff
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Planning & Land Use Strategy Division
Department of Planning & Environment
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Ms Woodruff,

**Consultation regarding the Blackwattle Bay State Precinct (SSD-5227)
– Response to Submissions Report
- including proposal revisions to the masterplan and proposed planning controls**

Thank you for your referral of 05/08/2022 seeking comment on the proposal from DPI Fisheries, a division of NSW Department of Primary Industries on the proposed works stated above. DPI Fisheries have previously provided comment on this proposal as C21/386Rev1 (15/07/2021) and OUT12/6096 (22/03/2012).

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 to the proposed revisions, and makes the following comments:

1. Future applicants will need to follow the appropriate planning pathway (Environmental Planning & Assessment Act, 1979) and the Fisheries Management Act (1994) may be triggered. If so, the applicant will need to address DPI Fisheries *Policy and Guidelines for Fish Habitat Conservation and Management (2013)*: (https://www.dpi.nsw.gov.au/__data/assets/pdf_file/0009/468927/Policy-and-guidelines-for-fish-habitat.pdf).
2. Seawalls should also be designed in accordance with *Environmentally Friendly Seawall methodology*: (<https://www.environment.nsw.gov.au/-/media/OEH/Corporate-Site/Documents/Water/Coasts/environmentally-friendly-seawalls-090328.pdf>).

If you require any further information, please contact me on (02) 4222 8311 or josi.hollywood@dpi.nsw.gov.au

Yours sincerely,

J. Hollywood

Josi Hollywood
Fisheries Manager, Coastal Systems Unit