

**Our Ref: C13/16**

Your Ref: Draft Oxford Falls Valley & Belrose North Strategic Review Report

16 July 2013

Juliet Grant  
Regional Director, Sydney Region East  
Department of Planning & Infrastructure  
c/o: <http://www.planning.nsw.gov.au/planning-reviews-and-panels> online submission

Dear Juliet,

**Public Exhibition of the Draft Oxford Falls Valley & Belrose North Strategic Review Report**

Thank you for your notification of 17 June (INW13/21059) seeking comment on the draft Strategic Review report from Fisheries NSW, a division of NSW Department of Primary Industries.

Fisheries NSW 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, Fisheries NSW ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (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)*. Fisheries NSW is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

Fisheries NSW has reviewed the draft report in light of those provisions and policies and existing zoning in the Warringah Local Environmental Plan 2011 (LEP). Fisheries NSW concurs with the proposal to zone the majority of the area, including the numerous first and second order waterways, as E3 Environmental Management.

Appendix 7 refers to threatened species listed under the NSW *Threatened Species Conservation Act 1995* and/or the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*, but does not refer to similar provisions and listings in the FM Act. Fisheries NSW is pleased to advise DP&I and Warringah Council that the study area does not contain any threatened species currently listed in Schedules 4 (Endangered species, populations and ecological communities), 4A (Critically endangered species and ecological communities) or 5 (Vulnerable species and ecological communities) of the FM Act. However, subsequent stages in the LEP amendment process should reassess the situation and make specific references to the FM Act. Additionally, Schedule 6 lists key threatening processes that should also be used to inform future zoning of waterways and riparian lands in the study area.

If you require any further information, please do not hesitate to contact me on 8437 4986.

Yours sincerely,



**MARCEL GREEN**

Senior Environmental Assessments Officer  
Aquatic Habitat Protection (Central)  
Fisheries NSW