

Our Ref: C20/716

30 November 2020

Your Ref: PP 38/2013

Central Coast Council
Attn: Bruce Ronan
c/o: ask@centralcoast.nsw.gov.au

Dear Bruce,

Re: Request for comment on Planning Proposal PP38/2013 – in respect of 49 Lots at Glenworth Valley and Calga to allow Additional Permitted Uses on the land

Thank you for your referral of 11/11/2020 seeking comment on this planning proposal from DPI Fisheries, a division of NSW Department of Primary Industries.

DPI Fisheries has no objections to the proposed additional permitted uses (APUs) highlighted in yellow, orange and purple on the planning proposal map, that is:

- Camping ground and function centre;
- Entertainment facility, recreation facility (outdoor), function centre, food and drink premises; and
- Tourist and visitor accommodation.

Based on the information provided by Council, **DPI Fisheries does not support** the proposed APU for extensive agriculture (highlighted in blue on the planning proposal map) for Lots south of 89/755221 and 37/755221 due to the presence of mangroves and saltmarsh. The introduction of extensive agriculture to the existing 'E2 - Environmental Conservation' zone has the potential to harm this marine vegetation. Furthermore, this low-lying land is valuable for mangrove and saltmarsh retreat as sea level rises.

DPI Fisheries has no objections to the proposed APU for extensive agriculture on Lots/DPs north of 91/755221 and 30/755221 within the blue highlighted area on the planning proposal map.

DPI Fisheries mapping and aerial photographs indicate that mangroves and saltmarsh exist along the banks of Popran Creek and on the low-lying floodplains adjacent to the creek. Mangroves and saltmarsh have been recorded from the mouth of Popran Creek (Mangrove Creek intersection) to Lot/DP 91/755221 on the western side and Lot/DP 30/755221 on the eastern side of Popran Creek. Both mangroves and saltmarsh are protected under s205 of the *Fisheries Management Act* (FM Act). Coastal saltmarsh is listed as an endangered ecological community (EEC) under *Biodiversity Conservation Act* (BC Act).

Clause 229 of the *Fisheries Management Regulation* (FM Reg) lists the following as prescribed activities for the purposes of s205B of the FM Act:

- the grazing or movement of stock on marine vegetation in a protected area; and
- the driving or operation of a vehicle over marine vegetation in a protected area.

A prescribed activity is presumed to be harmful to marine vegetation unless the person who carried out the activity establishes that no harm was caused by the activity. Any proposed harm to marine vegetation requires a permit under s205 of the FM Act.

Glenworth Valley is mapped as a Priority Management Area for Coastal Saltmarsh EEC in the Saving Our Species (SoS) Strategy. The SoS strategy identifies the following threats to the EEC:

- Grazing and trampling by stock; and
- Altered hydrological regime including tidal barriers, drainage and flood mitigation works.

Based on the information provided by Council, these threats are consistent with planning proposal PP38/2013.

DPI Fisheries recommends that the low-lying E2 – Environmental Conservation land (highlighted in blue and south of Lots/DPs 89/755221 and 37/755221) be incorporated into the adjoining Popran National Park for future management.

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

Yours sincerely,



Sarah Conacher
Fisheries Manager, Coastal Systems