



Newport Residents Association Inc.

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10th July 2019

The Chief Executive Officer
Northern Beaches Council
PO Box 82
Manly, NSW 1655

Dear Sir,

Submission on REF for Station Beach Dog Off-Leash Area Proposed Trial

As stated in our earlier submission of 22nd January, prior to the REF, the members of the NRA acknowledge that this trial is not located in the Newport area, however as the members are always concerned with the protection of the total Pittwater environment we would like to raise further aspects of this trial that concern the members.

Generally, the sheer number of mitigation measures outlined in the REF to avoid negative environmental impacts and the complexity and associated risks of their implementation make this trial unviable. Furthermore, while conclusions contained in the REF – leading to motivations to proceed with a trial – may not impinge on many Council regulations, they do impinge on important areas of State and Federal legislation.

More specifically:

The proposed Station Beach off-leash dog trial is completely inconsistent with the recently adopted (28 May 2019) Pittwater Waterway Strategy 2038 of the Northern Beaches Council which states in Theme 2, Natural Environment Objective:

“Protect, promote and celebrate the unique and valuable natural environment of Pittwater including its extensive ecological diversity and renowned scenic amenity”.

Specifically Direction 4 of Theme 2 states:

“Investigate with the Department of Primary Industries (DPI Fisheries) establishing a ‘no-go’ zone protecting endangered seagrass habitats within the study area”.

Furthermore the Department of Industry (DOI) raised the following concerns ...”*regarding the environmental sensitivities of the proposed site due to the presence of endangered seagrass species and the important breeding habitats they provide”.* (DOI letter to Northern Beaches Council 15 November 2018).

The DOI outlined the significance of the seagrass meadow at Station Beach:

*”In March 2010, areas of *Posidonia australis*, including the beds established off Station Beach, were listed as endangered populations under the threatened species schedules of the NSW Fisheries Management Act 1994 and listed as endangered under the Environmental Protection and Biodiversity Conservation (EPBC) Act 1979, by the Commonwealth in May 2015.*

These listings flag the significance of such seagrass areas and the need for State and Local governments to protect them. Seagrass beds provide ideal breeding habitat for Stingrays and species of the Syngnathidae family (e.g. seahorse, seadragon, pipefish), many of which are also listed as “protected “ under the NSW Fisheries Management Act 1994 and EPBC Act”. (DOI letter to Northern Beaches Council 10 September 2018).

The proposed trial does not comply with the Pittwater LEP in regard to the objectives of the E2 Environmental Conservation Zone or with the RE1 Public Recreation Zone. Nor does the proposed trial comply with the first objective of the Coastal Management Act 2016:

“(a) to protect and enhance the coastal environmental values and natural processes of coastal waters, estuaries, coastal lakes and coastal lagoons, and enhance natural character, scenic value, biological diversity and ecosystem integrity”.

Considering the number of matters of National Environmental Significance, prior to any further NBC contemplation of any trial, an approval should be sought under the Environmental Protection and Biodiversity Conservation Act from the Commonwealth Minister for the Environment and Energy.

No trial should be considered until updated mapping of the seagrass beds in Pittwater is available so the edge of the soft sediment in the area can be accurately determined as the proposed trial may impact the stability of the seagrass bed. There is the risk of the introduction and spread of invasive species such as *Caulerpa taxifolia* and of degradation of the listed Type 1 highly sensitive fish habitat.

A licence from Department of Industry (Lands & Water) is required for the proposed trial. The licence application requires inclusion of a Review of Environmental Factors (REF).

The numerous mitigation measures in the supplied REF are extremely challenging in terms of monitoring, compliance (particularly as dogs would be unable to use the area at low tide) and resources. This includes monthly seagrass monitoring, water quality, noise and traffic monitoring, installation of signage, waste bins and markers showing the edge of the 3-metre buffer zone east of the markers, visual inspections of dune health and observations of potential presence of migratory and threatened birds.

A risk assessment, as referred to in the REF, on the impact of the Golf Course should be made available to the community prior to any formal consideration of the proposal.

An estimate of the trial costs should also be provided.

It should be noted that as the REF was not available at the time of the initial consultation period, people making submissions at that time did not have sufficient information to make informed comments on the proposed trial.

In conclusion, given the environmental sensitivity of the area and the impact the buffer markers would have on the visual amenity of Pittwater there can be no justification in pursuing the proposed trial.

Yours sincerely

Peter Middleton
deputising in her absence for
Wendy Dunnet
Secretary, Newport Residents Association