

Our Ref: IDA15/75

Your Ref: DA-781/2015

7 September 2015

Liverpool City Council
(Attn: Ms Kristy Moulds)
Locked Bag 7064
LIVERPOOL BC NSW 1871

Dear Ms Moulds,

Proposal: IDA referral for construction and operation of a marina (Georges Cove Marina)
Property: 146 Newbridge Road, Moorebank – Lot 7 DP 1065574 – Georges River

Thank you for your referral of 24 August 2015 seeking comment on this proposal 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* (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)*. In addition, Fisheries NSW is 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 proposal in light of those provisions and has no objections, subject to the proponent meeting the General Terms of Approval that follow. As per s.91A(3) of the *Environmental Planning and Assessment Act 1979*, any consent issued by Council must be consistent with these GTAs.

1. A Controlled Activities Approval (CAA) under the *Water Management Act* is to be obtained from DPI Water for excavation works within the riparian zone. Note that under s.199 of the *Fisheries Management Act* this authority is to consider comments raised by Fisheries NSW. If a CAA is not required for these works, a permit to dredge and reclaim under the *Fisheries Management Act* will be required prior to construction.
2. A permit to harm marine vegetation under s.205 of the *Fisheries Management Act* is to be obtained for Fisheries NSW prior to construction. This permit will cover the harm of marine vegetation (i.e. mangroves) that is likely to occur in the construction of foreshore revetment works. Current permit application forms are available at: <http://www.dpi.nsw.gov.au/fisheries/habitat/help/permit>
3. Fisheries NSW is to review and agree upon detailed plans of the foreshore protection works along the Georges River, prior to obtaining the permit to harm marine vegetation or providing comment under s.199 of the FM Act. There is to be no reclamation activities associated with these foreshore works. Harm to mangroves, especially those growing within the Georges River, is to be avoided where possible. It is highly recommended that the foreshore protection works are constructed to enhance aquatic habitats of the Georges River. Details of such 'Environmentally Friendly Seawall' designs can be obtained from: <http://www.environment.nsw.gov.au/publications/coasts/090328-env-friendly-seawalls-guide.htm>
4. Erosion and sediment control measures are to be used during construction to avoid subsequent impacts on the aquatic environment. Connection of the pond to the Georges River is to be delayed until all land forming works within the marine basin have been constructed. A sediment curtain is to be used during the entrance construction works to

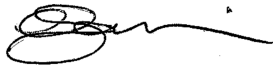
minimise the extent of turbidity arising from this activity. A sediment curtain is also to be used in the construction of foreshore revetment works along the Georges River.

5. High level site specific acid sulphate soil investigations are to be conducted prior to construction. These investigations are to inform the site specific implementation of the Acid Sulphate Soil Management Plan. The Department recommends that the implementation of this plan is approved of by the appropriate authority. It is important that there are no long-term impacts on the aquatic environment as a result of poor management of acid sulphate soils.
6. All other relevant authorities have no objection to this proposal.

Along with the above Fisheries NSW wish to express some concern regarding the high levels of ammonia in the groundwater at this site. Potential impacts need to be considered beyond the context of future land uses at this site. The concern is that once the marina is connected to the river, the high levels of ammonia may potentially negatively impact upon the aquatic organisms within the Georges River ecosystem. It is strongly recommended that Council seek comment on this specific matter from the State agency with the expertise and jurisdiction over contamination matters, which is the Environment Protection Authority, before further considering this development application.

If Council or the proponent requires any further information, please do not hesitate to contact me on 4222 8342.

Yours sincerely,



Carla Ganassin

Regional Assessment Officer (Metro)