



Department of Primary Industries

Our ref: OUT11/20811

Mr Brent Devine
Department of Planning and Infrastructure
GPO Box 39
SYDNEY NSW 2001

Dear Sir,

**Re: Environmental Assessment for a proposed 50 Berth Marina at Lot 519
DP729020 – 19 Brisbane Water Drive, Koolewong (10_0209)**

Thank you for your letter dated 4 October 2011 requesting comment from NSW Department of Primary Industries (Fisheries) on the above proposal.

NSW DPI 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, NSW DPI ensures that developments comply with the requirements of the *Fisheries Management Act 1994* (namely the aquatic habitat protection and threatened species provisions in Parts 7 and 7A of the Act, respectively), and the associated *Policy and Guidelines for Aquatic habitat Management and Fish Conservation (1999)*. In addition, NSW DPI is responsible for ensuring the sustainable management of commercial and recreational fishing in NSW.

NSW DPI has reviewed this proposal in light of these provisions and has no objections to the approval being issued provided the following conditions are met to protect the environmentally sensitive seagrass beds on the site:

During construction:

- Construction teams should be made aware of the presence and distribution of this environmentally sensitive area as part of the construction management plan documentation (CEMP);
- The importance of seagrass habitat, and details on how and why to avoid damaging seagrass should be included;
- Construction teams should be made aware of the importance of avoiding navigating over seagrass, particularly in shallow areas. If movements over seagrass are necessary during construction then these should be done at high tide, while travelling slowly and ensuring that adequate clearance is maintained between seagrass and propellers.

During construction and operation of the marina:

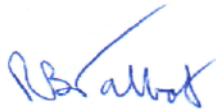
- To ensure all vessels avoid seagrass habitat it is advisable to deploy marker buoys outside of seagrass beds to give better visual indication of their outer extent;
- All vessels should be prohibited from deploying anchors within seagrass due to the likelihood of causing damage.

The Department recommends the proponent develop a best management protocol for the marina and all the boat owners to ensure compliance with best environmental practice to ensure the long term sustainability of the marina and surrounding natural habitats.

There are no issues relating to direct impacts on the aquaculture industry.

If you require any further information please contact Scott Carter on (02) 4916 3931.

Yours sincerely,



Bill Talbot

Director, Aquaculture, Conservation and Marine Parks

9 November 2011