

Our Ref: FE20/98#11

11 December 2020

Your Ref: SSD-10448

Mr Bruce Zhang  
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Industry Assessments  
NSW Department of Planning, Industry & Environment  
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Mr Zhang,

**Consultation for comment on EIS – Aspect Industrial Estate – Mamre Road, Kemp's Creek  
(Lot 54-58 DP 259135) – SSD 10448**

Thank you for your referral of 13/11/2020 seeking comment on the proposal from DPI Fisheries, a division of NSW Department of Primary Industries on the Aspect Industrial Estate proposal at Mamre Road, Kemp's Creek (Lot 54-58 DP 259135). The project will facilitate the construction of the first stage of the proposed warehouse and distribution estate to be known as Aspect Industrial Estate (AIE).

The following documents were considered in our assessment:

- Aspect Industrial Estate – Environmental Impact Statement (Urbis, prepared for Mirvac, November 2020), including;
  - Appendix O – Biodiversity Report
  - Appendix P – Vegetation Management Plan
  - Appendix Q – Riparian Lands Assessment

DPI Fisheries 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, DPI Fisheries 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)*. DPI Fisheries is also responsible for ensuring the sustainable management of commercial, recreational and Aboriginal cultural fishing, aquaculture, marine parks and aquatic reserves within NSW.

DPI Fisheries has reviewed the proposal in light of these provisions makes the following comments:

- There are no records of threatened species within the South Creek catchment area that this development proposes works. Habitat is also unsuitable for appropriate threatened species.
- There is no Key Fish Habitat (KFH) in the development site. The nearest mapped KFH is South Creek approximately 1.4 km downstream.
- DPI Fisheries supports the maximising of riparian zones and the extended 5 year Vegetation Management Plan as proposed.

- Any water discharged from the development will flow into Ropes Creek (West) or Kemps Creek (East - which is identified as KFH) and must meet the relevant ANZECC guidelines for water quality.
- DPI Fisheries requires further clarification why the realigned creekline is required to be classified as an 'artificial' waterbody. This means future works may be exempt from FM Act and its important objectives.

If you have any questions regarding the above advice please contact Josi Hollywood (02) 4222 8311 or [josi.hollywood@dpi.nsw.gov.au](mailto:josi.hollywood@dpi.nsw.gov.au)

Yours sincerely,



**Scott Carter**

Senior Fisheries Manager, Coastal Systems Unit