

Our Ref: C17/30

3 February 2016

Ann-Maree Carruthers
Director, Urban Renewal (Sydney Metro)
Department of Planning and Environment
GPO Box 38
SYDNEY NSW 2001
c/o: ruth.allen@planning.nsw.gov.au

Dear Ms Carruthers,

Subject: Bayside West Precincts Land Use & Infrastructure Strategy

Thank you for your referral of 1 December 2016 seeking comment from NSW Department of Primary Industries on the publically exhibited *Bayside West Precincts Land Use & Infrastructure Strategy*, hereafter referred to as 'The Strategy'. This response incorporates comment on The Strategy from the Fisheries Branch of NSW DPI (DPI Fisheries).

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. The Cooks River and Muddy Creek are important type 1 key fish habitat within Sydney that adjoins the Cooks Cove/Barton Park area of the Bayside West Precinct.

In protecting and ensuring no net loss of key fish habitat DPI Fisheries ensures that developments comply with the requirements of the *Fisheries Management Act* (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).

It is important that the redevelopment of the Cooks Cove/Barton Park Precinct incorporates riparian buffer zones that are vegetated with native species. Riparian buffer zones of a minimum of 40m wide are generally recommended by DPI Fisheries adjacent to type 1 key fish habitat in urban waterways.

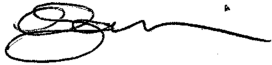
The redevelopment of the Cooks Cove/Barton Park site should include the establishment of mangrove and saltmarsh communities within the riparian zone on both sides of the M5 Corridor. This will improve the environmental value of the area and complement the estuarine wetland restoration activities undertaken along the Cooks River (e.g. saltmarsh established Gough Whitlam Park, Earlwood).

Measure P2 on page 32 of The Strategy identifies the future construction of 'A *direct foreshore bicycle/pedestrian path along the Cooks River*'. DPI Fisheries requests that the word 'direct' be removed from this measure. The word foreshore already implies that a path is to be constructed along the river and this is sufficient. Use of the word 'direct' is open to interpretation that may not include careful consideration of Government riparian buffer zone requirements and aquatic habitat offsetting policies. Figure 22 within The Strategy depicts a public path / buffer zone treatment that may not be aligned with NSW Government policies.

The NSW Marine Estate Management Authority has identified water quality as a main threat within Hawkesbury Shelf Marine Bioregion, which includes the Cooks River and its catchment. DPI Fisheries therefore recommends that a commitment be made in the Bayside West Land Use & Infrastructure Strategy to incorporating Water Sensitive Urban Design measures in the redevelopment of this precinct.

If you wish to discuss this response, please contact me on 4222 8342.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Carla", followed by a long horizontal flourish.

Carla Ganassin

Fisheries Manager, Aquatic Ecosystems