

Empire Bay Marina and Boatshed

Project Update – August 2022



Project facts

Crown Lands has care, control and management of the former Empire Bay Marina following the cancellation of a private operator's licence due to significant ongoing breaches.

We are committed to:

- Keeping the public safe by restricting access to the site due to structural defects
- Undertaking a contamination investigation and remediating the site
- Keeping the public informed about future plans for the site



Contact

maitland.crownlands@crowland.nsw.gov.au

Project update

Following an inspection of the underground fuel system, SafeWork NSW has issued an Improvement Notice. The notice states that the underground fuel tanks and associated equipment must be removed. This includes all fuel lines and vents.

Crown Lands is working with engineering contractors to assess the most suitable way to remove the tanks and to identify what planning process is required to obtain approval for removal. We will keep the community updated as these investigations progress.

We reiterate that NSW Health has advised that there is a possibility that contamination from the former marina has impacted on groundwater in the area.

While impacts on groundwater users are expected to be low, until a human health risk assessment is completed, adjacent residents

should not use groundwater for drinking or watering vegetables as a precautionary measure.

NSW Health guidelines on groundwater can be found [here](#)

Crown Lands is undertaking additional contamination testing and analysis recommended in the detailed site investigation.

Risk assessments have commenced to inform decisions on the next steps of the remediation process.

Background

On 8 September 2020, Crown Lands revoked the Empire Bay Marina operator's licence and took control of the site.

A Crown Lands building assessment identified a range of significant defects and found that the marina structures are unsafe. The boatshed, jetties and walkways have been fenced off, with public access restricted.

In July 2021, Crown Lands contractors, Douglas Partners, completed a Detailed Site Investigation (DSI) for contamination.

You can read the DSI [here](#)

The DSI tested soil, sediment and groundwater at the marina and found elevated levels of heavy metals, antifouling agents and hydrocarbons. Asbestos and acid sulfate soils were also identified.

These higher than acceptable levels of contamination are from likely sources including fuel, oil, lead based paint, asbestos and antifouling chemicals.

The DSI recommended remediation of the marina site including the decommissioning and removal of its underground fuel tanks. It also recommended further testing and analysis to ascertain the extent of the contamination and the impacts on the environment.

The NSW Environment Protection Authority (EPA) were consulted following a detailed site investigation of the former marina have declared the site as 'significantly contaminated' under the *Contaminated Land Management Act 1997*. The regulatory pathway of a Voluntary Management Proposal (VMP) is currently being negotiated between Crown Lands and EPA to effectively remediate the site.

The regulation will mean that the EPA will monitor the implementation of the regulatory management actions to ensure the site is appropriately remediated to remove contaminants, so they do not pose a future risk to the local environment, waterway and community.

Consultation

Crown Lands is continuing to consult with various stakeholders on this matter. Project updates will be provided periodically and published on the [project website](#).