

Empire Bay Marina and Boatshed

Project Update – July 2023

Crown Lands is currently preparing supporting documentation to obtain approvals for the removal of the boatshed, jetties, slipways, fuel tanks and other associated equipment.

The site is regulated by a Voluntary Management Proposal approved by the NSW Environment Protection Authority.

Public safety

Public access to the foreshore, floating boom and within the fenced area is strictly prohibited. Crown Lands is working with its contractors to address safety concerns as quickly as possible. Investigations are almost complete so that the necessary planning approvals can be obtained to remove the hazards.

Boatshed removal

In December 2022, Crown Lands announced due to significant safety and contamination issues, the boatshed and associated infrastructure at the former Empire Bay Marina will be removed.

The removal of the boatshed is required for the safe remediation of the site. Work will be undertaken in 2 stages.

Stage One

Crown Lands is preparing supporting documentation to obtain the appropriate planning approvals for the removal of underground fuel tanks and associated infrastructure. This includes a statement of heritage impact, as the boat shed is listed as an item of local heritage significance in the Central Coast Local Environmental Plan 2022. Crown Lands has engaged a heritage consultant to document the boatshed and investigate any items that could potentially be saved and made available for interpretive reuse. Once completed, this information will be made available on Crown Land's website.

A Remedial Action Plan (RAP) is also being drafted which provides a strategy for the decommission and removal of the underground fuel tanks.

Works in Stage One will not include removal of submerged items such as pylons which will be addressed in Stage Two.

Stage Two

Stage Two works require further contamination testing, including a Human Health and Ecological Risk Assessment, to determine the remediation requirements for the site.

A separate RAP and planning proposal will then be developed outlining the way in which the entire site will be remediated. The RAP will include remedial work activities, environmental management strategies and work, health and safety information

Site contamination

A [detailed site investigation](#) found elevated concentrations of various contaminants at the site, including anti-fouling agents (tributyltin), heavy metals (lead, zinc and copper) and hydrocarbons (fuel and oil).

In May 2022, the NSW EPA [declared the site significantly contaminated](#) under the *Contaminated Land Management Act 1997*.

In July 2023 SafeWork NSW issued an amended Improvement Notice. The notice states that the underground fuel tanks and associated equipment must be removed by 31 March 2024. This includes all fuel lines and vents.

Once the boatshed and other structures are safely removed, additional testing will be completed to inform a RAP to support the planning proposal to address site contamination.

Crown Lands will continue to update the community as the project progresses.

Voluntary Management Proposal

A Voluntary Management Proposal (VMP) outlines how site contamination will be managed.

The VMP was developed in consultation with the NSW EPA, an independent accredited auditor, and contamination consultants. [The VMP can be found on the Crown Lands website](#). Note that Crown Lands is consulting with the NSW EPA on amendments to the VMP timeframes in order to obtain necessary planning approvals.

Health information

NSW Health has advised that there is a possibility that contamination 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.

As part of the site remediation, Crown Lands will undertake additional contamination testing and analysis recommended in the detailed site investigation.

In order to undertake these tests, we first need to remove the structures, underground fuel tanks and associated equipment.

Remediation outcomes

The land will be remediated to a public open space standard consistent with the adjoining foreshore. The potential for a replica structure will be considered as part of this process.

Background

In late 2020, Crown Lands revoked the Empire Bay Marina operator's licence due to significant and ongoing breaches of the licence conditions, and the licence holder's failure to rectify the issues despite repeated requests.

Building condition and structural engineer's reports from 2020 and 2022 found the boatshed has major structural defects and is structurally unsound and unsafe. The jetties are in poor condition and unsafe, the underground fuel tanks have not been appropriately decommissioned, and lead-based paint is flaking off external walls.

As well as contamination and structural issues, other constraints on the former marina include its location in a now established residential area with no legal vehicle access, parking or sewerage.

Alternative marina facilities are available in Brisbane Water at nearby locations including Koolewong, Booker Bay and Killcare.

More information

Crown Lands website:

[Search 'Empire Bay Marina'](#)

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