



DOC21/17592

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Mr Rodger Roppolo
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Key Sites and Industry Assessments
Department of Planning, Industry and Environment
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Dear Mr Roppolo

**New Sydney Fish Markets – Concept and Stage 1 – Modification 1 –
Building Envelope and Development Footprint Amendments (SSD 8924 Mod 1)
Advice on Modification**

I am writing to you in reply to your invitation to the Environment Protection Authority (EPA) to provide comments on the proposed modification for the above State Significant Development (SSD) project.

The EPA understands that the modification relates to minor adjustments to the northern site boundary and the alignment of wharves and marina piles; updates to the internal building layout including minor adjustments to amenities and services plans as well as updates to façade openings, partition walls and tenancy walls.

Based on the documents provided, the EPA considers that the modification does not alter the EPA's advice and recommendations for the original proposal regarding noise and vibration, water quality, contamination, waste and air quality, and therefore has no comment to make on the design changes.

However, the EPA would like to take this opportunity, as part of the modification, to amend some conditions to remove the requirement to consult with the EPA. As the EPA is the appropriate regulatory authority (ARA) for the project it must maintain a regulatory arms-length from post-approval management plans. The EPA does not provide advice, comment or endorse post-approval documents for State Significant Developments. Therefore, additional amendments are required to be made to the following conditions in SSD 8924:

- **B18** – remove the requirement to consult with the EPA for the Construction Noise and Vibration Management Plan.
- **B20** – remove the requirement to consult with the EPA for the Construction Air Quality Management Plan
- **B22** – remove the requirement for approval from the EPA for the Dewatering Plan. Although the EPA recommended a condition requiring the preparation and implementation of this plan, it did not request consultation with the EPA. The EPA's comments on the Response to Submissions for SSD 8924 noted that *"no details were included on how dewatering would be managed to minimise water quality impacts, and the coffer dam could contain mobilised contaminants from sediments. The EPA considers that careful management of water quality risks is required."*

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- **B24** – remove the requirement to submit an Unexpected Finds Protocol to the EPA.
- **B28** – remove the requirement to consult with the EPA for the Hazardous Materials Management Plan and remove the requirement to submit the HMMP to the EPA.

The EPA is happy to discuss this issue. Should you require clarification of any of the above please contact Anna Timbrell on 9274 6345 or email anna.timbrell@epa.nsw.gov.au

Yours sincerely



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