

DOC17/561550
SSD 7684

Ms Amy Watson
Team Leader
Department of Planning and Environment
320 Pitt Street
SYDNEY NSW 2000

Attention: Chris King

Dear Ms Watson

Notice of Exhibition
Amended concept proposal for the redevelopment of the Cockle Bay Wharf (SSD 7684)

I refer to your letter dated 14 November 2017 requesting comments from the NSW Environment Protection Authority (EPA) on the amended Concept Proposal for the redevelopment of the Cockle Bay Wharf located at 241-249 Wheat Road, Cockle Bay. The EPA provided comments to the Department of Planning and Environment on the original Concept Proposal in a letter dated 8 February 2017 (EPA document reference: DOC17/632714-03).

The EPA notes that minimal bulk excavation and spoil removal is required for the proposed redevelopment, and that any unexpected finds (i.e. contaminated/hazardous materials) during piling activities are to be managed under an 'Unexpected Finds Protocol' (UFP), as detailed in the Preliminary Construction Environmental Management Plan. It is recommended that a suitably qualified and competent person supervise any activities which result in the disturbance of sub-surface materials during the redevelopment works.

The EPA reiterates that should the final project design differ significantly from that assessed in the Preliminary Site Investigation (Coffey, 25 August 2017), and if significant bulk excavation is required, then an intrusive contamination assessment should be undertaken to adequately characterise the risk to the environment and human health. Regulation by the EPA may be warranted under the *Contaminated Land Management Act 1997* if significant contamination is found during further assessment.

Based on the information provided, the amended concept proposal does not constitute a Scheduled Activity under Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) and will therefore not require an Environment Protection Licence (EPL) under the POEO Act. The EPA understands that the proposal is not being undertaken by or on behalf of a public authority. The EPA is therefore not the appropriate regulatory authority for the proposal.

At this stage, the EPA has no interest on the amended concept proposal. If you have any questions in relation to this letter, please contact Rajesh Mottey on 9995 6563 or rajesh.mottey@epa.nsw.gov.au.

Yours sincerely

 11/12/2017

ERIN BARKER
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NSW Environment Protection Authority