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By email: [Rodger.roppolo@planning.nsw.gov.au](mailto:Rodger.roppolo@planning.nsw.gov.au)

Dear Rodger,

## **SSD-8925 – SYDNEY FISH MARKET STAGE 2 – SUBMISSION**

Thank you for providing Port Authority of New South Wales (Port Authority) with the opportunity to review and comment on SSD-8925 – The new Sydney Fish Market Stage 2 proposal. Port Authority's interest in the proposal is limited to the Harbour Master's remit, such as issues regarding navigation impacts and marine traffic management. Port Authority is broadly supportive of the overall intent of the proposal.

1. Please note that written approval of the Harbour Master is required for any proposed works (whether undertaken in relation to a Port Authority facility or not) that will disturb the bed of a port or otherwise captured by clause 67ZN of the *Ports and Maritime Administration Regulation 2012*.

Clause 67ZN of the *Ports and Maritime Administration Regulation 2012* states:

*"A person must not use drags, grapplings, or other apparatus for lifting any object or material from the bed of a port described in Schedule 1, or otherwise disturb any such bed in any way, except with the written permission of the relevant harbour master and in accordance with the conditions attaching to such permission"*

The Harbour Master approval process includes providing Port Authority with all final documentation (assessment reports and plans) for review together with a completed [Harbour Master Approval Form](#).

The Harbour Master may impose conditions on any approval to disturb the sea bed.

2. The Navigation Impact Assessment prepared by Haskoning Australia Pty Ltd dated 20 September 2019 states in Section 4.8 Summary of Mitigation Measures:

*"Approaching and departing vessels using the new Sydney Fish Market wharves would need to keep a proper lookout at all times and vessels other than ferries should give way to passive recreational crafts. These navigation requirements should be written into the 'berthing rules' and/or a Plan of Management and included as part of the berthing agreement and planning documentation for use of the wharf facilities".*

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It appears that this particular mitigation measure is a departure from *The International Regulations for Preventing Collisions at Seas 1972* (COLREGs), and therefore it may be seen as an inappropriate mitigation measure for vessels other than ferries to give way to passive recreational crafts.

3. The Navigation Impact Assessment prepared by Haskoning Australia Pty Ltd dated 20 September 2019 states in Section 4.8 that the preparation of a Vessel Traffic Management Plan (VTMP) is considered an adequate measure to minimise and mitigate potential navigation impacts from the proposed development.

Port Authority looks forward to further consultation during the preparation of the VTMP as a key stakeholder, to provide guidance on how to enhance marine safety and navigation for all vessels using the wharf facilities and the surrounding waterway area including cumulative impacts to all maritime users.

Should you request any further detail on the matters raised in this letter, please do not hesitate to contact the undersigned ([JShergill@portauthoritynsw.com.au](mailto:JShergill@portauthoritynsw.com.au)).

Yours sincerely,



**Jagjeet Shergill**  
Environmental Planner

13 November 2019