

Determination

Existing Sydney Fish Market Wharf Relocation Works

Details of the Proposal	
Document Name:	Review of Environmental Factors Existing Sydney Fish Market Wharf Reconfiguration Works
REF Date:	23 July 2021
REF Revision No.:	V3
Prepared by:	BBC Consulting Planners
Summary of Proposed Activity:	Works required to the Sydney Fish Market public pontoon and timber and concrete wharves

The Review of Environmental Factors (REF) – Existing Fish Market Wharf Reconfiguration Works dated 23 July 2021, Revision V3 has been reviewed and considered in accordance with the requirements of sections 5.5 and 5.7 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The REF is based on the details provided by Multiplex and the specialist consultant team including works to the concrete wharf, timber wharf and public pontoon.

In considering the proposal, this determination has examined and taken into account to the fullest extent possible, all matters affecting or likely to affect the environment arising from that Activity as addressed in the REF, supported by specialist investigations and studies including:

- Drawings of proposed works prepared by Multiplex
- Construction Management Plan prepared by Multiplex
- Maritime Heritage Impact Statement prepared by Comber Consultants
- Marine Ecology Impact Statement prepared by Eco Logical Australia
- Sediment Characterisation Assessment prepared by JBS&G
- Pedestrian Study prepared by ptc
- BCA Letter prepared by Steve Watson & Partners
- Accessibility Letter prepared by Morris Goding Access Consultants
- Acknowledgment Letter prepared by Sydney Fish Market
- Navigation Impact Assessment prepared by Fontails

This determination is made in accordance with Sections 5.5 and 5.7 of the EP&A Act and Clause 228 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation).

The REF has considered the potential impacts arising from the Activity including any impacts on critical habitat and threatened species, populations and ecological communities and their habitats.

As an authorised person on behalf of INSW, who did not prepare the REF, I discharge the duty as a determining authority under section 5.1 of the EP&A Act and conclude that the proposal:

- a) is not an activity prescribed by the EP&A Regulation as requiring an environmental impact statement (EIS);
- b) is not likely to significantly affect the environment including biodiversity values or threatened species, populations or ecological communities or their habitats, and as a consequence, an EIS is not required;
- c) will not be carried out on land that is, or is a part of outstanding biodiversity values habitat, or is not likely to significantly affect threatened species, populations or ecological communities or their habitats, and as a consequence, a species impact statement is not required; and
- d) is not likely to have significant impact on matters of national environmental significance, or on the environment on Commonwealth land, and therefore referral to the Minister under the EPBC Act is not required.

Having regard to the above, the proposal for the Existing Fish Market Wharf Reconfiguration Works as described in the REF, is **APPROVED** on behalf of INSW and may proceed without the need for further assessment subject to the following:

1. Compliance with (including implementation of) the following conditions of approval, required to prevent, minimise and/or offset adverse environmental impacts:
 - a) Mitigation measures provided as part of this REF;
 - b) All other relevant statutory requirements, including approvals, licences, notifications, permits and authorisations.
2. Any plans or reports that are prepared in accordance with the mitigation measures contained in the REF must be reviewed and approved by the appointed certifier for the New Sydney Fish Market. A copy must be supplied to INSW.

Note: Any aspect of the proposal which do not comply with the specified mitigation measures are in breach of this determination.



Endorsed by Greg Lin
Development Director



Tom Gellibrand
Head of Projects NSW
Infrastructure NSW

Date: 26 July 2021