



Ms Rhonda Carr
Interior Architect
Micheal Fountain Architects Pty Ltd

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Alterations and additions to the existing Woolwich Marina, Sydney

Dear Ms Carr

I am writing to you regarding the proposed works to expand berthing facilities at Woolwich Marina at 2C Margaret Street in Woolwich, Sydney (as described in DA20230094). I work for the Commonwealth Department of Climate Change, Energy, the Environment and Water (the department) and my team undertakes environmental impact assessments under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) for projects located in the Canberra and Sydney regions.

As you may be aware, the EPBC Act is the Australian Government's central piece of environmental legislation. It provides a legal framework to protect and manage the environment, in particular World Heritage properties, National Heritage places, Commonwealth Heritage values, and nationally and internationally important flora and fauna. Under the EPBC Act, actions that will have, or are likely to have, a significant impact on nationally protected matters require approval from the Australian Government Minister for the Environment and Water before they can proceed.

From a preliminary review of the Development Application documents, the department notes that the Heritage Impact Statement (HIS) includes a self-assessment of the project and its potential impacts against the EPBC Act, with a number of relevant heritage listings referenced. However, the department notes the self-assessment does not include the following:

- How the [Cockatoo Island Management Plan](#) has been considered (it is a legislative instrument under the EPBC Act), including Policy 15.
- Confirmation that the proposed action will not enter or abut the buffer zone for Cockatoo Island (e.g. using clear imagery).
- An adequate assessment of the visual impacts of the proposed action on views to and from Cockatoo Island in Appendix H – Visual Impact Assessment and Appendix B – Digital Photomontages.
- An assessment of potential impacts against the Commonwealth [Significant Impact Guidelines 1.1 – Matters of National Environmental Significance](#) and [Significant Impact Guidelines 1.2 – Action on, or impacting upon, Commonwealth land and Actions by Commonwealth Agencies](#).

The department recommends that a more robust EPBC Act self-assessment for the proposed action is undertaken against relevant Commonwealth requirements, including the above. The department's website has information on how to undertake an EPBC Act self-assessment, including:

- [Self-assessment before making a referral under the EPBC Act - DCCEEW](#)
- [Step-by-step guide to the referral and assessment process - DCCEEW \(Step 2\)](#)

To ensure a robust EPBC Act self-assessment, the department recommends including suitable evidence to support the commitments (e.g. avoidance, mitigation and management measures) and conclusions made in the self-assessment. This could include heritage impact assessments, expert advice, state government approvals/permits, etc. It should also include consideration of a Protected Matters Search Tool report, relevant departmental information (e.g. Australian Heritage Database), guidelines (Significant Impact Guidelines 1.1 and 1.2), statutory documents and policies (e.g. Policy Statement – Definition of ‘Environment’ under section 528 of the EPBC Act).

It is important to note that not all actions affecting matters protected by the EPBC Act will have a significant impact and require approval. If you are unsure whether the proposed action should be referred or require more information on the EPBC Act self-assessment process, you may wish to arrange a [pre-referral meeting](#) with the department.

Please contact Andy Groom on (02) 5156 5485 or andy.groom@dcceew.gov.au within 28 days of the date of this letter to advise of the proposed next steps for the proposed action with consideration of relevant EPBC Act requirements.

Yours sincerely



Sarah Reachill
Director
Canberra and Sydney Assessments Section

27 October 2023