



Planning

**MAJOR PROJECT ASSESSMENT:
Redevelopment of Sydney Fish Market
Blackwattle Bay, Pyrmont, Sydney
(MP10_0060)**

Director-General's
Environmental Assessment Report
Section 75I of the
Environmental Planning and Assessment Act 1979

May 2011



ABBREVIATIONS

CIV	Capital Investment Value
Department	Department of Planning and Infrastructure
DGRs	Director-General's Requirements
Director-General	Director-General of the Department of Planning and Infrastructure
EA	Environmental Assessment
EP&A Act	<i>Environmental Planning and Assessment Act 1979</i>
EP&A Regulation	Environmental Planning and Assessment Regulation 2000
EPI	Environmental Planning Instrument
MD SEPP	State Environmental Planning Policy (Major Development) 2005
Minister	Minister for Planning and Infrastructure
PAC	Planning Assessment Commission
Part 3A	Part 3A of the <i>Environmental Planning and Assessment Act 1979</i>
PEA	Preliminary Environmental Assessment
PFM	Planning Focus Meeting
PPR	Preferred Project Report
Proponent	Conybeare Morrison International and Reilly Design Group for Sydney Fish Market P/L
RTS	Response to Submissions
SFM	Sydney Fish Market

Cover Photograph: Existing Blackwattle Bay Foreshore at Sydney Fish Market

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Published May 2011

NSW Department of Planning and Infrastructure

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NSW Government

Department of Planning and Infrastructure

EXECUTIVE SUMMARY

Conybeare Morrison International and Reilly Design Group lodged an application on behalf of the Sydney Fish Market P/L seeking project approval for the redevelopment of the Sydney Fish Market site at Pyrmont Bridge Road, Pyrmont. The site is located within the City of Sydney LGA.

The proposed works include the demolition of existing single-storey retail premises on the eastern and northern edges of the site, and the construction of a four-storey building with retail and car parking facilities, a two-storey building for retail/restaurant and tavern uses, a new foreshore plaza and board walk along the Blackwattle Bay frontage of the site, and repairs to the existing seawall.

Under the *Sydney Local Environmental Plan 2005*, the majority of the site is zoned 'Residential-Business (non-residential development)' with the remaining waterfront area zoned Public Recreation. The proposed development is permissible within both zones, subject to consent.

The Capital Investment Value (CIV) of the project is estimated at \$40 million and the project would generate approximately 200 jobs.

The Environmental Assessment was publicly exhibited between 22 September and 22 October 2010. The Department received eight submissions from government agencies and nine submissions from the general public and special interest groups.

On 13 December 2010, the Proponent submitted their Response to Submissions (RTS). The RTS was distributed to those agencies that raised concerns with the original proposal. Responses to the RTS were received from City of Sydney, the RTA and NSW Maritime.

The Department has assessed the key issues relating to the environmental impact of the development including:

- transport and access;
- built form and urban design;
- contamination and remediation;
- noise;
- waste and odour;
- ESD measures;
- Section 94 contributions; and
- the public interest.

The Department has considered all relevant documents in accordance with the objects of the EP&A Act and the principles of Ecologically Sustainable Development (ESD). The Department's assessment of the proposed development included a thorough analysis of the planned revisions to the Bank Street/Miller Street intersection and the impact on traffic flows in the area. Conditions have been recommended to ensure that all changes to the existing road network are undertaken in accordance with the RTA's requirements. Public domain and built form elements of the assessment focussed on the integration and connectivity of the proposed development with the surrounding built environment, while conditions have been recommended to ensure that Council has input into revised public domain and landscape plans.

The proposed redevelopment will create additional jobs and improve retail and wholesale facilities at the Sydney Fish Market. The works will improve the board walk and amenity of the foreshore, the safety and functionality of the site, and improve access and car parking arrangements. The Department has concluded that, on balance, the project is in the public interest and approval is warranted.

1. BACKGROUND

The Sydney Fish Market (SFM) site is located at 56-60 Pyrmont Bridge Road, Pyrmont, Sydney, fronting Blackwattle Bay (see **Figure 1**) and includes Lots 1 and 2 in DP125720, Lot 1 in DP734622, Lot 1 in DP836351; Part of Lot 1 in DP74155; Lot 2 in DP 827434; Lots 15, 16, 17, 18, 19 in DP1027254; and Part of the land in CT Vol. 50018 Fol 1.

The majority of the SFM site is owned by the State Property Authority (SPA); however the following land is under the ownership of the Roads and Traffic Authority (RTA), the City of Sydney Council and NSW Maritime:

- the RTA owns the Bank Street parking area, however this land is currently being transferred to SPA and will be re-leased to Sydney Fish Market P/L until 2044 following its transfer;
- the City of Sydney Council owns Jones Street and the Jones Street car park. This land is proposed to be transferred to SPA who will lease the land to Sydney Fish Market P/L until 2044; and
- NSW Maritime owns the wharves and jetties within Blackwattle Bay as well as a portion of the existing foreshore promenade adjacent to the finger wharves. This land is currently leased to Sydney Fish Market P/L.

The project area is located within the northern portion of the SFM site and is defined by the red dashed line in **Figure 1** below.

The SFM site is located within an area characterised by a range of commercial, industrial and residential uses. The site is bordered by the Hymix concrete batching plant to the north, Pyrmont Bridge Road to the south, the Western Distributor to the east, and Blackwattle Bay to the west. South of Pyrmont Bridge Road and north of the Western Distributor are pockets of residential uses of varying density.

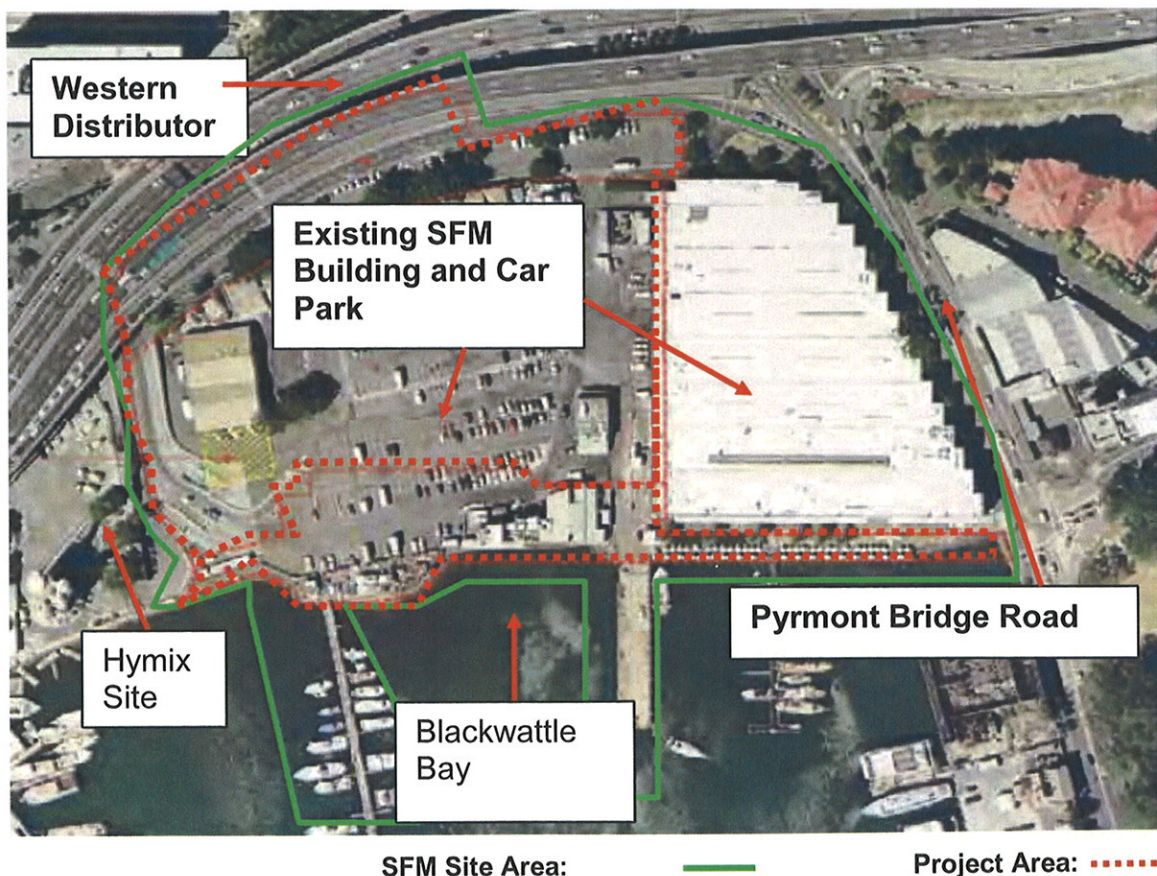


Figure 1: Location Plan

The SFM site (outlined in green in **Figure 1** above) covers an area of approximately 44,000m², with 224m of harbour frontage. Existing development on the site consists of a two-storey fish auction hall on the southern portion of the site, several single-storey retail buildings to the north, a large car park and wharves and jetties to the west.

The site is accessed by vehicles via Jones Street and a private access road (see **Figure 2**). Pedestrian and cyclist entry points are located at:

- the junction of Bank and Miller Streets;
- the junction of Pyrmont Bridge Road and Gipps Street; and
- the junction of Pyrmont Bridge Road and Wattle Street.

Water access is available for private boats and water taxis via the existing jetty and wharves. There are currently no public ferry routes servicing the site. Pedestrian access routes are depicted in **Figure 3**.

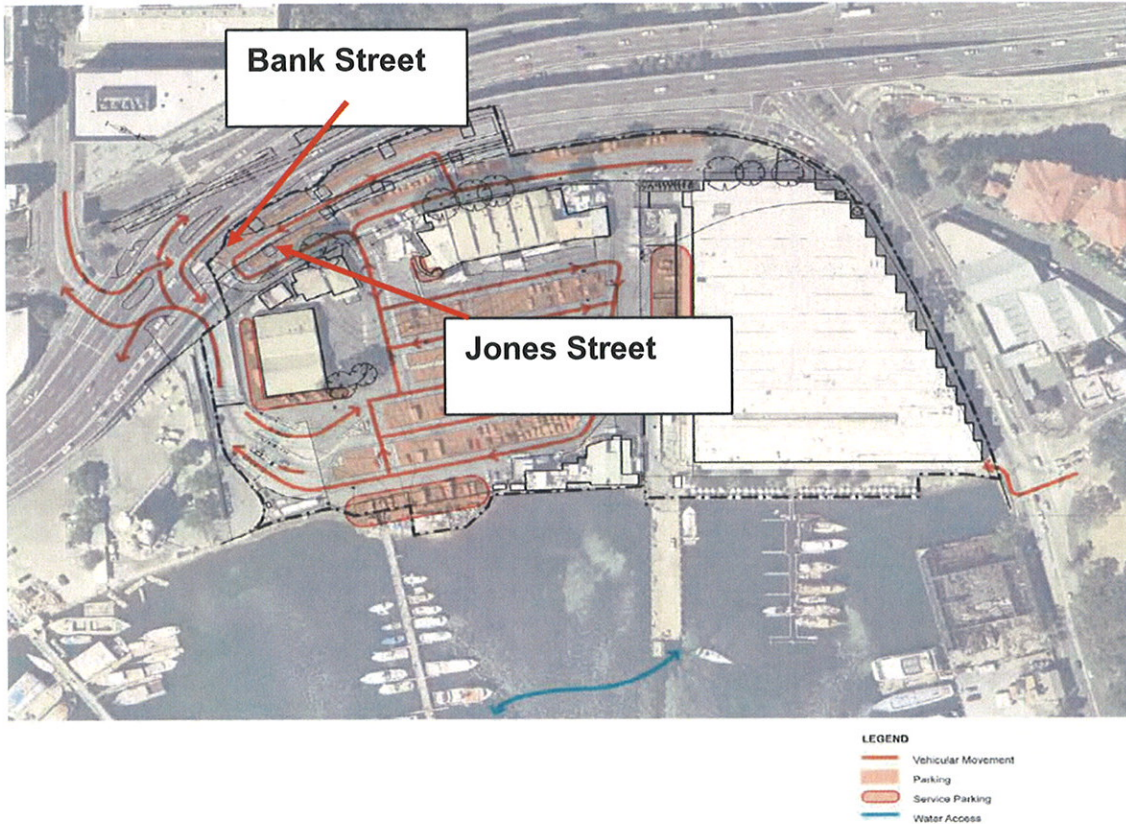


Figure 2: Existing Vehicular Access Routes

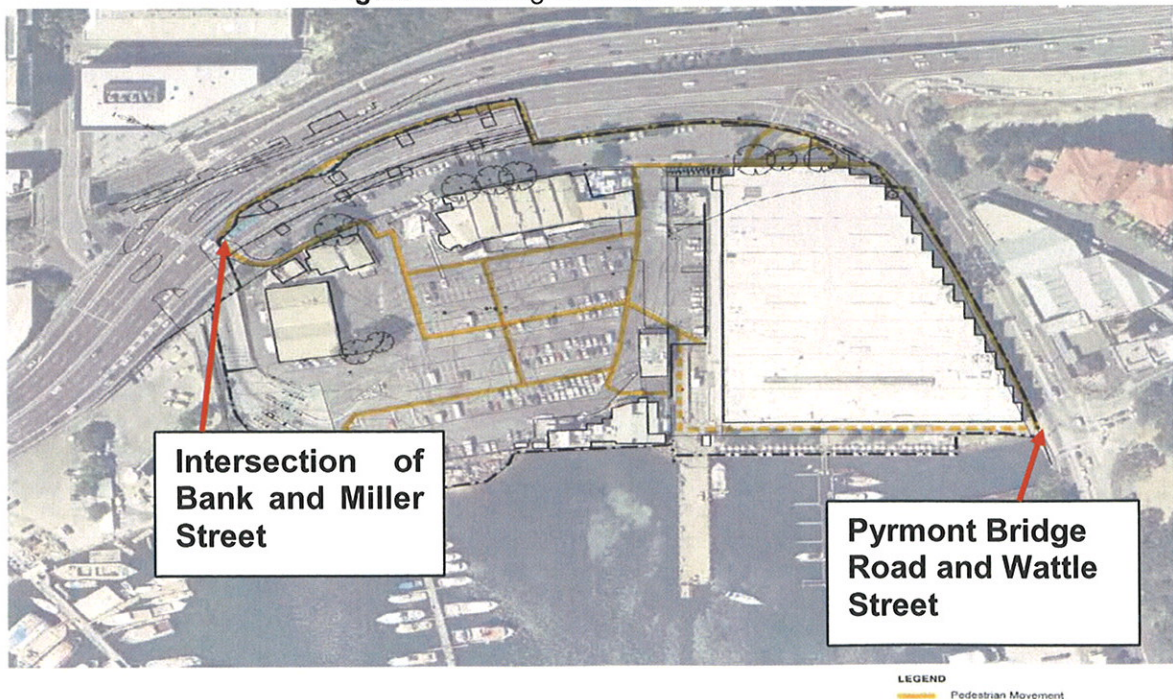


Figure 3: Existing Pedestrian Access Routes

1.1 Current Operations

The SFM is the largest market of its kind in the southern hemisphere. Existing operations at the site include a working fishing port, wholesale and retail fish market, fish auction house, restaurant, food and beverage outlets, a cooking school and administrative offices.

Operations occur on site 24-hours-a-day, seven-days-a-week, with trawlers and delivery vehicles accessing the site during the night, and wholesale market activities taking place from 5:00 am Mondays to Sundays. All retail premises operate during standard business hours (9:00 am and 5:00 pm) seven-days-a-week.

2. PROPOSED PROJECT

2.1. Project Description

The application (as amended in response to agency submissions) seeks approval for the following works:

- demolition of a number of existing single storey structures;
- construction of a new four-storey building with parking ('Building A') on the existing at-grade car park;
- use of 'Building A' for retail and restaurant uses;
- construction of a two-storey building ('Building B') adjacent to the northern boundary of the site;
- use of 'Building B' for retail, restaurant and tavern uses;
- construction of a new urban foreshore plaza and waterfront park linking the new food and beverage outlets with the waterfront. Proposed public domain works include a new promenade, boardwalk, pedestrian arrival plaza and the refurbishment of the existing seawall;
- reconfiguration of the SFM vehicular entrance;
- reconfiguration of the Bank Street and Miller Street intersection; and
- modification of the signal phasing at the Bank Street, Pyrmont Bridge Road and the Western Distributor intersection.

The proposed works are summarised in detail in **Table 1**, below.

Table 1: Key Project Components

Aspect	Description
Project Summary	Construction of a new four-storey building (Building 'A') over the existing car park comprising: <u>Ground:</u> • 2318m² of retail floor space fronting the proposed urban foreshore plaza; • 2532m² wholesale floor space; and • 19 loading docks. <u>Level 1:</u> • 1283m² of retail floor space proposed for use as two restaurants with approximately 990m² of associated outdoor dining space; and • 110 car parking spaces and associated access aisles. <u>Level 2:</u> • 197 car parking spaces and associated access aisles. <u>Level 3:</u> • open roof car park with 187 car parking spaces and associated access aisles. Construction of a new two-storey building (Building 'B') comprising: <u>Ground:</u> • 1038m² of retail floor space. <u>Level 1:</u> • 490m² of retail floor space proposed for use as a tavern with a 417m² outdoor terrace; and • construction of a pedestrian bridge linking buildings 'A' and 'B'.

Aspect	Description
	Public domain works comprising:
	<u>Urban Plaza:</u>
	• construction of a 2100m² urban plaza on the western side of 'Building A' adjacent to the Blackwattle Bay foreshore; and • construction of two kiosk buildings comprised of six 33m² retail tenancies and a 108m² oyster bar.
	<u>Waterfront Park and Promenade:</u>
	• creation of 2410m² park located between the urban plaza and Blackwattle Bay foreshore; • creation of a 746m² outdoor dining area adjacent to the proposed park; • upgrading of the existing outdoor dining area on the western side of the main SFM building; • creation of a boardwalk along the frontage of the site; and • refurbishment and replacement of seawalls.
	<u>Access Arrangements:</u>
	• reconfiguration of the SFM vehicular entrance; • relocation of the existing Bank Street pedestrian crossing to the north of the SFM entry point; • creation of a new pedestrian crossing to facilitate pedestrian movements over Jones Street; • creation of an additional free (not signalised) left-turn only lane to allow vehicles to enter the site from Bank Street; • installation of toll booths along Jones Street; and • modification of traffic signal operations in line with the above.

The construction of the project is proposed over five stages as listed in **Table 2**. Stage 1, being the extension of a single-storey building on the north-eastern corner of the site was granted planning consent by the City of Sydney Council on 6 September 2010. **Figures 4 to 8** overleaf depict the proposed development.

Table 2: Project Staging Arrangements

Stage	Description of Works
Stage 1	• Construction of part of 'Building B' (Approved by the Council – not part of this project application).
Stage 2	• Demolition of existing single storey buildings within the 'Building A' building envelope, and construction of northern portion of 'Building A'; and • Construction of a new roadway on the eastern perimeter of the site.
Stage 3	• Demolition of the remainder of the existing single storey buildings within the 'Building A' building envelope; • Demolition of the single storey buildings along the foreshore area; • Construction of the southern portion of 'Building A'; and • Construction of external vehicular parking access ramps
Stage 4	• Demolition of existing buildings at the north-eastern portion of the site; • Construction of the residual portion of 'Building B'; • Construction of external elements and foreshore urban plaza and kiosk abutments at western side of Building A; • Construction of waterfront park, promontory and northern portion of waterfront promenade; and • Construction of the Miller Street link.
Stage 5	• Construction of the outdoor dining area and southern portion of the waterfront promenade; and • Refurbishment and construction of seawalls at the Pyrmont Bridge Road entrance deck.



Figure 4: 3D Aerial View of Project as Viewed from the North-West



Figure 5: 3D Aerial View of Project from Existing Wharf Looking East



Figure 6: 3D Aerial View of Project Looking North-East

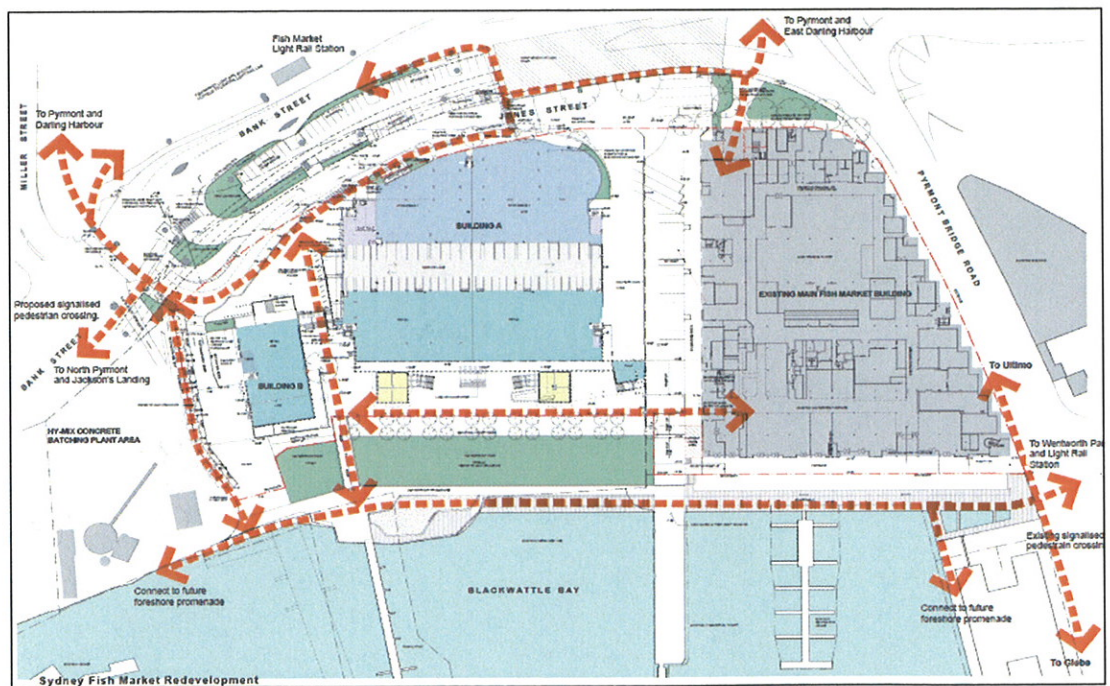


Figure 7: Proposed Pedestrian Access Arrangements

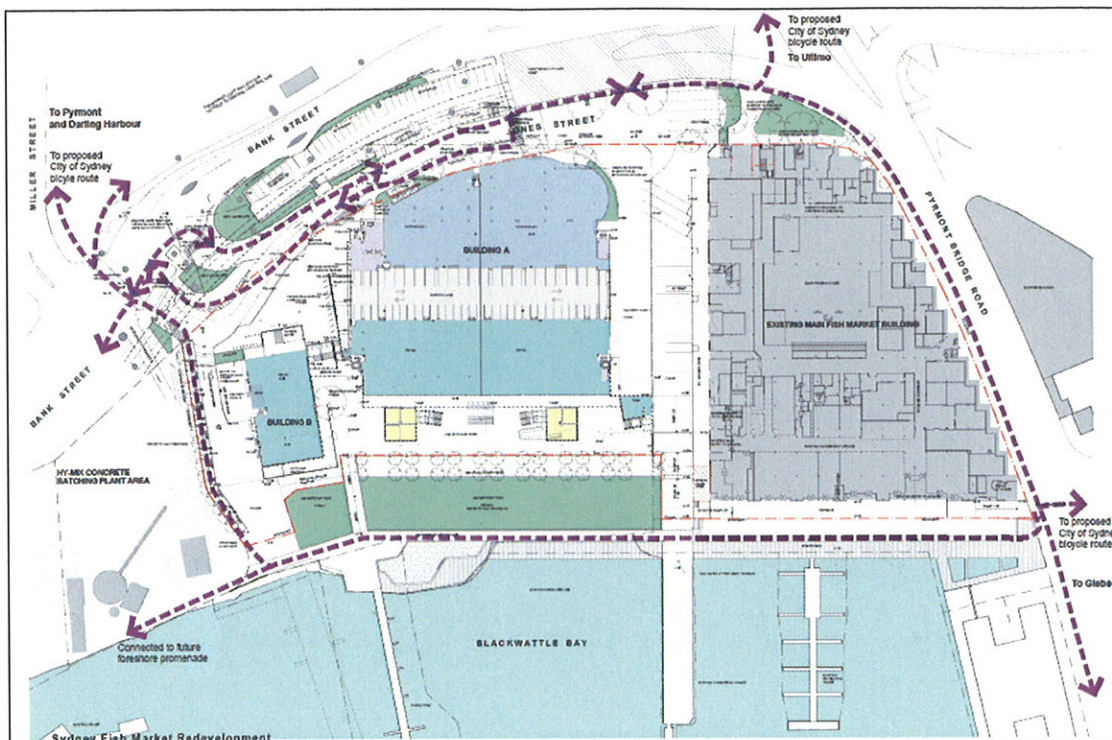


Figure 8: Proposed Cycle Access Arrangements

2.2 Project Need and Justification

The Sydney Fish Market Master Plan (SFM Master Plan), approved by the former Minister for Infrastructure, Planning and Natural Resources on 16 February 2005, identified the need for the redevelopment of the existing SFM site given its significance as a major tourist and retail attraction located close to the Sydney CBD.

An important aspect of the SFM is its status as a working fish port and wholesale auction house. Due to the working nature of the site, its function as a retail and dining venue is restricted by poor accessibility, parking provision and other environmental factors, such as odour and visual amenity. Furthermore, the current configuration of buildings on the site do not fully exploit its location on Sydney Harbour, with a number of dilapidated sheds and other maritime structures obscuring water views and preventing public access to the water. The proposed development seeks to rectify the abovementioned issues by improving site accessibility, car parking, and integrating the site with the surrounding public domain.

3. STATUTORY CONTEXT

3.1 Major Project

On 29 April 2010, the Director, Government Land & Social Projects, acting under delegation, declared the proposed development a Major Project under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act), based on its status as a development with a capital investment value (CIV) of more than \$5 million, within the area identified on Map 9 – Sydney Harbour Foreshore Sites, identified under clause 10(1) of Schedule 2 of *State Environmental Planning Policy (Major Development) 2005*. The Minister for Planning and Infrastructure is the approval authority.

On 18 November 2008, the former Minister for Planning delegated to the Planning Assessment Commission (PAC), his functions as an approval authority to determine project applications under section 75J and 75JA of the EP&A Act 1979 if a Proponent has declared a political donation.,

The Proponent (Sydney Fish Markets P/L) has disclosed a reportable political donation. Consequently, this project meets the terms of the delegation and the PAC may determine the project.

3.2 Permissibility

Under the *Sydney Local Environmental Plan 2005*, the majority of the site is zoned 'Residential-Business (Non-Residential Development)', with the remaining waterfront area zoned Public Recreation. The proposed development is permissible within both zones.

3.3 Consistency with the Approved Master Plan

The SFM Master Plan was developed in accordance with Clause 44 of the *Sydney Regional Environmental Plan 26 – City West (SREP)*, and was subsequently approved by the then Minister for Planning. The application complies with the built form controls applicable to the site, however requires a variation to the car parking controls.

3.4 Environmental Planning Instruments

Under sections 75(2)(d) and 75(2)(e) of the EP&A Act, the Director-General's report for a project is required to include a copy of, or reference to, the provisions of any State Environmental Planning Policy (SEPP) that substantially governs the carrying out of the project, and the provisions of any environmental planning instruments (EPI) that would, except for the application of Part 3A, substantially govern the carrying out of the project. The instruments that would otherwise be applicable include:

- *State Environmental Planning Policy (Major Development) 2005*;
- *State Environmental Planning Policy No. 55 – Remediation of Land*;
- *State Environmental Planning Policy (Infrastructure) 2007*;
- *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*;
- *Sydney Regional Environmental Plan No. 26 City West*; and
- *Sydney Local Environmental Plan 2005*.

An assessment of the project against the abovementioned EPIs is provided at **Appendix D**.

3.5 Objects of the EP&A Act

Decisions made under the EP&A Act must have regard to the objects set out in Section 5 of the Act. The relevant objects are:

- (a) to encourage:
 - (i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,
 - (ii) the promotion and co-ordination of the orderly and economic use and development of land,
 - (iii) the protection, provision and co-ordination of communication and utility services,
 - (iv) the provision of land for public purposes,
 - (v) the provision and co-ordination of community services and facilities, and
 - (vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and
 - (vii) ecologically sustainable development, and
 - (viii) the provision and maintenance of affordable housing, and
- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.

The Department has considered the objects of the EP&A Act, and considers that the application is consistent with the relevant objects. A detailed assessment of the application against the relevant objects is provided in **Section 5**.

3.6 Section 75(2) of the EP&A Act

Section 75(2) of the EP&A Act and clause 8B of the *Environmental Planning and Assessment Regulation 2000* requires the Director-General to address a number of requirements in the Director-General's Report. These matters and the Department's response are provided in **Table 3**, over:

Table 3 - Section 75I(2) Requirements for Director-General's Report

Section 75I(2) criteria	Response
Copy of the Proponent's environmental assessment and any preferred project report	The Proponent's EA is located at Appendix A .
Any advice provided by public authorities on the project	All advice provided by public authorities is provided at Appendix B .
Copy of any report of the Planning Assessment Commission in respect of the project	At the time of writing this report the application had not been considered by the PAC.
Copy of or reference to the provisions of any State Environmental Planning Policy that substantially govern the carrying out of the project	Each relevant SEPP that substantially governs the carrying out of the project is identified in Appendix D .
Except in the case of a critical infrastructure project – a copy of or reference to the provisions of any environmental planning instrument that would (but for this Part) substantially govern the carrying out of the project and that have been taken into consideration in the environmental assessment of the project under this Division	An assessment of the development relative to the prevailing environmental planning instruments is provided in Appendix D of this report.
Any environmental assessment undertaken by the Director-General or other matter the Director-General considers appropriate.	The environmental assessment of the project application is this report in its entirety.
A statement relating to compliance with the environmental assessment requirements under this Division with respect to the project.	The Department is satisfied that the environmental assessment requirements have been complied with.
Clause 8B criteria	Response
An assessment of the environmental impact of the project	An assessment of the environmental impact of the project is provided in Section 5 of this report.
Any aspect of the public interest that the Director-General considers relevant to the project	Matters of public interest are discussed in Section 5 of this report.
The suitability of the site for the project	The proposed uses are permitted in the zone, and based on the Department's assessment of the key issues, the site is considered to be suitable for the proposed development.
Copies of submissions received by the Director-General in connection with public consultation under section 75H or a summary of the issues raised in those submissions.	A copy of the submissions received during the exhibition period is provided in Appendix B . In addition, all submissions are summarised in Section 4 of the report.

3.7 Ecologically Sustainable Development

The EP&A Act adopts the definition of Ecologically Sustainable Development (ESD) found in the *Protection of the Environment Administration Act 1991*. Section 6(2) of that Act states that ESD requires "the effective integration of economic and environmental considerations in decision-making processes" and that ESD can be achieved through the implementation of principles including:

- the precautionary principle;
- the principle of inter-generational equity;
- the principle of conservation of biological diversity and ecological integrity; and
- and the principle of improved valuation, pricing and incentive mechanisms.

In applying the precautionary principle, public decisions should be guided by careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment and an assessment of the risk-weighted consequences of various options.

The Department has fully considered the objects of the EP&A Act, including the encouragement of ESD, in its assessment of the application. An assessment of ESD issues is contained in Section 5 of this report. On the basis of this assessment, the Department is satisfied that the proposal encourages ESD, in accordance with the objects of the EP&A Act.

4. CONSULTATION AND SUBMISSIONS

4.1. Exhibition

Under section 75H(3) of the EP&A Act, the Director-General is required to make the environmental assessment (EA) of an application publicly available for at least 30 days. After accepting the EA, the Department publicly exhibited it from 22 September 2010 until 22 October 2010 (32 days) on the Department's website and in hard-copy at the Information Centre in Bridge Street, and at the City of Sydney Council's Town Hall office. The Department also advertised the public exhibition in the Sydney Morning Herald and the Daily Telegraph on 22 September 2010, and notified landholders, local community groups, relevant State agencies and the City of Sydney Council.

The Department received 18 submissions during the exhibition period. This included 9 submissions from public authorities, including the City of Sydney Council and 9 submissions from the general public and special interest groups.

A summary of the issues raised in submissions is provided below.

4.2. Public Authority Submissions

Nine (9) submissions were received from public authorities. All authorities supported the project in principle; however a number of issues were highlighted, predominantly those relating to access, traffic and car parking, bicycle parking, contamination and remediation, and land ownership.

City of Sydney Council (Council)

The Council generally supports the need for the project, however, provided the following comments:

- The eastern edge of 'Building A' does not integrate well with Bank Street, or provide any active or engaging street frontage. Council would like the eastern wall to be glazed or redesigned in order to enhance the unappealing streetscape on Bank Street.
- The height and footprint of the new building would impact on views from the Pyrmont Peninsular towards Blackwattle Cove by imposing a concrete ramp and car park on an existing prominent view.
- The number of cycle parking spaces proposed is below the minimum recommended in the Department's *NSW Planning Guidelines for Walking and Cycling*, and end of trip facilities are not identified.
- The project proposes to privatise public roads and roundabouts through the introduction of toll gates. Council would like to see lease issues resolved prior to any approval.
- In order to ensure that the trees identified for retention in the EA are retained in a healthy condition, Council requests the imposition of a condition requiring the Proponent to prepare and implement a Tree Management Plan.
- Council requests further clarification on the ownership of the public domain areas, including the urban foreshore plaza and boardwalk area, and identification of any responsibility that Council may have for the maintenance of these sites.
- The Department should require the Proponent to provide a statement from a NSW EPA accredited site auditor certifying that the site will be suitable for its proposed use, following the implementation of the remediation works identified in the Remedial Action Plan.

Roads and Traffic Authority (RTA) and Sydney Regional Development Advisory Committee (SRDAC)

The RTA and SRDAC raised no objection to the application, however, they highlighted some intersection and signal phasing issues including:

- Concern is raised in relation to the design of the Bank and Miller Streets intersection. These concerns relate to:

- The location of the modified Hymix concrete plant entry and exit and service lane. A Stage 2 road safety audit should be undertaken by a suitably qualified independent expert to address this issue;
 - The length of the proposed 'A' phase pedestrian crossing is considered excessive and would result in unacceptable green time in all other signal phases;
 - The repositioning of the stop line at the intersection would result in increased red time for all other phases, creating a less efficient traffic signal operation. Consideration should be given to the provision of a slip lane at the westbound entrance, and the retention of the original stop line; and
 - The turning curve on the exit approach is excessively sharp and would result in inefficient signal operation.
- The Department should require the Proponent to submit detailed design drawings and geotechnical reports for the excavation of the site and the construction of all support infrastructure to the RTA.

Transport NSW

Transport NSW raised no objection to the project, however, it requested that the Department impose conditions requiring the Proponent to prepare and implement a Work Place Travel Plan (WTP), and provide bicycle parking and showering facilities in line with the *NSW Bike Plan*. The Department has recommended the imposition of a condition requiring the provision of 121 bicycle parking spaces.

Department of Environment, Climate Change & Water (DECCW) (now the Office of Environment and Heritage)

DECCW raised no objection to the project, however requested the imposition of a condition requiring the Proponent to provide a statement from a NSW EPA accredited site auditor certifying that the site would be suitable for its proposed use, following the implementation of the remediation works identified in the RAP. The Department has recommended the imposition of a condition requiring the Proponent to:

- submit a final Remedial Action Plan to a NSW EPA accredited site auditor for approval; and
- submit a Section B Site Audit Statement, prepared by a NSW EPA accredited site auditor, to the Director-General (and a copy to the council) prior to the commencement of the relevant site works.

NSW Maritime

NSW Maritime raised no objection to the project, however, it requested that the Proponent provide the following information prior to the determination of the project:

- additional details in relation to the construction, operation and management of the proposed bioretention system and boardwalk;
- any on-water deliveries during the construction phase of the project should not obstruct access to Blackwattle Bay; and
- details of mitigation, management and monitoring measures to ensure water quality in Blackwattle Bay is maintained over the life of the project.

Industry & Investment NSW (I&I NSW)

I&I NSW raised no objection to the project, however, requested that the Department require the Proponent to design the sea wall in accordance with environmentally friendly seawall design principles. The Department notes that the Proponent has committed to reconstructing the sea wall in accordance with environmentally friendly design principles.

Rail Corp

Rail Corp raised no objection to the project.

Sydney Water

Sydney Water raised no objection to the project; however it requested the provision of a clear access zone around all Sydney Water infrastructure located within the project area.

4.3. Public Submissions

Nine (9) submissions were received from the public. This included submissions from the following special interest groups:

- Pyrmont Progress;
- Blackwattle Cove Coalition; and
- Pyrmont Action.

Of the nine public submissions, three (33%) objected to the project and six (66%) did not object but raised concerns in relation to certain issues. The key issues raised in public submissions are listed in **Table 4**.

Table 4: Summary of Issues Raised in Public Submissions

Issue	Proportion of submissions (%)
Traffic and Accessibility	78
Poor Design	44
Public Domain	44
Cycleway and Bicycle Facilities	20
Tree Removal	20
Economic Impact	10

The Department provided the Proponent with a copy of submissions on 1 November 2010, and requested that the Proponent provide a response to the issues raised by government agencies, special interest groups and the general public.

4.4. Proponent's Response to Submissions

The Proponent provided its Response to Submissions (RTS) on 13 December 2010 (see **Appendix C**). Responses were provided for all submissions. In addition, the Proponent provided a revised Statement of Commitments. **Table 5** summarises the issues addressed in the Proponent's RTS.

Table 5: Summary of Key Issues Addressed in the Response to Submissions

Issue	Raised by	Response
Urban Design, Public Domain and Tree Removal	City of Sydney	- Due to the 'back-of-house' nature of the activities taking place on the eastern edge of the site, it is not considered appropriate to activate the eastern façade on Bank Street. - The existing design is well integrated with the surrounding development and maintains the western harbour-facing frontage to be the main area of activation. - Revised landscape drawings have been provided to illustrate the addition of a landscape screen of climbers along the blank wall of the eastern façade and the retention of two Hill's fig trees on the south-eastern portion of the site. - Public domain upgrade details and a Tree Management Plan will be submitted prior to construction. - A secure children's play and recreation area is proposed.
Pedestrian, Traffic and Cycleway Issues	- City of Sydney - RTA - Public Submissions	- Agreement still to be reached between Proponent and RTA regarding Miller Street intersection and Hymix Entry/Exit. - The Proponent submits that the proposed cycleway is adequate and provides a good level of access across and to the site.
Land ownership and leasing arrangements	- RTA - City of Sydney - Maritime	All relevant landowner's consent documentation has been forwarded to the Department.
Contamination and Remediation	DECCW (OE&H)	The Remedial Action Plan will be approved by an accredited site auditor.
Management Plans	- Transport NSW - City of Sydney Council	A Workplace Travel Plan, Public Domain Plan, Management Plan for the removal of materials via the waterway, a Waste Management Strategy and an updated Construction Traffic Management Plan will be provided

Due to the nature of the issues raised in submissions, the Department provided the relevant agencies the opportunity to review the RTS in order to determine whether such issues had been adequately resolved. In this regard, additional comments were received from the RTA, Council and NSW Maritime. A summary of the comments provided by the abovementioned agencies is provided below.

RTA

On 8 March 2011, the RTA advised the Department that the amendments to the Bank Street and Miller Street intersection proposed by the Proponent address the issues raised in the RTA's original submission. Notwithstanding, the RTA advised that it holds the following concerns in relation to the proposed modifications to the signal phasing at the intersection of Pyrmont Bridge Road, the Western Distributor and Bank Street:

- the impacts of traffic exiting the eastbound off ramp onto Pyrmont Bridge Road; and
- the impact of overlap, early cut off, trailing green and early start movements on intersection performance.

In this regard, the RTA requested that the Proponent demonstrate that the proposed phasing arrangements would result in improved intersection performance. In order to address this issue the Department has recommended the imposition of a condition requiring the Proponent to submit the abovementioned information to the RTA for approval prior to the issue of the first Construction Certificate.

Council

On 19 January 2011, the Council advised the Department that it has the following residual concerns with the amended proposal:

- no changes have been made to the eastern edge of 'Building A' to provide integration with, and passive surveillance of Bank Street;
- no details have been provided to demonstrate that the changes proposed to the surrounding road network will enable pedestrian and bicycle access to the site;
- no details have been provided to outline when a peer review of the contamination report will take place;
- leasing arrangements have not been finalised or executed and this may impact on the Proponent's ability to deliver the proposed public domain and road works;
- tree numbers 9 to 13, 23 and 26 to 33 should be retained. The retention of tree numbers 15 and 16 is not supported on the basis that these trees are in poor health;
- the internal management of vehicles during the construction phase of the project has not been addressed; and
- the Section 94 calculations undertaken by the Proponent need to be adjusted to reflect the proposed increase to the GFA in proposed 'Building A'.

In order to address the abovementioned issues the Proponent provided the Council with revised landscape plans, details of the proposed pedestrian and cycle routes within the project area, and design specifications for the blank wall facing the eastern elevation of the building.

On 17 February 2011, the Council advised the Department that it had reviewed the abovementioned information and raises no objection to the project, subject to the imposition of a number of standard conditions. These include, but are not limited to: providing detailed design and construction documentation for the road design; providing a final public domain plan outlining linkages to the surrounding area; requiring approval of the Remedial Action Plan by a NSW EPA accredited site auditor; and payment of section 94 and affordable housing contributions. The Department has reviewed the conditions recommended by the Council and supports their imposition.

NSW Maritime

On 21 January 2011, NSW Maritime advised that it reviewed the amended proposal, and as it involves construction on land below the mean high water mark (MHWM), which is owned by NSW Maritime, the Proponent is required to obtain land owner's consent prior to the determination of the application. In addition, NSW Maritime requested the imposition of conditions to ensure:

- the development will not result in any obstructions to the future Blackwattle Bay Marina;
- the design and construction of the boardwalk is consistent with NSW Maritime's *Engineering Standards and Guidelines for Maritime Structures* and the relevant Australian Standards;
- the proponent ensuring surrounding infrastructure is protected and/or repaired if any damage occurs during construction;

- outdoor lighting being implemented as per the relevant Australian Standards;
- the implementation of adequate stormwater management measures during construction; and
- the use of on-water construction vessels only occurring during suitable tidal conditions.

NSW Maritime issued land owner's consent on 8 March 2011. The Department has recommended the imposition of conditions to address the issues raised in NSW Maritime's submission.

5. ASSESSMENT

The Department considers the key environmental issues associated with the project are:

- transport and access;
- built form and urban design;
- public domain;
- contamination and remediation;
- noise, waste and odour;
- ESD measures;
- section 94 contributions;
- construction management; and
- public interest.

5.1. Transport and Access

5.1.1 Road Network and Site Access

The project area is located within close proximity to the Western Distributor, Pyrmont Bridge Road and Wattle Street, all of which are major arterial roads. The Western Distributor and Pyrmont Bridge Road are controlled and managed by the RTA.

The site is accessed via Jones Street which is immediately west of the intersection of Bank and Miller Street (see **Figure 9**). Bank Street is a two-way road with two lanes in each direction, with parking restrictions in place between Pyrmont Bridge Road and Miller Street.

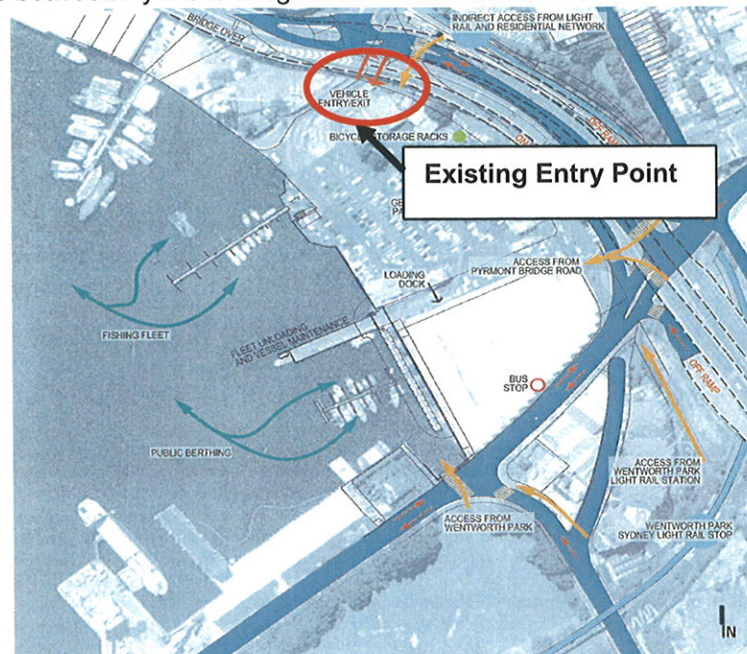


Figure 14 Existing Transport and Access



Figure 9: Existing Access Arrangements

The application seeks approval to reconfigure the Bank and Miller Street intersection to improve pedestrian and vehicular access and amenity, and encourage better pedestrian and cycle linkages between Pyrmont and the Blackwattle Bay foreshore. The reconfiguration of the intersection, as amended in consultation with the RTA following the RTA's review of the Proponent's RTS, involves:

- the relocation of the existing Bank Street pedestrian crossing to the north of the SFM entry point;
- the creation of an additional free (unsignalled) left-turn only lane to allow vehicles to enter the site from Bank Street;
- a new pedestrian crossing to facilitate pedestrian movements over Jones Street; and
- modification of traffic signal operations in line with the above.

Diagrams depicting the current and proposed intersection design are depicted in **Figures 10** and **11** below.

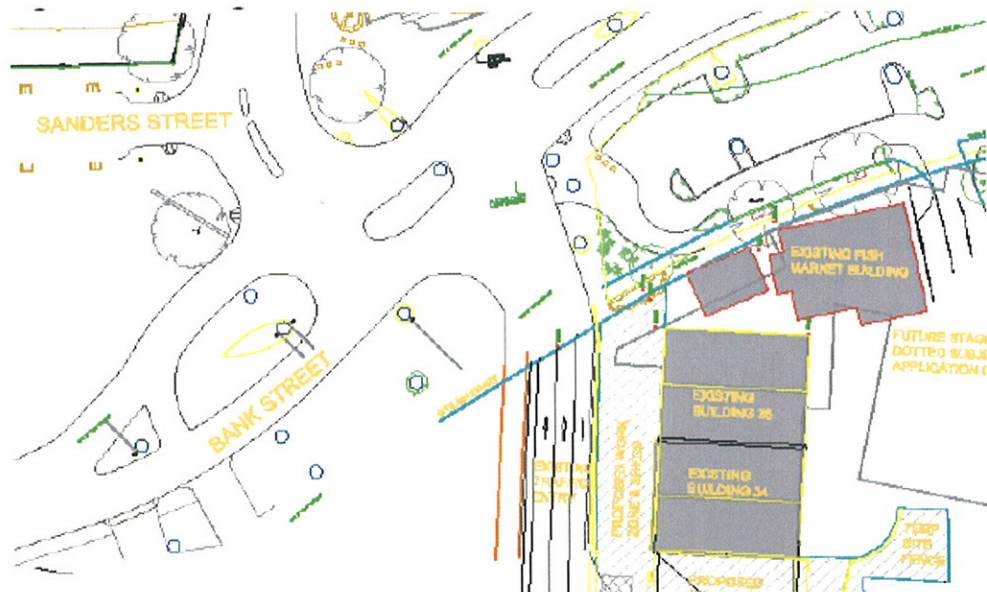


Figure 10: Existing Intersection Design

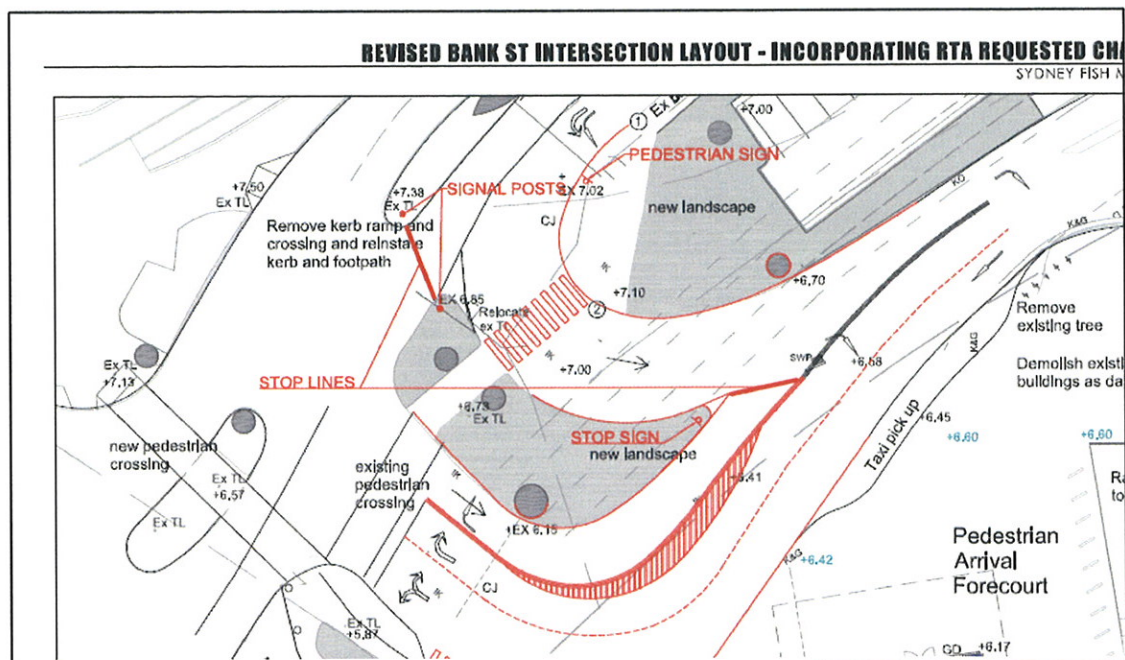


Figure 11: Proposed Intersection Design

In addition, the application also seeks approval to modify the signal phasing and pavement direction arrows at the intersection of Pymont Bridge Road, the Western Distributor and Bank Street.

The application is supported by a Transport and Accessibility Impact Assessment prepared by Halcrow. The assessment proposes solutions to manage and mitigate traffic and transport impacts arising as a result of the project. In this regard, the assessment provides an analysis of:

- the existing traffic conditions surrounding the site;
- safety impacts associated with reconfiguring the Bank Street and Miller Street intersection; and
- impacts of the project on the existing road network.

Traffic Impacts

The assessment identifies that the most significant traffic impacts associated with the operation of the SFM occur at midday on Sundays and Thursday evenings, when the site is operating at peak capacity. The report notes that significant movements also occur on Monday mornings between 5:30 am and 8:00 am, and Friday mornings between 5:30 am and 11:00 am, when wholesale produce is auctioned, however, the bulk of these movements occur prior to the morning peak period.

In order to identify the impacts of the project on the surrounding road network, the assessment modelled the impacts of the project at the following intersections when the site is operating at peak capacity (midday Sundays and Thursday evenings):

- Bank Street and Miller Street;
- Bank Street and Western Distributor Ramps;
- Pymont Bridge Road, Western Distributor Ramps and Bank Street;
- Pymont Bridge Road and Harris Street; and
- Pymont Bridge Road and Wattle Street.

The assessment concluded that:

- the existing levels of service during the Thursday evening and Sunday afternoon peak periods varies between level of service 'C' (operating near capacity) and level of service 'F' (extra capacity required); and
- the project would result in a marginal increase in the average delay time at each intersection during the Thursday evening and Sunday afternoon peak period, however, the project would not alter the levels of service at any of the modelled intersections.

The Department notes that the conclusion reached in relation to the project not altering the levels of service at any of the modelled intersections is incorrect. Using the modelling results provided in the Transport and Accessibility Impact Assessment for 'Development + Phasing Scenario' in **Table 6** below, the Pymont Bridge/Harris Street and Pymont Bridge Road/Bank Street intersections would go from levels of service B and D to levels of service C and E respectively. This translates to a 4-second delay at the Pymont Bridge/Harris Street intersection and a 10-second delay at the Pymont Bridge Road/Bank Street intersection.

Table 6: AM and PM Intersection Performance

Intersection	Scenario	Thursday PM Peak		Sunday Midday Peak	
		Av. Delay (s)	LoS	Av. Delay (s)	LoS
Pymont Bridge Road / Wattle Street	Existing	82	F	60	E
	Development	102	F	57	E
	Dev + Phasing*	97	F	57	E
Pymont Bridge Road / Harris Street	Existing	30	C	27	B
	Development	32	C	25	B
	Dev + Phasing*	33	C	31	C
Bank Street / Miller Street / Fish Market	Existing	39	C	49	D
	Development	43	D	78	F
	Dev + Phasing*	39	C	59	E
Pymont Bridge Road / Bank Street	Existing	77	F	57	E
	Development	80	F	89	F
	Dev + Phasing*	68	E	70	E

* Development traffic plus proposed phasing arrangement at Pymont Bridge Road and Bank Street.

It should be noted that the results of intersection modelling provided in **Table 6** relate to the original design of the Bank Street and Miller Street intersection. The Proponent has not provided revised calculations which outline the traffic impacts that may occur as a result of the final intersection design. Notwithstanding, the final design was prepared in conjunction with the RTA, who advised that the final design addresses its original concerns.

While the Department is satisfied that revised modelling calculations are not required for the "Development Scenario", they are nevertheless required for the "Development and Phasing Scenario" for the intersection of Pymont Bridge Road, the Western Distributor and Bank Street, as the RTA advised that it will not support the proposed alterations to the phasing arrangements of this intersection, unless the Proponent can demonstrate that the modified arrangements would result in improved performance at the surrounding intersections. In order to address this issue, the Department has recommended the imposition of the following condition:

"Prior to the issue of the first Construction Certificate, the proponent must provide the RTA with amended traffic modelling information outlining changes to the traffic phasing at the intersection of Pymont Bridge Road, the Western Distributor and Bank Street. The details must be submitted to and approved by the RTA prior to the issue of a Construction Certificate for the relevant works, if required".

Revised modelling calculations for the Pymont Bridge/Harris Street intersection were not requested by the RTA given the relatively minor 4-second delay that is anticipated.

The Department notes that a number of submissions were received in relation to traffic management during peak periods, especially over the Easter and Christmas periods. In this regard, the Department is satisfied that the Transport and Accessibility Impact Assessment addresses the impacts of the project on the surrounding road network during peak operations. Notwithstanding, the Department considers that the effects of the project on the surrounding road network could be reduced with appropriate management. Given the above, the Department has recommended the imposition of a condition requiring the Proponent to prepare and implement an Operational Traffic Management Plan prior to the issue of the first Occupation Certificate.

Safety Impacts

The Proponent provided revised swept path diagrams for cars and rigid vehicles required to access the site at the intersection of Miller and Bank Street. The Department has reviewed the revised diagrams in conjunction with the RTA, and has imposed a condition requiring the Proponent to enter into a Works Authorisation Deed (WAD) with the RTA for the proposed traffic signal and civil works. The final design is also to be designed in agreement between the City of Sydney Traffic Unit and the RTA. The Department is satisfied that these arrangements will ensure the access into the site is appropriately designed.

It is noted that the Department received a submission from the owners of the adjoining site (Hymix), requesting the establishment of a clear entry and exit to their site in order to address safety concerns associated with existing conflicts between pedestrians and heavy goods vehicles. Whilst the entry point to the Hymix site is located outside the project area, the Proponent has advised that it is willing to address this issue via a separate application following the finalisation of an agreed design.

The Department has reviewed the impact of the project on the existing road network and is satisfied that:

- issues associated with the phasing arrangements for the Pymont Bridge Road, Western Distributor and Bank Street intersection can be addressed via the imposition of a condition requiring the Proponent to provide updated modelling data to demonstrate that the proposed phasing will not affect intersection performance;
- the requirement for a WAD to be entered into with the RTA, and final design details of entry into the site to be approved by the RTA and Council, will ensure the layout and configuration of the intersection well designed; and
- the performance of the road network will be improved via the preparation and implementation of an Operational Traffic Management Plan. As such, a condition is recommended requiring this Plan is prepared in consultation with Council and approved by the Director-General.

5.1.2 Internal Site Arrangements

The revised layout of the internal road network of the SFM site has been designed to reduce conflict between pedestrian and vehicle movements. The changes to the internal site access arrangements are depicted in **Figure 12** and described in **Table 7**.

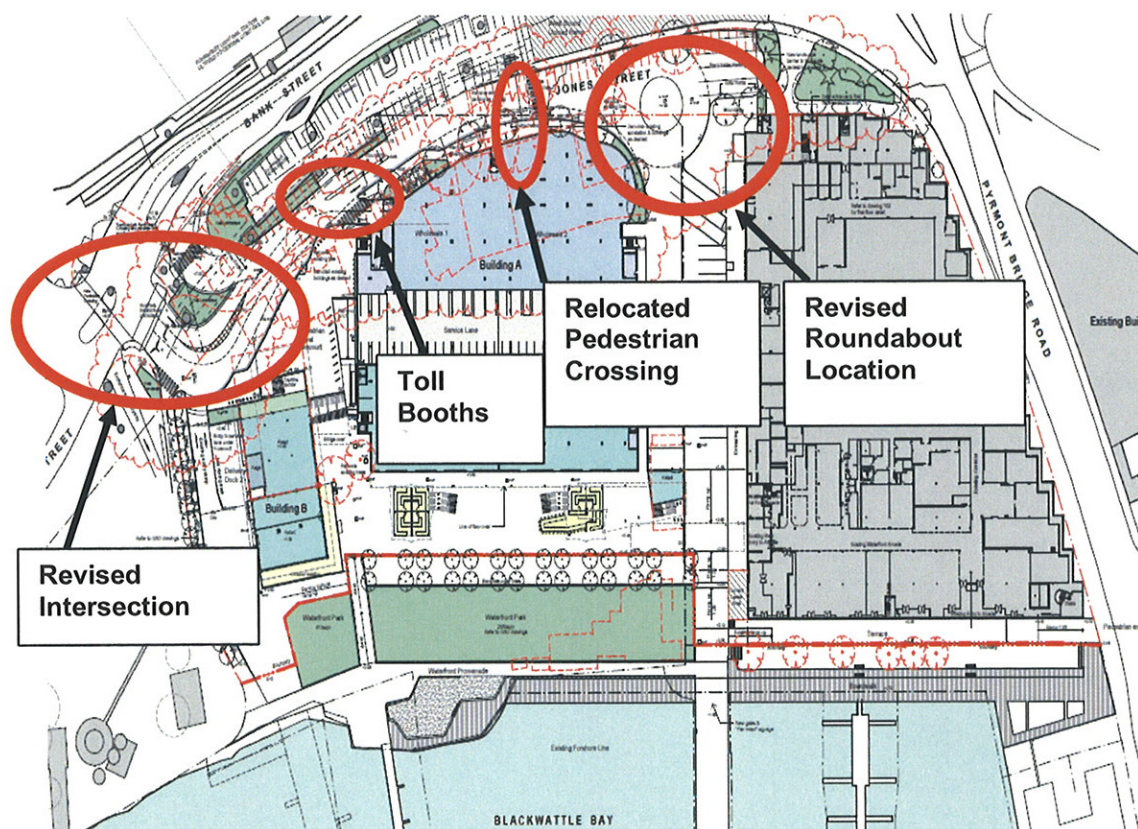


Figure 12: Proposed Internal Access Arrangements

Table 7: Summary of Changes to Internal Site Arrangements

Access Point	Proposed Changes
Jones Street	Upgrades to Jones Street (which is an internal road within the Fish Markets site but owned by Council) are proposed. Jones Street would become a two-way carriageway with a roundabout at the southern end, and ticket barriers would be installed at the entry and exit from the circular access ramp at the northern end. Existing parking facilities at the western edge of Jones Street (below Western Distributor) would be retained and accessed via Bank Street. In addition, Jones Street would provide access to the parking facilities proposed in 'Building A'.
Northern Access Road	The existing internal access road on the northern boundary of the site would be retained to provide access to the tavern's loading area and emergency vehicle access to the foreshore.
Taxi/Coach Drop Off Point	A dedicated taxi lane and drop-off point would be developed at the pedestrian arrival forecourt and coaches would arrive at the dedicated coach bay via the roundabout at the southern end of the roadway.
Service Vehicle Access to SFM Main Building	Service vehicles would enter the site at the signalised entrance at the junction of Jones and Bank Street and would proceed along Jones Street to the southern roundabout where they would access the loading and service areas at the northern side of the main SFM building.
Service Vehicle Access 'Building A'	A service lane would be created on the ground floor of 'Building A' dissecting the wholesale and service areas on the eastern side, and the retail areas on the western side. Access to this service lane would be via the service road adjacent to the main SFM building and would be in a one-way direction.
Service Vehicle Access 'Building B'	Service vehicle access to 'Building B' would be provided via the access road on the northern boundary of the site. Provision for emergency vehicles would be provided via the internal roadway at the eastern edge of the side along Jones Street.

No significant issues were raised by the RTA regarding on-site vehicular movements. The Council owns Jones Street and raised concerns regarding the installation of the toll booths and the construction of the roundabout given that leasing arrangements for the use of Jones Street have not been finalised. This is despite Council providing landowner's consent to the project application. In order to address this issue, the Department has recommended the imposition of a condition requiring the Proponent to lodge a separate development application with Council for the installation of the toll booths and construction of the roundabout.

In order to ensure the alterations to Jones Street are constructed to an appropriate standard the Department has recommended the imposition of a condition requiring the detailed road design to be in accordance with Council's *Development Specifications for Civil Works*. Given the above, the Department considers the internal road layout acceptable and an improvement on existing arrangements.

5.1.3 Car Parking

Existing Parking Arrangements

The existing car park has 417 approved car parking spaces and 40 informal car parking spaces. In addition, 21 loading docks are approved on the northern side of the existing SFM building. Based on the traffic surveys undertaken to support the project, the current number of bays provided on site is insufficient to cater for existing demand during peak periods (551 car parking spaces required during peak operations). In order to accommodate existing overflow, the SFM has a private agreement with the owners of the Hymix site to provide up to 200 additional car parking spaces during special events to accommodate additional demand.

The SFM Master Plan specifies that on site car parking should be provided in accordance with the SFM Transport Management and Access Plan (TMAP) rather than the provisions of the Ultimo-Pyrmont Urban Development Plan (UDP). In this regard, the TMAP requires the provision of up to 993 parking spaces (940 car parking spaces and 53 loading docks) to service 35,680m² of GFA across the whole SFM site. It is important to note that the 35,680m² of GFA is comprised of the existing SFM building (19,149m²) plus an additional 16,531m² GFA (ie the GFA of this project excluding car parking area) on the residual portion of the site.

Based on the number of parking spaces required under the TMAP and the total amount of GFA permitted under the SFM Master Plan, car parking is required at the following rates:

- 1 car space/35.9m² of GFA; and
- 1 loading bay/673m² of GFA.

Proposed Parking Arrangements

The application proposes to create 93 car parking spaces and 91 loading docks in addition to the 417 approved bays to cater for the additional 30,240m² of GFA proposed by the project application. This represents a shortfall of 749 car parking spaces and a surplus of 46.1 loading docks. When looking at the whole of the site (existing development + proposed development) the application would result in a shortfall of 865 car parking spaces and a surplus of 39 loading docks.

As the proposed car parking areas are included within the building envelopes of 'Building A' and Building B', they fall within the definition of GFA within the Sydney LEP. Given the above, the Department considers that all areas associated with car parking should be excluded from the floor space calculations for the purpose of assessing compliance with the car parking requirements outlined in the TMAP. With this area excluded, the application would result in:

- a shortfall of 266.1 bays within the project area;
- a shortfall of 382.5 car bays across the entire site area (project area plus area of existing building);
- a surplus of 71.9 loading docks within the project area; and
- a surplus of 64.4 loading docks across total site area.

The Proponent seeks a variation to the car parking requirements on the basis that the Council requested that the development provide a minimalist approach to car parking. In this regard, the Proponent seeks to apply the car parking rates of the Ultimo-Pyrmont UDP (1 car space/100m² of GFA and 1 loading dock/4000m² of GFA) to the new GFA, and maintain the current number of car bays servicing the existing fish markets development (417 bays).

The Department has reviewed this approach and is satisfied that it is suitable for the following reasons:

- new development should not reduce the number of car bays currently provided to service the existing development on site;
- Condition 1 of the Instrument of Adoption for the SFM Master Plan acknowledges that the car parking requirements outlined in the TMAP have not been based on an assessment of their impact on intersection performance. In order to address this issue, Condition 1 of the SFM Instrument of Approval recommends the preparation of a traffic strategy identifying feasible traffic mitigation measures prior to the determination of a development application;
- the Proponent's traffic assessment demonstrates that providing car parking in accordance with the rates outlined in the TMAP would result in unacceptable impacts on the performance of surrounding intersections, and there are limited options available to the Proponent to retain current levels of service; and
- both the Council and the RTA support the rates proposed by the Proponent.

Applying the rates proposed by the Proponent would generate the need for:

- 417 car parking spaces and 21 loading docks to service the existing development;
- 128.9 car parking bays to service the proposed development; and
- 3.2 loading docks to service the proposed development.

The application proposes the creation of 510 car parking spaces and 112 loading docks. This would result in a non-compliance with the abovementioned car parking rates (545.9 car parking spaces and 24.2 loading docks required). The Department notes that the application proposes a surplus of 88 loading docks (using the UDP provisions, based on GFA). However, due to the nature of the operation, the actual number of loading dock proposed is required, to cater for the morning peak (5.30 am to 9.30 am).

It is therefore not possible to replace loading areas with car parking. However, subject to appropriate management (restrictions being placed on the use of loading docks when the retail component is operating), the surplus loading docks could be used to accommodate car parking during peak retail periods. Utilising the loading dock spaces during peak operations would ensure compliance with the car parking rates suggested by the Proponent and ensure that there would be no unreasonable conflicts between cars and servicing vehicles. In order to achieve the above, the Department has recommended the imposition of a condition requiring the Proponent to prepare an Operational Traffic Management Plan to ensure that the loading docks are both available and managed appropriately during peak retail operations.

Whilst the Council and the RTA raised no objection to the number of car parking spaces and loading docks proposed by the application, the Council requested that the Proponent implement a pricing structure to discourage all-day commuter car parking. In addition, the RTA requested that the proponent investigate the implementation of a sensory parking guidance system to assist circulation and prevent queuing on site.

The Proponent has confirmed that the current pricing structure, with a maximum fee of \$53 per day, is to remain in place. However, as the operation of the car park has been excluded from the project approval, the Department considers that the pricing structure is a matter that Council can consider as part of a separate development application. In addition, the Proponent has advised that the implementation of a sensory parking guidance system is being investigated by the SFM parking operator. The implementation of a parking guidance system is also considered to be a matter that is appropriate to consider as part of a separate development application.

In summary, the Department has assessed the allocation of parking bays and the proposed access arrangements and is satisfied that the number and layout of car bays are not excessive and would not give rise to detrimental impacts on the operation of surrounding intersections. To ensure the layout of car parking bays is appropriate the Department has recommended a condition requiring the application to comply with AS 2890.1 – *Off Street Car Parking* and AS 2890.6 – *Parking for People with Disabilities* and Council's DCP.

5.1.4 Public and Active Transport

There are a number of public transport modes that provide access to the SFM site. The light rail Fish Market station has an exit on Bank Street opposite the SFM entrance. The light rail service runs from Central Station to Lilyfield via Pyrmont and Glebe, with services operating at 10 to 15 minute intervals.

Bus services to the SFM include routes 501 (West Ryde to CBD) and 443 (Darling Harbour to CBD). During weekday peak times bus provision is adequate, with waiting times between 5 and 10 minutes for services in either direction.

Service provision on Saturdays and Sundays and during the SFM lunch hour peak of between 12pm and 2pm is less frequent, with services operating at 20 to 30 minute intervals. Information provided by the Proponent indicates that around 26% of visitors walk, cycle or use public transport to access the SFM.

The Department considers that the site is well-located being close to the CBD and has adequate public transport services to accommodate the proposed increase in patrons arising from the proposed development.

5.1.5 Pedestrian and Cycle Access

Approximately 16% of visitors to the SFM arrive on foot. The three main areas of pedestrian activity bordering the site are pedestrian crossings located at the intersections of Bank and Miller Streets to the north-east of the site, the Bank Street and Pyrmont Bridge Road intersection to the south-east of the site, and the Pyrmont Bridge and Wattle Street intersection located to the south-west of the site.

The proposed development seeks to improve pedestrian access to the site by reconfiguring the pedestrian crossings at the abovementioned intersections (see **Figure 13** below).

The proposed pedestrian arrival forecourt at the north-eastern side of 'Building A' and the pedestrian arrival deck, opposite the pedestrian crossing on Pyrmont Bridge Road opposite Wattle Street, provide two main gateways to the development that would improve the existing entrance design and provide a legible connection between the SFM and surrounding areas.

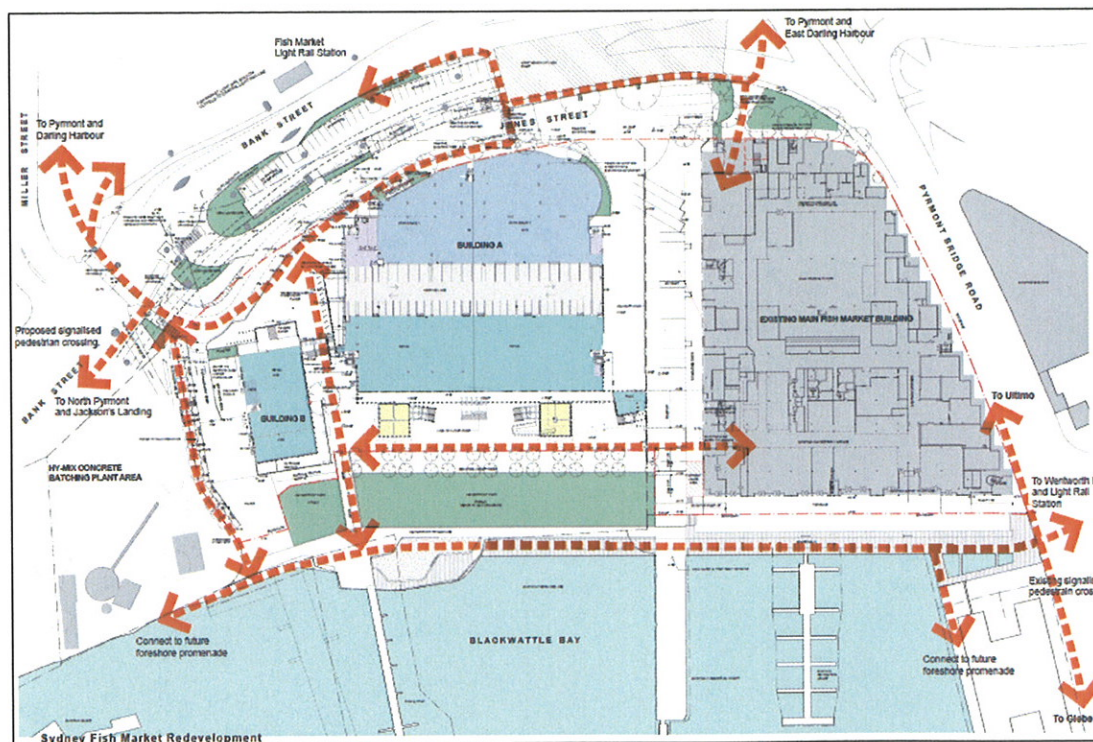


Figure 13: Final Revised Pedestrian Access Plan

Through-site pedestrian linkages would also be improved with the creation of the boardwalk and the foreshore promenade that is proposed to integrate with the Glebe to CBD foreshore walk. The width of the boardwalk does not conform with the minimum width of 6m specified in the *Urban Development Plan - Ultimo Pyrmont Precinct (1998)*, measuring 3.9m at its narrowest point. The Department notes that this non-compliance relates to constraints imposed by the position of the main Fish Market building. Given the above, the Department accepts this non-compliance.

A total of 121 cycle bays are proposed, of which 90 are public and will be located at the pedestrian arrival forecourt, and 31 are for staff and will be located at the ground floor level of the Jones Street parking area. To cater for additional bicycle movements through-site cycle routes will be improved which will allow access via the foreshore plaza to Pyrmont Bridge Road and Bank Street.

Shared-path cycleways are proposed along the northern side of Pyrmont Bridge Road to the Bank Street intersection and continuing northwards along the internal roadway to the main entry of the SFM site at the intersection of Bank and Miller Street.

A cycle route is also proposed from Pyrmont Bridge Road along the paved waterfront promenade along the foreshore and the northern boundary of the site (see **Figure 14** below). As this path is shared with pedestrians, the Department notes that cyclists may need to dismount at periods of high pedestrian activity.

The Proponent confirmed in their PPR that all proposed cycleways will be in accordance with Council's design and operational policies on cycleways, and approval will be sought by Council's cycleway design team prior to construction.

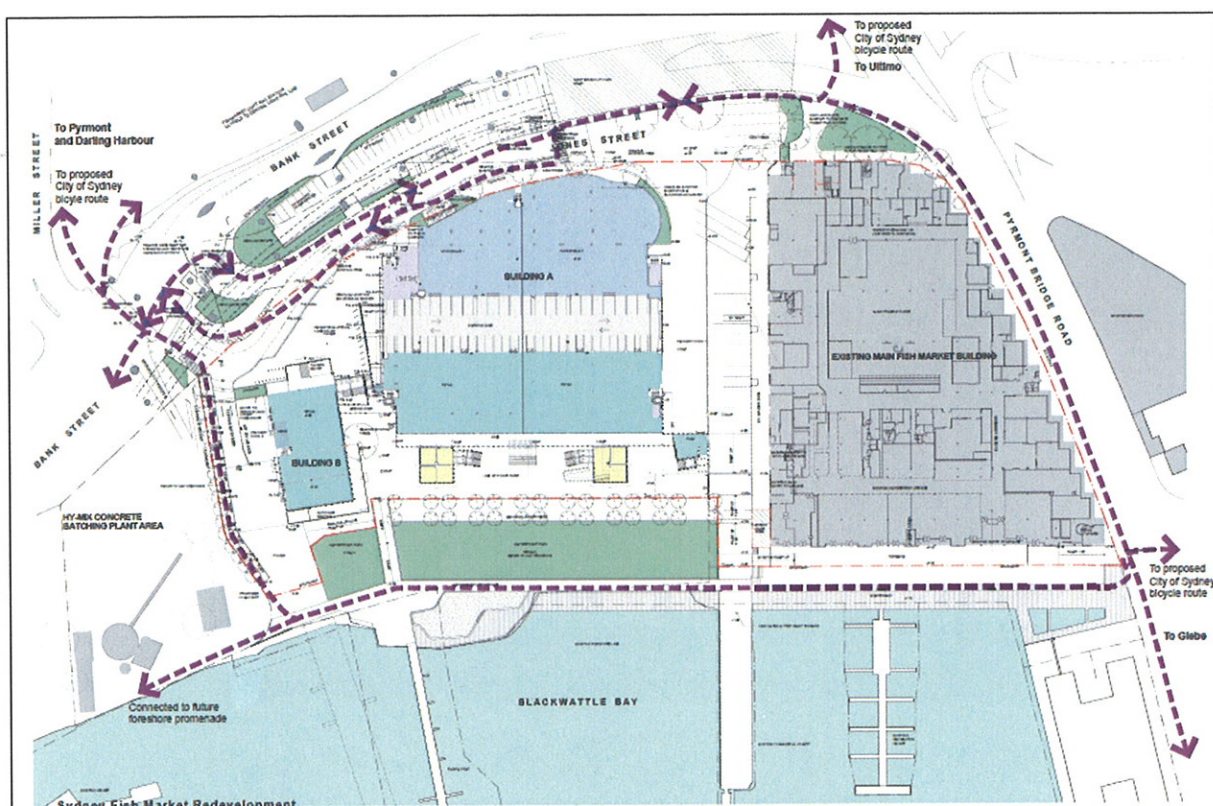


Figure 14: Final Revised Cycle Access Plan

Concerns were initially raised by Council regarding potential conflicts between vehicles and cyclists/pedestrians at the Bank and Miller Street intersection. The final design of the intersection has addressed this issue to the satisfaction of both the Council and the RTA.

While Council requested that between 146 and 287 bicycle spaces be provided for the project in accordance with the Department's *Planning Guidelines for Walking and Cycling*, the Department considers the 121 spaces proposed is sufficient given the use of the site and that only 10% of people who access the site either use public transport or cycle.

5.2. Built Form and Urban Design

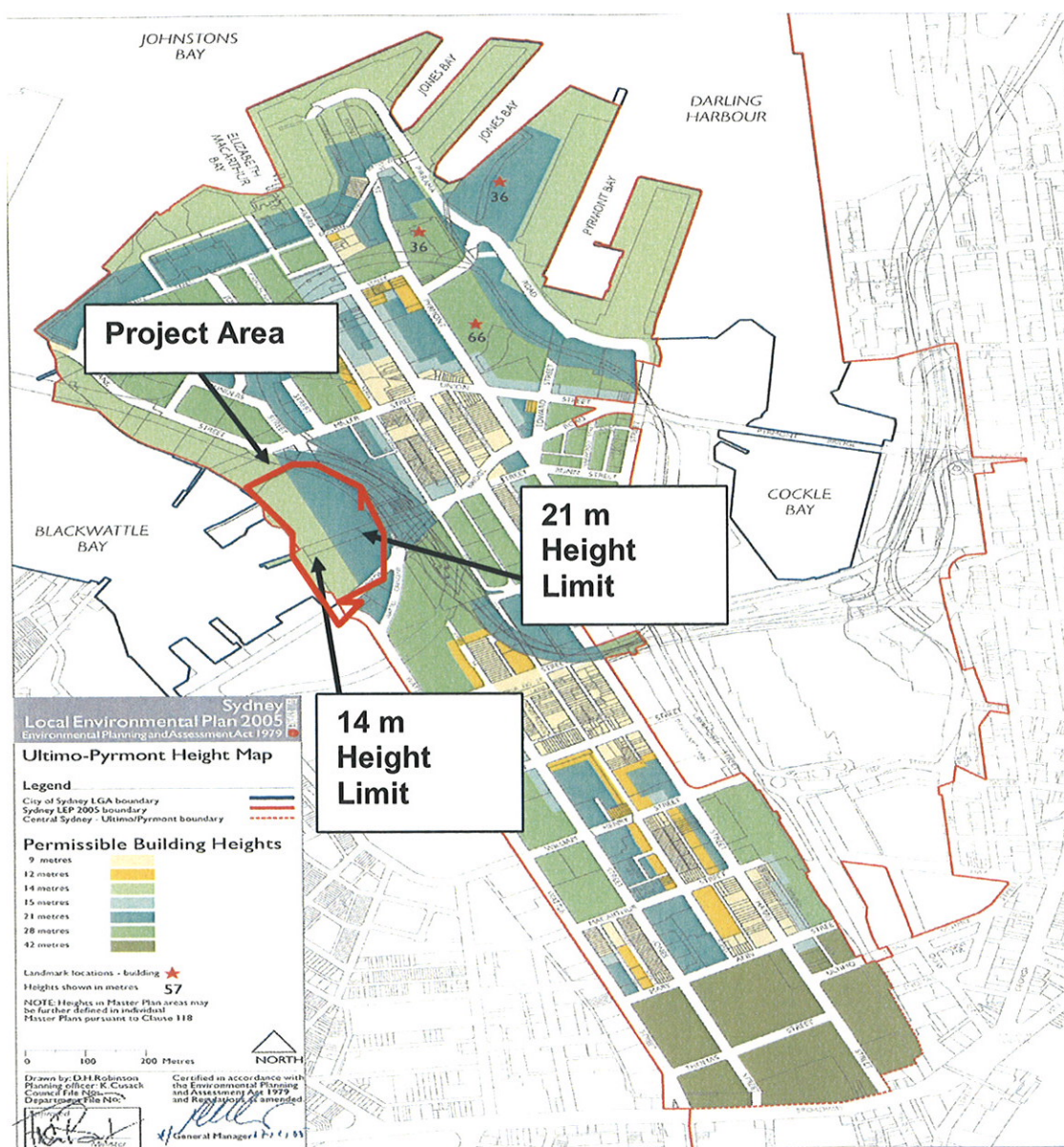
5.2.1 Building Height and Massing

The application seeks approval to construct a new three-storey building known as 'Building A', a new two-storey building known as 'Building B', and two single-storey kiosks adjacent to the Blackwattle Bay foreshore area.

Clause 93 of the Sydney LEP specifies that the height of a building shall not exceed the maximum building height identified in the Ultimo-Pyrmont Height Map, however, clause 115 of the LEP permits buildings within a master planned area to exceed the maximum building height controls, provided that the consent authority is satisfied that:

- a better pattern of building heights will result, and
- there are reductions in building heights on other sites in the master plan area, and
- the urban design principles for Ultimo-Pyrmont will be achieved for that land, and
- the greater building height will not adversely affect the quality of the adjoining public domain.

The Ultimo-Pyrmont Height Map permits development between 14m and 21m in height (see **Figure 15**) and the SFM Master Plan permits a development between 12m and 35m (see **Figure 16**).



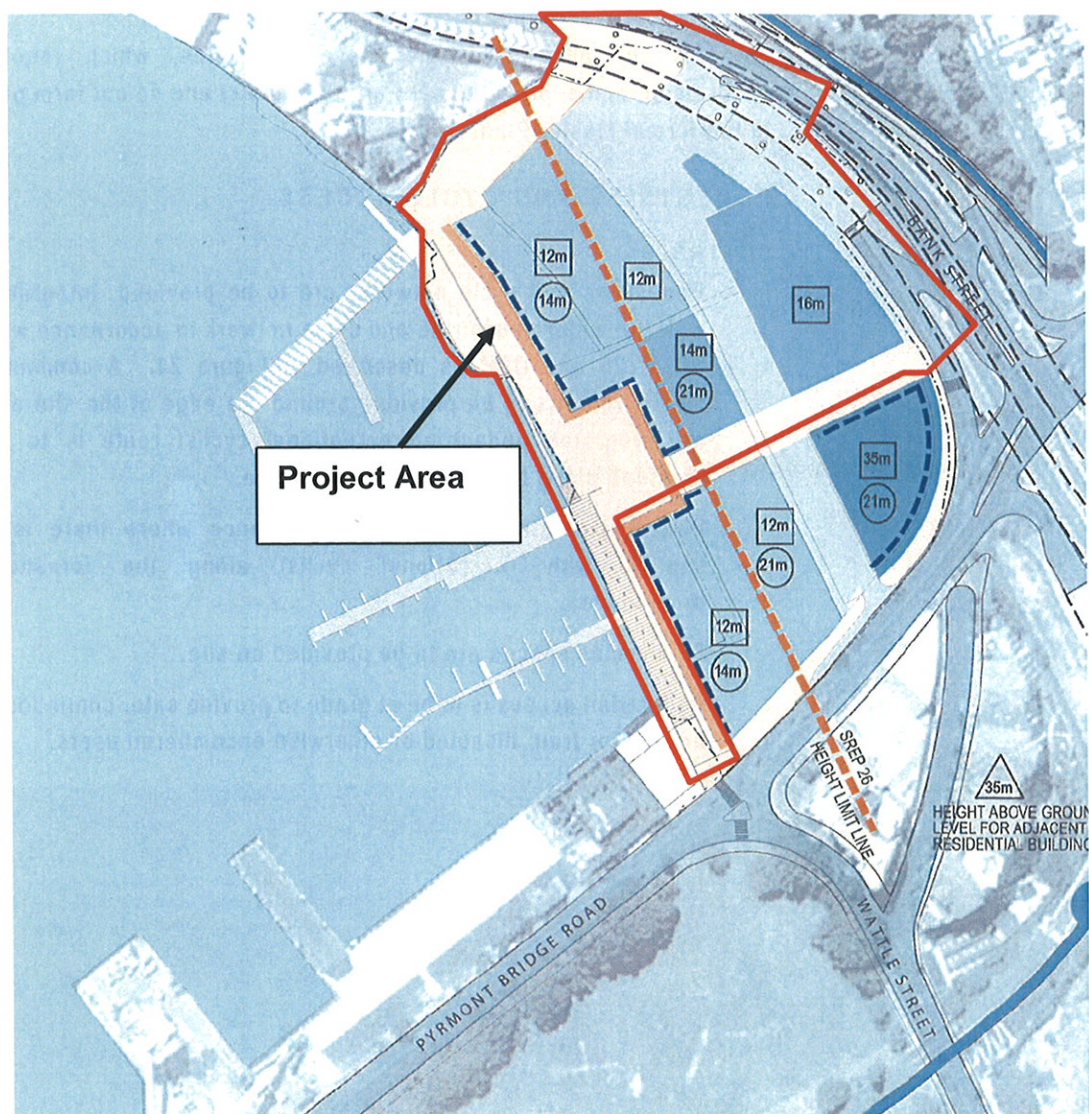


Figure 22 Urban Design Controls



Figure 16: SFM Master Plan Height Controls

A 21m height limit is applicable to the eastern portion of 'Building A' and 'Building B', with the remainder of the site being restricted to 14m under the Sydney LEP, and 12m under the SFM Master Plan. Based on the revised sections provided at **Figures 17** and **18** below, the proposed development is consistent with these requirements, with the maximum height of 'Building A' and the eastern portion of 'Building B' being 15m and the western portion of 'Building B' being 7.8m.

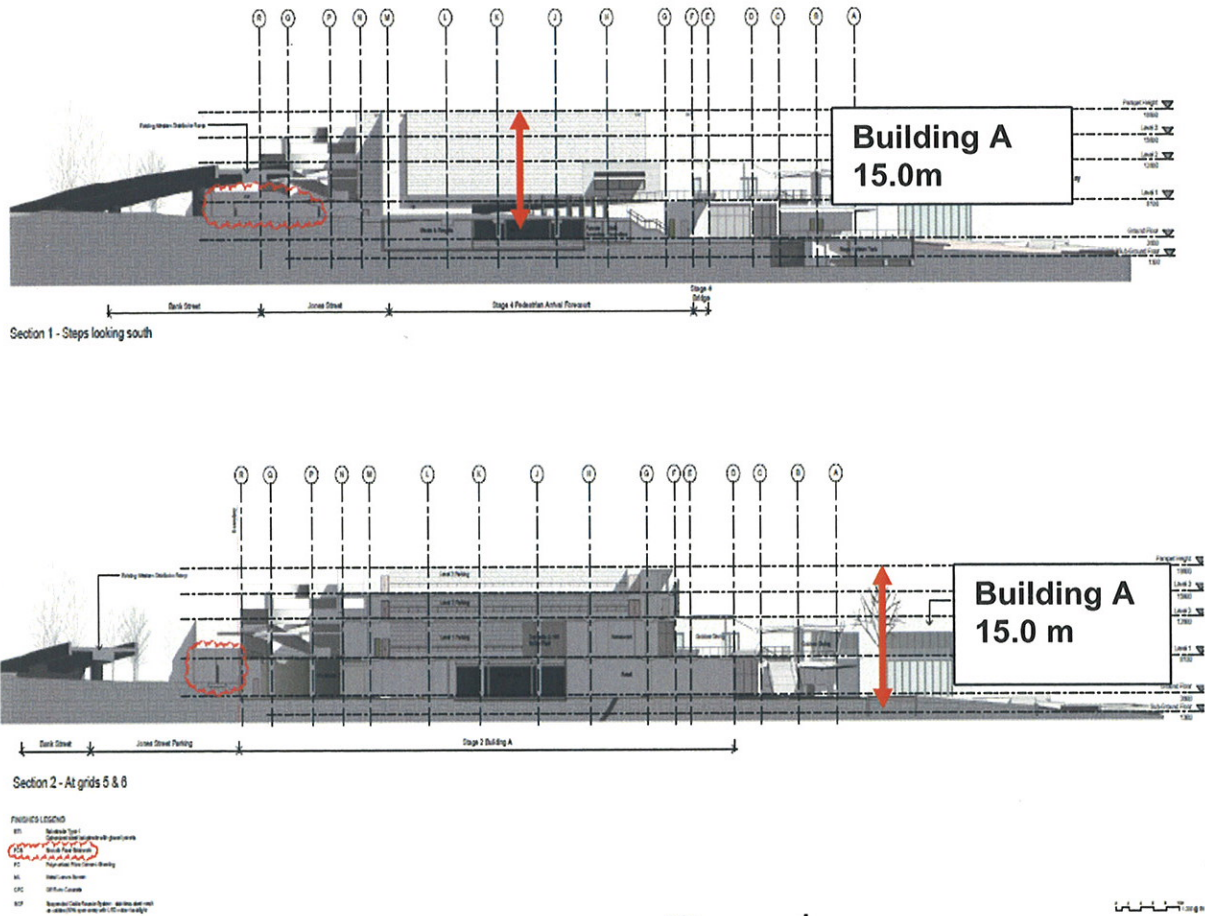


Figure 17: Sections 1 and 2

Clause 98 of Sydney LEP specifies that all buildings north of Pyrmont Bridge Road within a master plan area are not to exceed a floor space ratio (FSR) of 2.5:1. The existing SFM site area is 44,000m² and the application would result in the creation of 30,240m² of additional floor space, bringing the total floor space across the site to 49,389m². This equates to an FSR of 1.12:1, which is consistent with the requirements of the Sydney LEP.

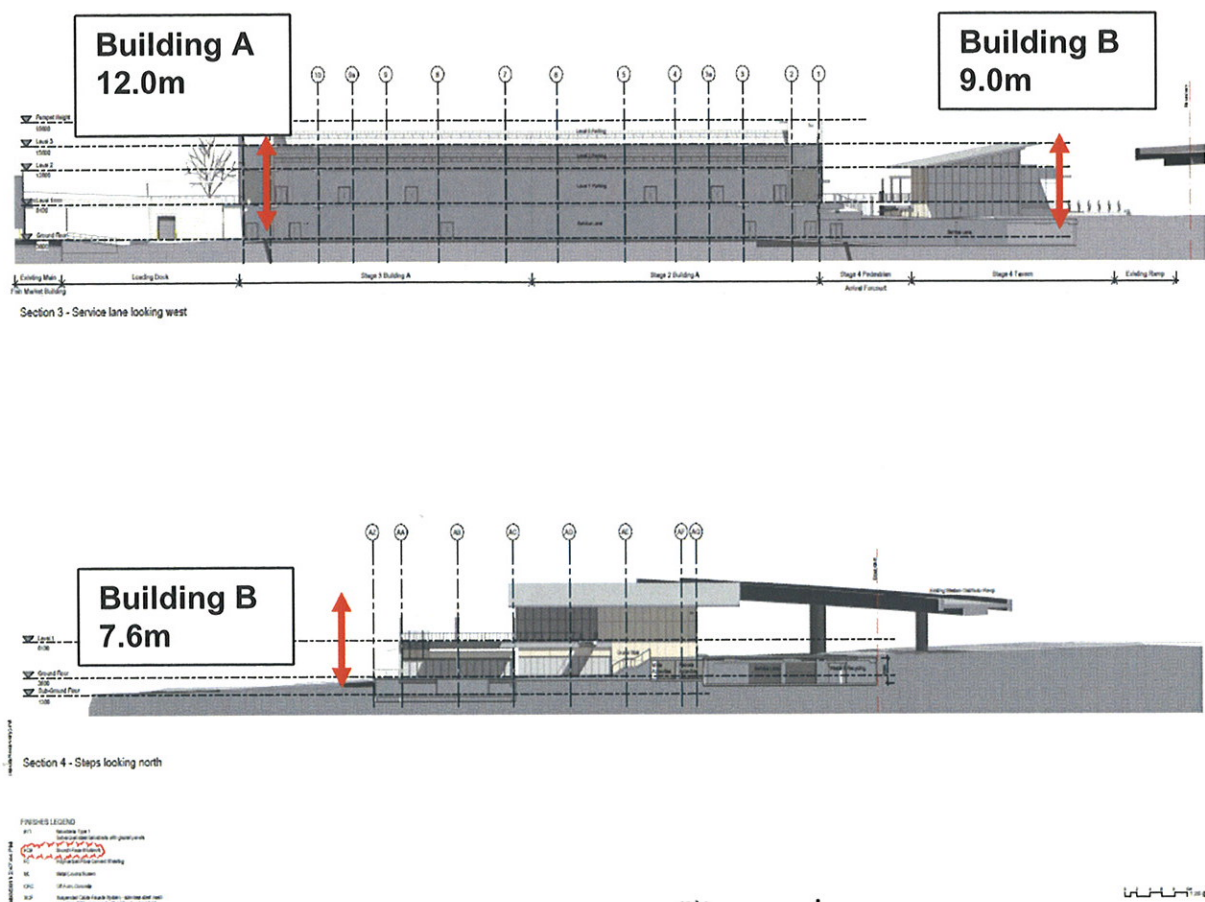


Figure 18: Sections 3 and 4

5.2.2 Building Design

The SFM Master Plan specifies that new buildings should comply with the following design controls:

- development on site is to be of high architectural quality;
- materials should be simple and robust;
- vertical elements such as lifts and stairs should be used to modulate elevations fronting Blackwattle Bay; and
- the decked car park should be designed to enhance its visual appeal.

The western façade of 'Building A' will be fully glazed to provide an active frontage to the proposed urban plaza adjacent to Blackwattle Bay. Furthermore, level 1 includes the creation of three outdoor dining areas and a public promenade to provide visual interest and maximise activity adjacent to the proposed urban foreshore plaza. The northern, southern and eastern elevations have been designed to optimise passive surveillance and provide a sculptural aesthetic through the use of light weight woven stainless steel mesh.

The northern and southern elevations of 'Building B' would comprise glazing and polymerized fibre cement sheeting. In addition, both elevations incorporate an open terrace, comprising glazed panels and steel balustrades, to provide visual interest and passive surveillance of the public domain. The eastern and western elevations are primarily glazed with small amounts of polymerized fibre cement sheeting to maximise the visual connections between the building and the proposed foreshore urban plaza.

It is noted that the Council raised concerns with the design of the eastern façade of 'Building A' on the basis that the building would present as a blank wall to Jones Street.

In this regard, Council requested that the Proponent redesign the façade to incorporate glazing or architectural features to improve the relationship between the building and the public domain. As the floor space adjacent to the northern, southern and eastern elevations of 'Building A' would accommodate back of house uses (wholesale facilities and car parking), the opportunity to activate these facades is limited. Notwithstanding, in order to improve the appearance of the eastern elevation, the Proponent has advised that it would incorporate climbers (*Ficus pumila* "minima") on the blank wall fronting Jones Street, and implement additional deep soil planting to soften the appearance of the building (see **Figure 19** below). In order to ensure the design of the eastern elevation is compatible with the context of the site, the Department has recommended the imposition of a condition requiring the Proponent to provide final design details of the eastern elevation, including architectural treatment and details of the finishes and materials, to the satisfaction of the Director-General prior to the issue of the first Construction Certificate.



Figure 19: Revised Eastern Elevation (Jones Street)

5.2.3 Public Domain

The application seeks approval to construct the following public domain works within the project area:

- a pedestrian arrival forecourt adjacent to 'Building B';
- a shared pathway linking Bank Street and Miller Street with the Blackwattle Bay foreshore;
- a foreshore urban plaza adjacent to 'Building B';
- a waterfront park;
- a promontory;
- a waterfront promenade;
- refurbishment of the existing outdoor dining area adjacent to the main fish markets building; and
- upgrading of the Pyrmont Bridge Road entrance.

The proposed works are summarised in **Table 7** and illustrated in **Figure 20** overleaf.

Table 7: Summary of Public Domain Works

Element	Proposed Works
Pedestrian Arrival Forecourt	Installation of: • paving; • lighting; • signage; and • interpretive art works.
Northern Pathway	• construction of a shared accessible pathway and associated retaining walls linking the Bank Street and Miller Street with the Blackwattle Bay foreshore; and • screen planting (Swamp Gums) on the northern side of the path.
Foreshore Urban Plaza	• installation of shell aggregate paving; and • deep soil planting (including a variety of trees, palms and shrubs).

	- The Waterfront Park will be located between the Foreshore Plaza and Blackwattle Bay. The park will have an outdoor dining area (approximately 764m²) raised approximately 150mm from the plaza dining area and a lawn (approximately 2,480m²) sloping towards the water. - An additional northern portion of the waterfront park will be located adjacent to the northern wharf. This has also been earmarked as a potential site for a children's playground.
The Promontory	- reconstruction of the seawall; - installation of timber decking and bench seating; and - dining facilities for approximately 32 people.
Waterfront Promenade	- construction of a new timber boardwalk; and - reconstruction of a portion of the seawall.
Outdoor Dining Area	installation of sun shades and an undercover link to the western entrance of the retail arcade within the fish markets main building.
Pymont Bridge Road Entrance	- construction of a deck over the inlet at the head of Blackwattle Bay; and - construction of an interpretative water feature adjacent to the promenade boardwalk.

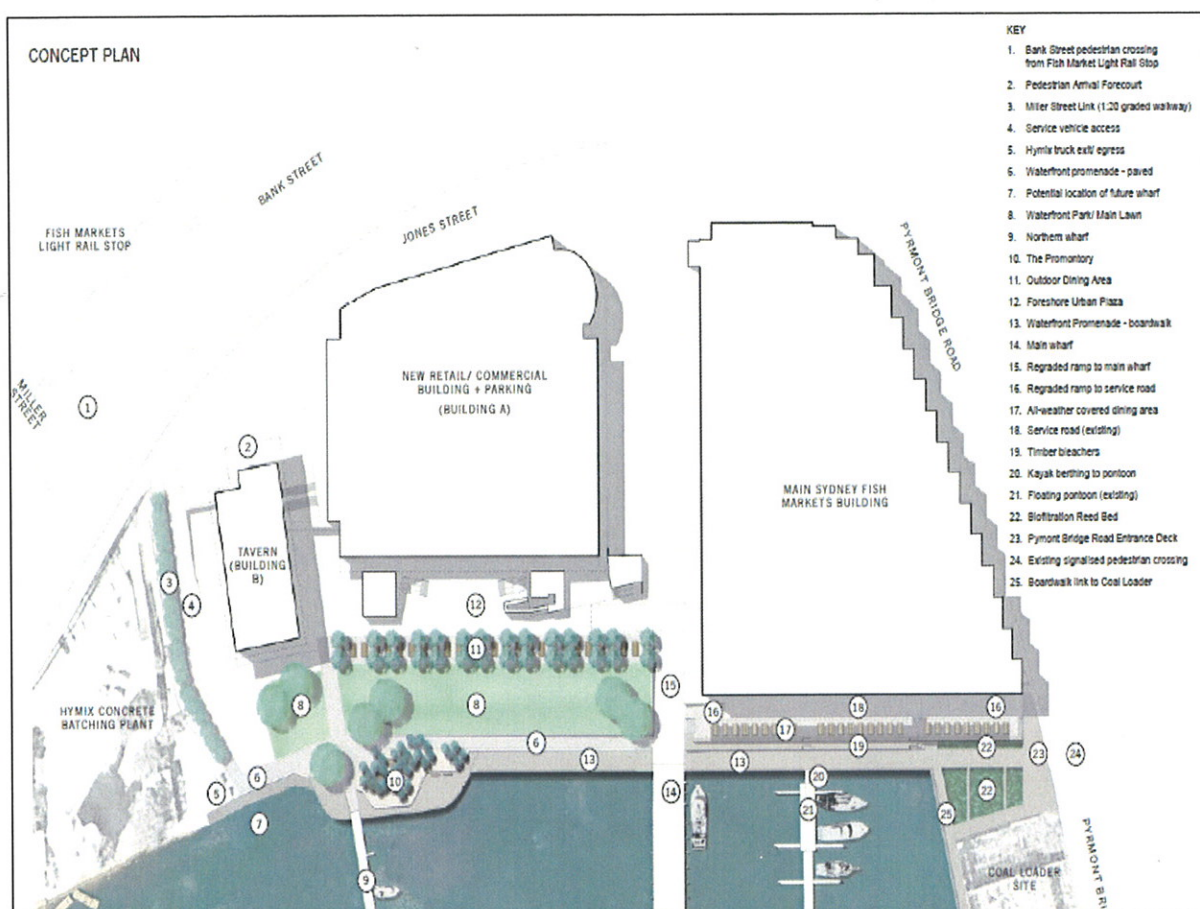


Figure 20: Public Domain Plan

The Department notes that the Council requested the provision of a final Public Domain Plan. In this regard, the Department has recommended the imposition of a condition requiring the Proponent to prepare a Public Domain Plan in consultation with the Council, for the approval of the Director-General, prior to the issue of the first Construction Certificate.

Overall the Department is satisfied that the proposed public domain works are consistent with the vision outlined in the SFM Master Plan and will improve pedestrian access and amenity along Blackwattle Bay.

5.2.4 Overshadowing and Solar Access

The proposed development is orientated west and will not overshadow any neighbouring buildings or private spaces. However, the application would result in some overshadowing of the proposed Urban Foreshore Plaza before 12 noon in the winter months (see **Figure 21** below). The Department notes that there would be no overshadowing of the waterfront park, urban foreshore plaza or outdoor dining area in the winter months during peak operations (12 noon to 3pm).

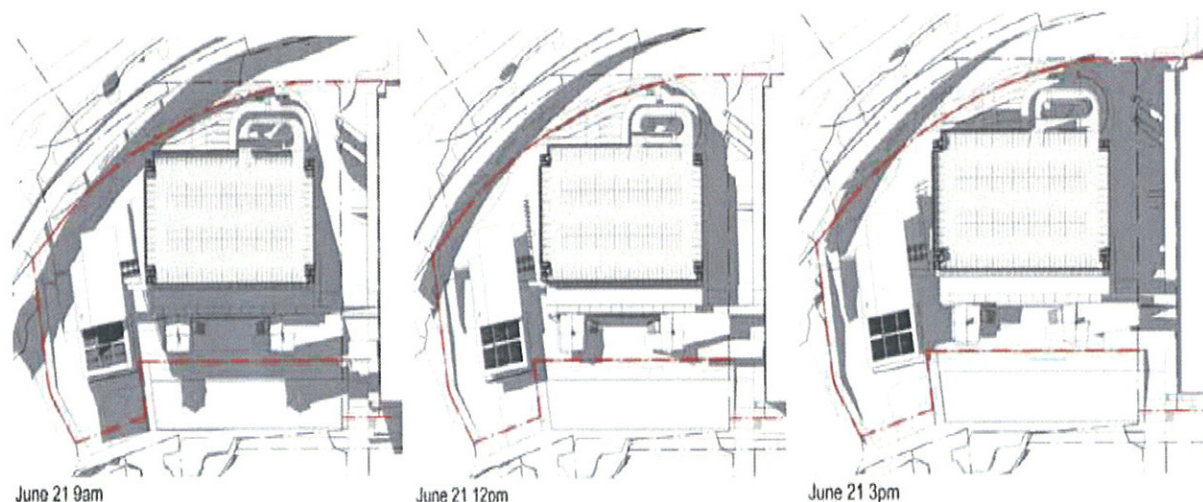


Figure 21: Shadow Diagrams for June 21

5.2.5 Tree Removal

Significant new landscaping is planned for the SFM site. Tree removal is required to facilitate the development of the proposed buildings and the reconfigured entry and exit layout. Council raised an issue with the number of trees initially planned for removal (a total of 12 trees are proposed for removal). Of particular concern was the proposed removal of trees considered by the arborist to be good quality specimens, and the Council's preference for a minimum 3m setback along Jones Street to allow for tree planting within the road reserve. In addition, the Council requested that the Department include a condition requiring the proponent to prepare and implement a Tree Management Plan prior to the issue of a Construction Certificate.

The Department notes that the Proponent addressed the issue of tree removal in its RTS and agreed to retain two extra trees on the site (tree numbers 15 and 16). Following further consultation with Council it was identified that tree numbers 15 and 16 are in poor health and therefore not suitable for retention. In order to provide an adequate level of planting on site, the Proponent has advised that it will replace tree numbers 15 and 16 with *Ficus hillii*. Both the Council and the Department have reviewed the Proponent's final tree inventory (see **Figure 22** below) and are satisfied with the extent of trees proposed for retention, relocation or replanting.

In order to ensure appropriate tree management over the life of the project, the Department has recommended the imposition of conditions requiring:

- the development to be undertaken as per the recommendations contained in the final tree inventory; and
- the preparation of a Tree Management Plan (TMP) by a qualified Consultant Arborist in consultation with Council. This plan is to be submitted to the Department for approval prior to the issue of the first Construction Certificate.

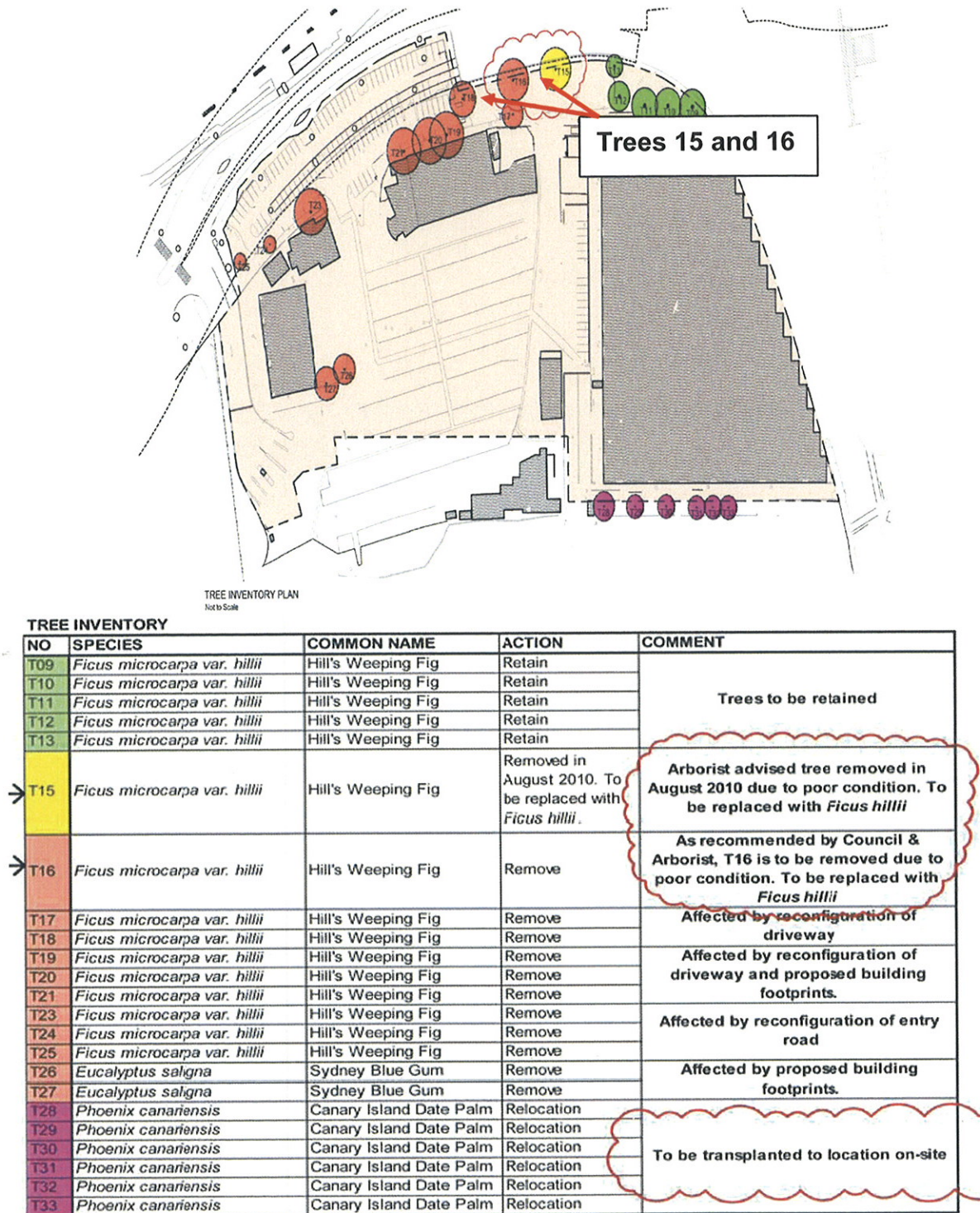


Figure 22: Tree Inventory Plan

5.3 Contamination and Remediation

The site was used for oil storage from 1903 until the mid 1960s, prior to its acquisition for use as a fish market. In this regard, the Stage 1 Contamination Site Investigation prepared to support the application has identified the following potential contaminants on both the site and within the foreshore area:

- imported fill material;
- asbestos contamination from the demolition of former site buildings/sheds;

- petroleum from storage and refining;
- unidentified underground storage tanks;
- suspected underground storage tanks adjacent to the western boundary; and
- pesticides.

In order to make the site suitable for the proposed uses, the Proponent has prepared a Remedial Action Plan (RAP) which recommends the completion of the following works prior to construction occurring on site:

- removal of the suspected underground storage tanks;
- excavation and off-site disposal of contaminated soil;
- capping and containment of the remainder of the contaminated soil; and
- preparation and implementation of an Environmental Management Plan to monitor site and groundwater conditions.

Based on the works outlined above and the requirements of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55) the Department considers that the proposed remediation works can be classified as 'Category 2' works. Given the above, the Proponent is not required to obtain development consent to undertake the proposed remediation works. However, in order to ensure the site is remediated to an appropriate standard, the Department has recommended the imposition of conditions requiring the Proponent to:

- submit a RAP to a NSW EPA accredited site auditor for approval; and
- provide a Section B Site Audit Statement, prepared by a NSW EPA accredited site auditor, to Council and the Director-General prior to the commencement of the relevant works.

5.4 Noise

5.4.1 Construction Noise

Considerable building works are proposed on the site and surrounding road network. Given the location of the site within the Sydney CBD (adjacent to the Western Distributor and bordered by an extensive road network in Pyrmont), the impact of the level of noise produced during the construction phase is considered to be equivalent to the levels of construction noise currently produced by other developments in the area.

While the proposed construction works would add to background noise levels, traffic noise is already considerable in the area. Nevertheless, the Department considers that the preparation of a Noise Management Plan is necessary to manage noise impacts associated with demolition, excavation and construction, and a condition will be imposed to ensure that the Proponent prepares the report prior to the issue of a Construction Certificate.

5.4.2 Operational Noise

A Noise Assessment was prepared as part of the EA to investigate the impacts of mechanical plant, truck movements, car activities, noise from the restaurant and tavern and outdoor music. The report concludes that all the predicted noise levels comply with the noise assessment intrusiveness and amenity criteria, except the noise emitted from the mechanical plant during the night-time 9-hour period. The criteria is expected to be exceeded at those residential receivers at Jones Street, Wattle Street and Bulwarra Road, all approximately 200m from the centre of the proposed development, being 2-3dBA over the acceptable criteria of 45dBA.

The most significant contributor to noise at this time will be car park exhaust fans, supply air fan and the wholesaler's condenser units on the north-eastern wall. Attenuation measures suggested by the Proponent's consultant, Wilkinson Murray include internally lining the lightweight construction enclosures with acoustic insulation or installing units that have a total sound power level output below 82.5dBA. The Department considers that the proponent has demonstrated that operational noise impacts could be mitigated and a condition is recommended to ensure that mechanical plant operates in accordance with the acceptable criteria outlined in the Noise Assessment.

5.5 Waste and Odour

The waste produced by SFM comprises predominantly fresh fish waste, garbage and packaging materials. Given the organic nature of the 10 tonnes of fresh fish waste produced daily, odour control and waste removal measures need to be developed effectively to reduce odour creating a negative impact on the proposed and nearby development.

The existing waste disposal measures for the fresh fish waste involves the waste being refrigerated on site to prevent odour and then being collected by a private contractor, usually on a daily basis.

As advised by the Proponent, one of the current main sources of odour is the uneven car park which collects pools of fishy water in its potholes. The proposed new building will resolve this issue by removing the existing car park and replacing it with new structures and plazas. Notwithstanding, the Department believes that given the significant increase in commercial and retail floor space (an additional 12,892m² are proposed), a revised Operational Waste Management Plan will need to be provided showing compliance with Council's requirements, prior to construction certification.

5.6 ESD Measures

The following ESD elements have been proposed as part of the redevelopment:

- high preference glazing on Building A to reduce the energy consumption of the HVAC system;
- adaptive air conditioning system supported by natural ventilation glass panels;
- water-cooled mechanical plant using geothermal technology for heat rejection;
- T16 lighting, high efficiency LED lighting and photoelectric daylight sensors; and
- full metering and monitoring of water usage and water-efficient fixtures and fittings.

Water Sensitive Urban Design (WSUD) measures are to be incorporated in site systems to minimise the impact of the development on the natural water cycle. A rainwater reuse system is proposed which will capture the clean rainwater run-off from the awnings and roofs of level 1 of Buildings A and B which will then be used for toilet flushing and the wash down of wholesale areas. A separate stormwater system which will capture the run-off from the rooftop car park and driveway ramp and will be used for plant irrigation and for the hosing down of the urban plaza, waterfront park and promenade and service and loading areas.

Two bio-retention systems are proposed, one at the Pyrmont Bridge Road entrance to SFM and the second to the west of Building A under the new outdoor dining area at the interface with the waterfront park. These will ensure that any water discharged into the harbour will be treated to best-practice standards. There is no requirement for an Environmental Protection Licence as advised by the (former) Department of Environment and Climate Change.

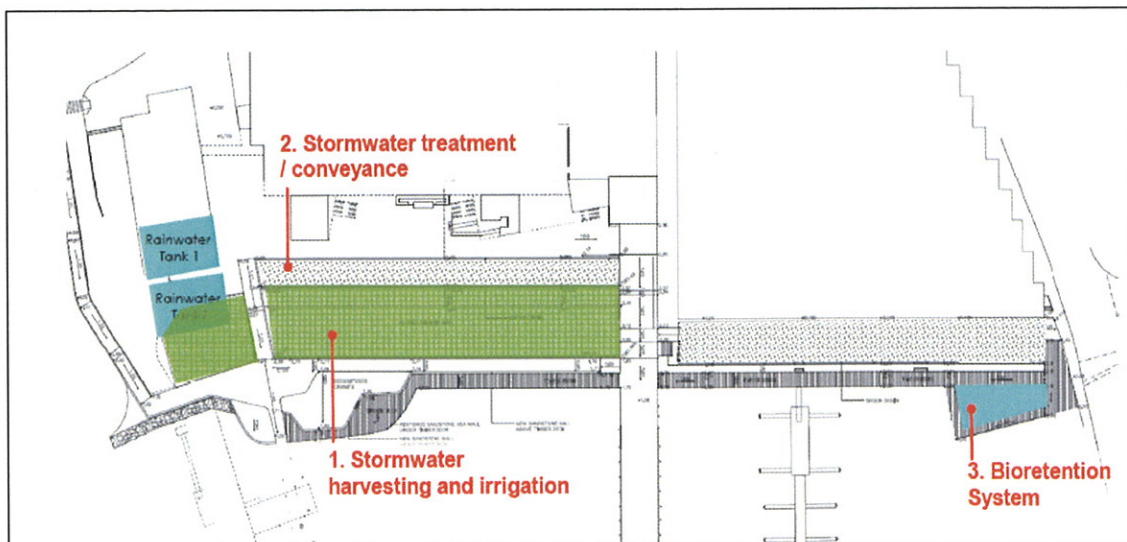


Figure 23: Proposed Bioretention and Stormwater Systems

The Department considers the ESD proposals adequate as water and energy efficient solutions have been proposed as part of the development.

5.7 Developer and Affordable Housing Contributions

In response to the Proponent's PPR, Council informed the Department of the Section 94 contributions that are payable for the development.

The contributions have been calculated based on the 'Accommodation and Development Area' provided in the Proponent's EA, which identified 7,438m² of additional retail areas, but has not included the additional warehouse areas that are shown on the plan. Therefore, Council suggests the levels of contributions may need to be adjusted.

In accordance with the adopted 'Ultimo Pyrmont Contributions Plan 1994 a cash contribution must be paid to council. The amount of the contribution is \$997,733.32. This must be paid prior to issue of a Construction Certificate.

In addition to the Section 94 contributions, an Affordable Housing Contribution is also to be paid in lieu of a floorspace contribution and in accordance with the *Sydney LEP 2005* and the *City West Affordable Housing Program*. The amount payable is \$282, 272.10. This is also to be paid prior to the issue of a Construction Certificate.

Based on the amount of floor space originally proposed, the Council advised that the application would require the payment of \$997,733.32 and \$282,272.10, respectively to satisfy the requirements of the Ultimo-Pyrmont Contributions Plan (1994) and the City West Affordable Housing Program. As the application was amended in response to issues raised during the exhibition period, the final GFA has not been certified by the Proponent. In order to address this issue, the Department has recommended the inclusion of a condition requiring the Proponent to seek verification of the total contributions payable for all stages by the Council (should the development be constructed via multiple construction certificates), prior to the issue of the first Construction Certificate.

5.8 Heritage

The EA identifies that the site has had five historical phases of use, including but not limited to:

- Aboriginal occupation;
- Ultimo estate development (drains, piers, paths, walls);
- sandstone quarrying;
- Blackwattle Iron works;
- shipwrights' workshops; and
- waterfront infrastructure.

While there are no identified heritage items on site, the Office of Environment & Heritage (formally NSW Heritage Office) stated the proposed development may impact on archaeological heritage on the site.

The Statement of Commitments in the EA outlines seven management and mitigation measures to address heritage issues, including: a monitoring programme; assessment of seawall fabric; a maritime archaeological survey; cleaning and cataloguing items; and a programme of interpretation. The NSW Heritage Office submitted that these measures should be expanded and suggested the Statement of Commitments include nine management and mitigation measures which are outlined in Section 4.4 of the Proponent's heritage assessment.

The Department has reviewed the NSW Heritage Office's comments and considers that some of the nine points should be amalgamated as four recommended conditions, while two are not warranted.

The first requirement not supported is for a ground penetrating radar survey to be used which would be prohibitively expensive. The second requirement relates to setting aside funding to cover conservation. This is open and ambiguous as it is difficult to determine the extent of costs. It is also essentially a matter for the Proponent, and is not proposed to be the subject of a condition.

In relation to the seven points that are supported, the Department will require that prior to the commencement of works, the Proponent is to undertake a professional archaeological investigation program, the methodology and results of which need to be approved by the OE&H. After archaeological works are undertaken, the final excavation report will need to be lodged with the Department, OE&H and Council.

Finally, the Department recommends that an Interpretation Strategy be prepared and implemented to incorporate the findings from the archaeological works and submitted to the Director-General for approval. It is considered that these requirements will adequately address any potential archaeological issues.

5.9 Public Interest

The SFM is a significant wholesale destination for fresh seafood and a popular shopping and dining venue for both visitors to Sydney and locals. It is located in an important harbour-side location at Blackwattle Bay and is a key link in the proposed Glebe to CBD foreshore walk.

Current conditions on the site are poor. The foreshore is not accessible and is blocked by a number of sheds in poor condition (see **Figure 24**). The seawall is in need of repair, the car park cannot meet customer demand and the outdoor eating facilities are limited and outdated.

The proposed redevelopment is consistent with the built form controls outlined in the 2005 SFM Master Plan, and would improve the quality of the public domain and foreshore enabling better integration with the Glebe to CBD foreshore walk. Given the above, the Department considers that the application is in the public interest.



Figure 24: Existing Blackwattle Bay Foreshore at SFM

6. CONCLUSION

The proposed redevelopment of Sydney Fish Market would provide a higher standard of retail, wholesale, dining and recreation facilities at the site. The existing Fish Market configuration is constrained, has poor permeability and is not able to fully exploit its harbour-front location and proximity to the vibrant Pyrmont suburb. The existing traffic and pedestrian access arrangements contribute to negative perceptions of the site and were frequently cited in public submissions as being one of the key elements that the Department should consider in its assessment.

The proposed redevelopment will provide additional car parking spaces, reconfigure internal traffic arrangements, improve the food and beverage facilities and allow for improved pedestrian, cycle and vehicular connectivity with the surrounding area and road network.

In addition, the proposed development will make a considerable contribution to improving the public domain elements of the site with the new promenade, boardwalk, foreshore urban plaza and pedestrian arrival forecourt enabling the development to benefit from its water-facing location. The promenade will also form part of the planned CBD to Glebe foreshore walk.

The Department has assessed the key issues relating to the environmental impact of the development including: transport and access; built form and urban design; public domain; contamination and remediation; noise; waste and odour, ESD measures, section 94 and affordable housing contributions; and the public interest. The development will improve access arrangements into and out of the site, provide public domain improvements, and will have a built form that is appropriate in scale.

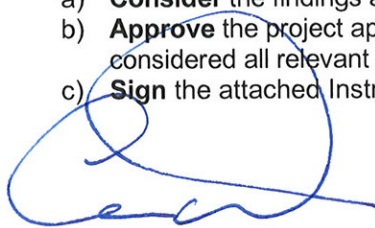
The recommended conditions are considered to respond to and address issues raised by agencies, including the RTA and Council. The proposed development is considered to be in the public interest as it will contribute to an improved public domain and provide greater amenity to those visiting and working at the site, and will support the local fishing and tourism industry by encouraging a higher level of patronage as a result of improved amenity and facilities.

The Department considers the project application to be in the public interest and recommends that approval be granted.

7. RECOMMENDATION

It is recommended that the Planning Assessment Commission:

- a) **Consider** the findings and recommendations of this report;
- b) **Approve** the project application, subject to conditions, under section 75J(1) of the EP&A Act, having considered all relevant matters in accordance with (a) above; and
- c) **Sign** the attached Instrument of Approval (**TAG A**).


Executive Director
Major Projects Assessment

17.5.11


Deputy Director-General
Development Assessment & Systems Performance

17/5/11


Director-General
17/5/2011

APPENDIX A ENVIRONMENTAL ASSESSMENT

See attached CDs and the Department's website at
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=3902

APPENDIX B SUBMISSIONS

See attached CDs and the Department's website at
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=3902

APPENDIX C PROPONENT'S RESPONSE TO SUBMISSIONS

See attached CDs and the Department's website at
http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=3902

APPENDIX D CONSIDERATION OF ENVIRONMENTAL PLANNING INSTRUMENTS

1.0 State Environmental Planning Policy (Major Projects) 2005

Pursuant to clause 6(10) (a) of the SEPP, a project is declared to be a project to which Part 3A of the Act applies, where, in the opinion of the Minister, the development is of a kind:

- (a) that is described in Schedule 1 or 2; or
- (b) that is described in Schedule 3 as a project to which Part 3A of the Act applies; or
- (c) to the extent that it is not otherwise described in Schedules 1-3, that is described in Schedule 5.

On the 29 April 2010, the Director, Government Land & Social Projects, declared the proposed development a Major Project under Part 3A of the *Environmental Planning and Assessment Act 1979* (EP&A Act) because it is development with a capital investment value (CIV) of more than \$5 million within the area identified on Map 9 – Sydney Harbour Foreshore Sites, identified under clause 10(1) of Schedule 2 of *State Environmental Planning Policy (Major Development) 2005*. The Minister for Planning and Infrastructure is the approval authority.

2.0 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP No. 55 – Remediation of Land requires the approval authority to consider whether the land is contaminated, whether remediation has occurred or is recommended and, if so, is the site suitable for the development proposed. As part of the application process Environmental Investigation Services (EIS) prepared a draft Remedial Action Plan (RAP). The reports identified elevated concentrations of contaminants and acid sulphate soils above the adopted site assessment criteria. As a condition of the approval the Proponent must submit a Remedial Action Plan (RAP) for approval to a NSW EPA accredited site auditor, which shall ensure the land is suitable for the continued use of the site as a fish market.

3.0 State Environmental Planning Policy (Infrastructure) 2007

The objectives of the SEPP are to facilitate the effective delivery of infrastructure by improving regulatory certainty through consistent planning management for infrastructure and providing greater flexibility in the location of infrastructure and service facilities throughout the State.

Clause 101 of the SEPP specifies that development with frontage to classified roads must not compromise the operation of classified roads and reduce the impact of traffic noise and emissions and developments adjacent to classified roads. The development has frontages on Bank Street and Pyrmont Bridge Road. Under the SEPP, Pyrmont Bridge Road is a classified road. The RTA was referred the application and did not object to the proposal.

4.0 Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This SREP is now deemed a SEPP pursuant to amendments enacted by SEPP (Repeal of REP Provisions) 2009, gazetted on 26 June 2009. The primary objective of this policy is to ensure that the catchment, foreshores, waterways and islands of Sydney Harbour are protected, enhanced and maintained.

The site lies within the boundaries of Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 and is located with the Foreshores and Waterways Area. The site is unzoned under the SREP, however as it has a land/water interface the Proponent was required to identify the relevant planning principles and matters for consideration.

The Department sought legal advice on any statutory requirement to refer the project to the Foreshores and Waterways Planning and Development Advisory Committee as the developments being proposed are listed in Schedule 2 of the SREP. In this regard, the Department was advised that the project would not require referral as the requirement to refer does not apply to approvals under Part 3A.

The project is considered to comply with the relevant matters for consideration and planning principles of the SREP as it increases the foreshore scenic quality and public access and enhances the natural assets of the site's harbour location.

5.0 Sydney Fish Market Master Plan (2005)

The SFM Master Plan was developed in accordance with Clause 44 of the *Sydney Regional Environmental Plan 26 – City West* (SREP), and was subsequently approved by a former Minister for Planning. The application complies with the built form controls applicable to the site, however requires a variation to the car parking controls. The proposed variation is considered acceptable based upon the information contained in the proponent's traffic assessment, and comments provided by the Council and the RTA

6.0 Sydney LEP 2005

The site is located within the City of Sydney LGA and the planning controls of SLEP 2005. The proposal complies with the overall aims of the SLEP to promote the City of Sydney as the best place to live in, work in and visit.

The SLEP identifies the need for an adopted development plan to be prepared before consent is granted to a development application for a building where the site area exceeds 1500m². The adopted Master Plan for the Sydney Fish Market meets the criteria of the SLEP.

The majority of the site is zoned 'Residential-Business (non residential development)' and the adjoining foreshore area is zoned public recreation. The proposed development complies with the permissible range of uses for the site under the SLEP and is also compliant with the height and FSR controls.

APPENDIX E POLITICAL DONATION DISCLOSURES

See the Department's website at

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=3902