

21 June 2023

2210750

Ms Kiersten Fishburn
Acting Secretary
NSW Department of Planning and Environment
4 Parramatta Square
Parramatta NSW 2150

Attention: Cameron Sargent (Team Leader, Key Site Assessments)

Dear Cameron,

Modification Report | Section 4.55(1A) Modification Application to SDD-8925 New Sydney Fish Market, Bridge Road, Glebe.

This application has been prepared by Ethos Urban on behalf of Multiplex Constructions Pty Ltd, pursuant to section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to modify State Significant Development Consent SSD-8925 relating to the new Sydney Fish Market (SFM) Stage 2 at 1A, 1B and 1C Bridge Road, Glebe.

The modification relates to a proposed change of the approved road level of Bridge Road involving the reduction of height of Bridge Road by a metre (to a level similar to its existing level), and as a result amendments to the height of bus/taxi bays, and landscaping across the Bridge Road frontage of the Sydney Fish Markets.

This application identifies the consent, describes the proposed modifications and provides an assessment of the relevant matters contained in section 4.55(1A) of the EP&A Act. This application is accompanied by:

- Civil Engineering Drawings prepared by AT&L (**Attachment A**);
- Updated Landscape Drawings prepared by Aspect (**Attachment B**);
- Supporting Landscape Report prepared by Aspect (**Attachment C**);
- Flood Impact Statement prepared by AT&L (**Attachment D**);
- Transport Impact Assessment prepared by ptc. (**Attachment E**);
- Noise Impact Statement prepared by SLR Consulting (**Attachment F**);
- Accessibility Statement prepared by SWP (**Attachment G**);
- Stormwater Quality Assessment prepared by AT&L (**Attachment H**); and
- Design Integrity Panel Letter from GANSW (**Attachment I**).

1.1 Background – Concept Proposal SSD-8924

The development at the new Sydney Fish Markets was subject to a Concept and Stage 1 State Significant Development Application. Development Consent 8924 (as modified) was granted by the Minister for Planning on 12 June 2020 for a Concept and Stage 1 Development application for:

- A Concept Proposal comprising:
 - Building envelope for a for a 3-storey building (AHD 28 m)
 - Maximum GFA of 30,000 m²
 - Use of the site for a fish market, including waterfront commercial and tourist facilities and ancillary uses

- Waterfront structures, including wharves
- Public domain, including landscaping and foreshore promenade
- Pedestrian, cycle, footpath and Bridge Road works.
- Stage 1 works comprising
 - Demolition of existing wharves, structures, utilities and services.

The consent has been modified two times since approval. It is noted that this application does not seek to modify the Concept SSDA, as

- The Concept SSDA Instrument of Approval makes only a general reference to 'Bridge Road works,' and does not specify design details for these works within Bridge Road (which are rightly dealt with instead under SSD-8925).
- There are no stamped engineering drawings that refer to the Bridge Road works referred to in Condition A1(d) of the Concept SSDA consent.
- There are no conditions within the consent that relate to the Bridge Road works.

Consistency of the amended development with SSD-8924 is addressed further in **Section 4.3**.

1.2 Consent to be modified – SSD-8925

Development Consent 8925 (as modified) was granted by the Minister for Planning on 12 December 2020 for a Stage 2 Development Application for the construction, use and operation of a new Sydney Fish Market, including:

- A three-storey (4 levels) building with a GFA of 26,953m² comprising:
 - Wholesale services, product storage and processing
 - Retail, business and office premises
 - Multi-function spaces for events and functions
 - Staff amenities and end-of-trip facilities
 - Outdoor seating areas
 - Basement car park.
- New public domain, including a foreshore promenade and landscaping
- Marina
- Pedestrian, cycle and road access
- Upgrade works to Bridge Road and intersections with Wattle Street and Wentworth Park Road
- Provision of services, site level adjustments and stormwater management
- Subdivision of land.

As outlined above a part of the approved works to the Sydney Fish Markets included upgrade works to Bridge Road which included raising the height of Bridge Road by approximately a metre. The level increase to Bridge Road results in Wentworth Park, Bridge Road and the shared zone to the entrance of the Sydney Fish Markets would be located on the same level. Reasons for the increase of height to Bridge Road were provided in the Environmental Impact Statement (EIS) dated 4 October 2019 and are outlined below:

- The ground floor of the development and surrounding public domain would be located on a similar level to Wentworth Park providing visual integration with the park;
- Assist in managing flooding at the site in a manner that has no significant adverse impacts in the surrounding area;

- Provide for localised widening of Bridge Road to provide an improved and widened footpath area, a drop-off area, dedicated cycle path, landscaping, a central median and compliant lane dimensions.

The consent has been modified on a number of occasions, most recently through the determination of MOD 9 on 23 December 2022 in respect of additional construction out of hours works to occur during the cofferdam dewatering process and minor design amendments. MOD 10 was recently submitted in regards to tenancy changes, which is currently under assessment. These modifications does not give rise to any cumulative impacts requiring consideration in the assessment of this current Modification Application (MOD 11).

2.0 Strategic Context

The strategic context of the project is outlined in the Environmental Impact Statement which accompanied the original State Significant Development Application. The proposed Modification Application does not alter the alignment of the approved project with the strategic context of the project or the site.

3.0 Description of the Modifications

Since the approval of the Bridge Road works detailed in SSD-8925, Multiplex and Infrastructure NSW have undertaken further detailed design assessment, construction management planning and consultation with key agencies including Transport for NSW and City of Sydney. Through this process, it has been determined that there are a number of advantages in not raising the elevation of Bridge Road as previously approved under SSD-8925, including:

- Retaining a similar carriageway height to existing would significantly reduce the impact of construction on traffic flows, pedestrians and cyclists in terms of both the severity and duration of construction impacts;
- Reduces noise and other construction impacts on local sensitive receivers, including residents and Blackwattle Bay Senior Campus;
- Further reduces the potential for impacts on adjacent trees within Wentworth Park and Wentworth Park Road by largely retaining existing surface levels, and as a consequence surface and groundwater flows;
- Maintaining the visual relationship between the ground level of the new Sydney Fish and Wentworth Park, which will are not proposed to be altered;
- Provides an improved shared path interface along the Bridge Road promenade by better separating bus/taxi drop-off and pick-up activities from the east-west connection, based on Design Integrity Panel feedback;
- Improves pedestrian and cyclist safety by maintaining a level of grade separation between the shared path/promenade and the road carriageway; and
- Will not result in any significant difference in flood conditions.

3.1 Proposed elevation of Bridge Road carriageway

SSD-8925 approves the raising of the existing Bridge Rd carriageway by approximately 1.2 metres along the site frontage to approximately RL 3.1m AHD. This modification seeks to reduce this level by approximately the same distance, leaving the final Bridge Road level generally the same as that which currently exists (approx. RL 2.0m AHD). This is indicatively illustrated in **Figure 1**.

Notwithstanding the amended carriageway level, Bridge Road will remain a four-lane road with right turning lanes for the approved intersection interface with Wentworth Park Road and Wattle Street. Furthermore, the height of the approved intersections of Bridge Road and Wentworth Park Road as well as Bridge Road and Wattle Street will remain at the approved height.

The existing promenade and shared path levels generally remain the same as approved, in order to provide a safe and high quality pedestrian and cyclist experience. No changes are proposed to the approved building levels for the new Sydney Fish Market itself, nor to overall precinct circulation for vehicles, pedestrians or cyclists.

A minor change to the road design layout, involving the retention of the existing northbound left-turn lane configuration from Wattle Street (and adjoining wall to Wentworth Park) is accommodated by the retention of the existing levels (**Figure 2**).

The changes to the Bridge Road carriageway level require minor amendments to the bus/taxi bays, shared path and landscaping in order to mediate the difference between the road carriageway and the building, which are described in the following sections.

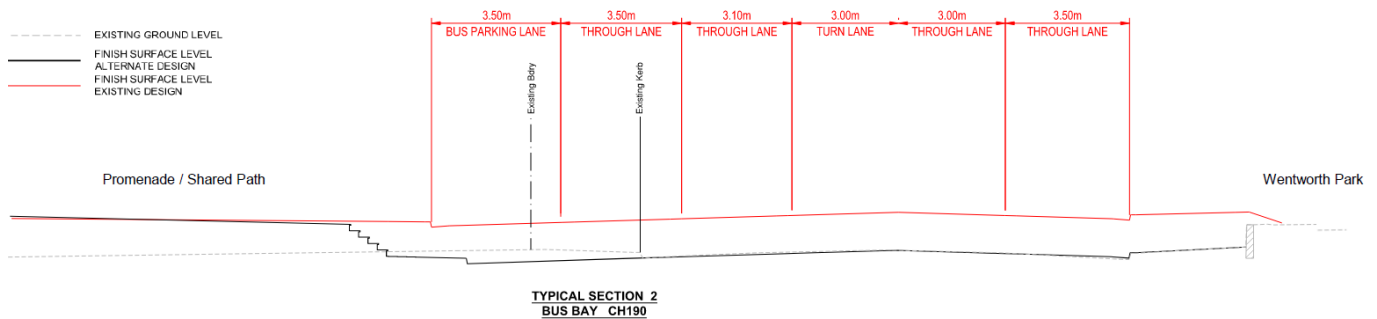


Figure 1 Sectional comparison of approved (red) and amended road design (black)

Source: AT&L

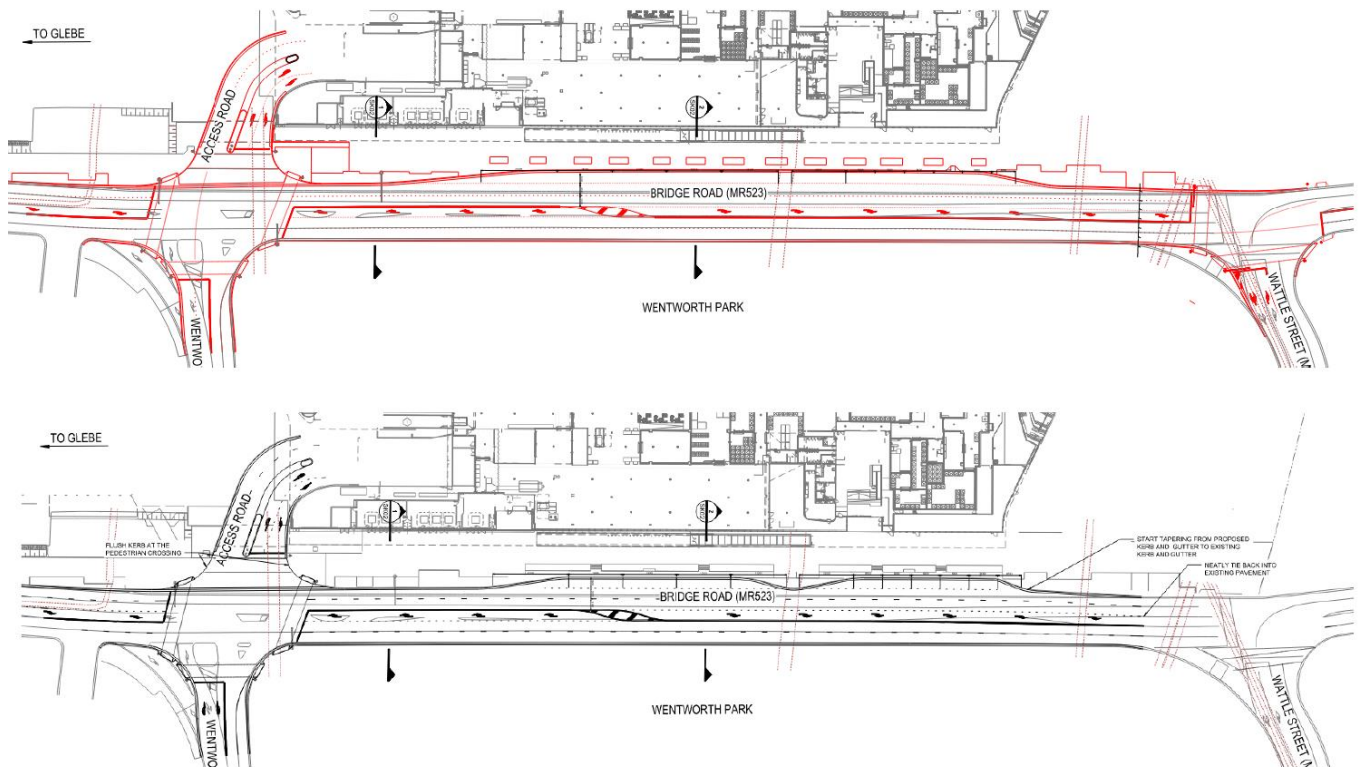


Figure 2 Comparison of approved (top) and amended road design (lower)

Source: AT&L

3.2 Drop off and pick up bays

The location of the approved bus bays will remain on Bridge Road; however, the modification seeks to propose a separation of the singular bus bay into two bays, with the southern bay is dedicated to bus and coaches whilst the eastern bay is dedicated to taxi and ride-share services as seen in **Figure 3** below. The southern bay dedicated to coaches is proposed to be 45m in length which the eastern bay is proposed to be 40m long. Pedestrian set-down/pickup areas, ramps/stairs and landscaping are illustrated in **Figure 4**.

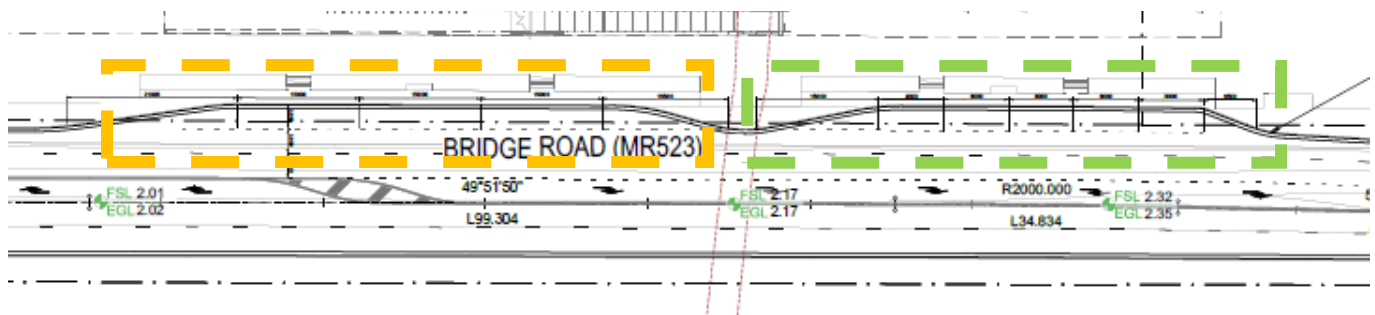


Figure 3 Outline of the Bus Bay (orange) and Taxi and Ride services bay (green)

Source: AT&L



Figure 4 Illustrative rendering showing proposed bus bays, with upper shared path to right of image

Source: Aspect Studios

3.3 Shared path

The shared path along the northern edge of Bridge Road, adjacent to the new Sydney Fish Market, will be retained and better protected as a result of the proposed modification. The amendment to the road carriageway level will provide better separation and definition between the taxi/bus loading and movements into the new Sydney Fish Market, while maintaining and increasing the width of the shared pathway for east-west movements as illustrated in **Figure 5**.



Figure 5 Illustrative rendering showing shared path as approved (left) and amended (right)

Source: Aspect Studios

3.4 Landscaping and Access

The approved shared zone that sits adjacent to the southern boundary of the approved Fish Markets building will remain at the approved height, creating a metre difference from Bridge Road to the shared zone. As a result, the modification seeks to propose new ramps, stairs, planting and seating zones to provide a connection between Bridge Road and the shared zone as seen in **Figure 6** below.

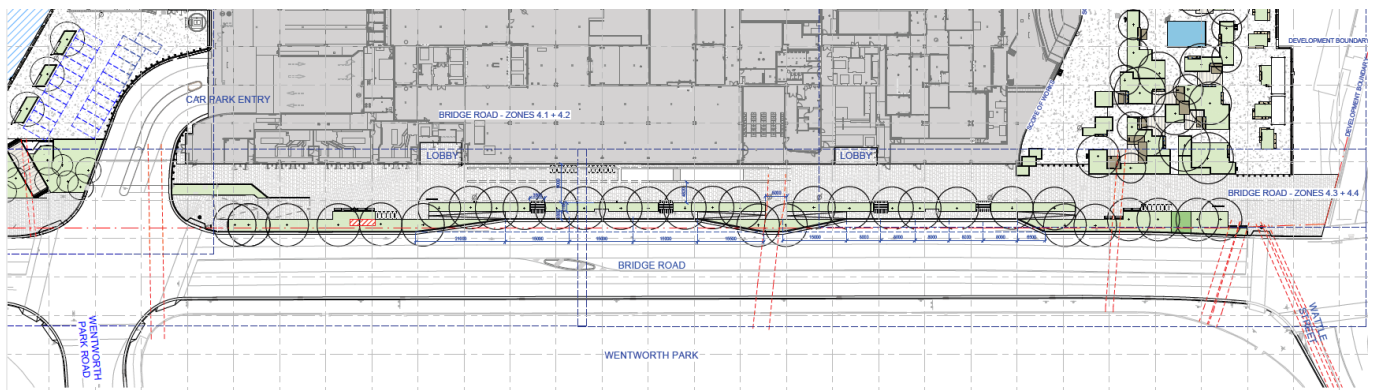


Figure 6 Proposed landscaping and access from Bridge Road to the shared zone

Source: Aspect Studios

Four stairs and four ramps are proposed along the drop off and pick up bays to provide access to the shared zone. Furthermore, additional planting, landscaping, wheelchair access and waiting zones are proposed between Bridge Road and the shared zone. The proposed landscaping will utilise the plants outlined within the planting schedule in the approved EIS.

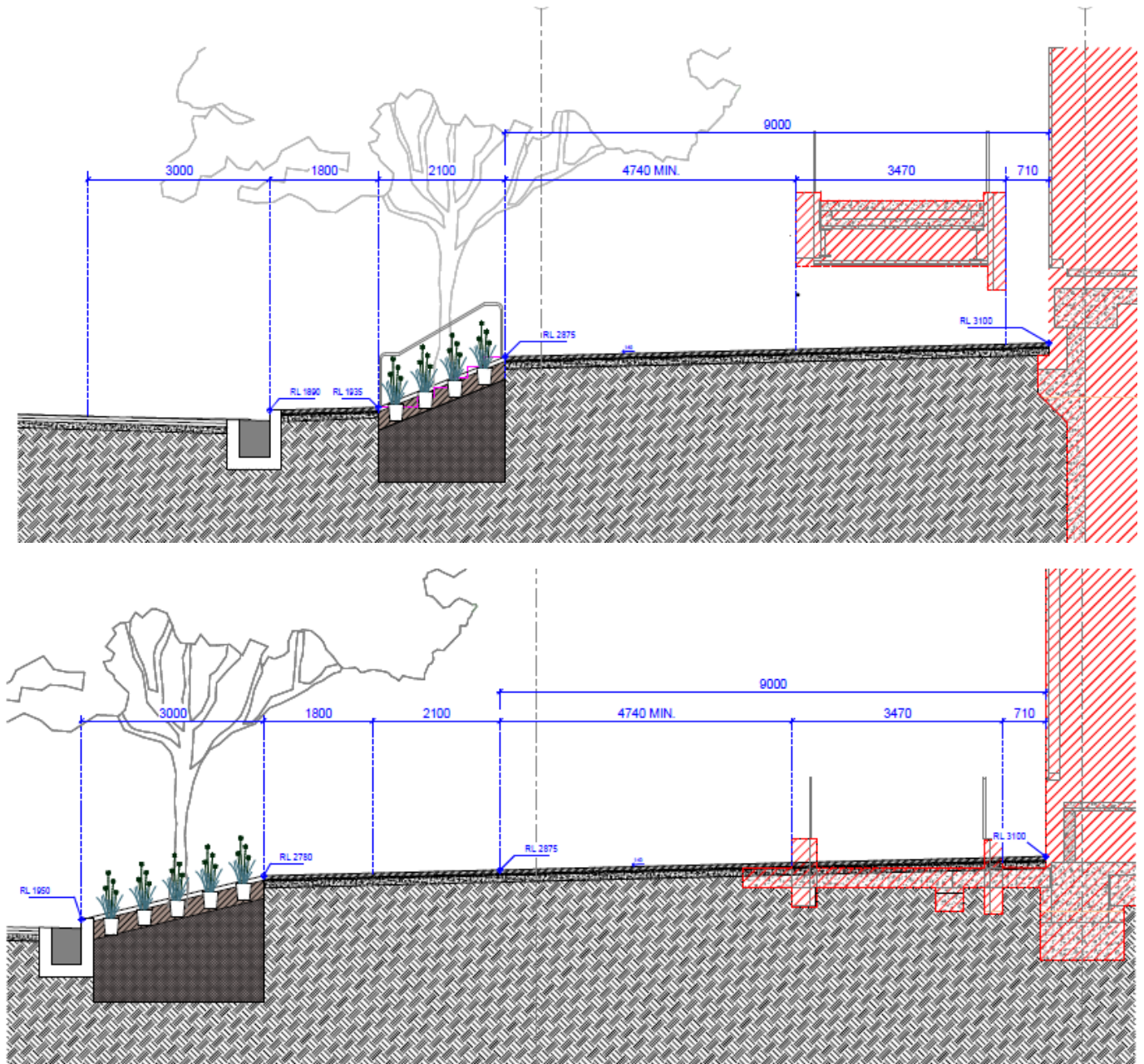


Figure 7 Illustrative section indicating landscaping zones between amended Bridge Road and building

Source: AT&L

3.5 Modifications to conditions

The proposed modifications described below necessitate amendments to the consent conditions which are identified below:

A2. The development consent may only be carried out:

(k) in accordance with the Modification Report entitled 'Modification Report Section 4.55(1A) Modification Application No.10 to SSD-8925' prepared by Ethos Urban (dated 5 June 2023)

~~(k)~~ (l) in accordance with the approved plans in the tables below

...

[No change to existing approved plans proposed.]

As amended by the following Civil Engineering Drawings and Landscape Plans to reflect the revised Bridge Road carriageway height and interface as approved under MOD 11:

Civil Engineering Drawings prepared by AT&L			
Drawing No	Revision	Name of Plan	Date
ATL-CV-71001	1	TYPICAL CROSS SECTIONS SHEET 1	2/06/2023
ATL-CV-71002	1	TYPICAL CROSS SECTIONS SHEET 2	2/06/2023
ATL-CV-73001	1	ROADWORKS PLAN SHEET 1	2/06/2023
ATL-CV-73002	1	ROADWORKS PLAN SHEET 2	2/06/2023
ATL-CV-73101	1	ROADWORKS LONGITUDINAL SECTIONS SHEET 1	2/06/2023
ATL-CV-73102	1	ROADWORKS LONGITUDINAL SECTIONS SHEET 2	2/06/2023
ATL-CV-73103	1	ROADWORKS LONGITUDINAL SECTIONS SHEET 3	2/06/2023
ATL-CV-74001	1	STORMWATER MANAGEMENT PLAN SHEET 1	2/06/2023
ATL-CV-74002	1	STORMWATER MANAGEMENT PLAN SHEET 2	2/06/2023
ATL-CV-75001	1	PAVEMENT PLAN SHEET 1	2/06/2023
ATL-CV-75002	1	PAVEMENT PLAN SHEET 2	2/06/2023
ATL-CV-76001	1	SIGNAGE AND LINEMARKING PLAN SHEET 1	2/06/2023
ATL-CV-76002	1	SIGNAGE AND LINEMARKING PLAN SHEET 2	2/06/2023
ATL-CV-78001	1	UTILITIES PLAN SHEET 1	2/06/2023
ATL-CV-78002	1	UTILITIES PLAN SHEET 2	2/06/2023

Landscaping Package prepared by Aspect Studios			
Drawing No	Revision	Name of Plan	Date
ASP-LA-SK-00025	2	LANDSCAPE MASTERPLAN - BRIDGE ROAD ALTERNATIVE	5/06/2023
ASP-LA-SK-00026	2	BRIDGE ROAD ALTERNATIVE SECTIONS	5/06/2023

4.0 Statutory Context

4.1 Substantially the same development

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if *"it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)"*.

The development, as proposed to be modified, is substantially the same development as that originally approved in that it:

- Does not result in any change to the approved land use or operational parameters of the new Sydney Fish Markets.
- Does not involve any built form changes to the approved new Sydney Fish Market building.
- Continues to provide suitable bus/taxi drop off and pick-up points sufficient for expected visitation to the new Sydney Fish Market.
- Continues to provide safe and accessible paths of travel for pedestrians and cyclists throughout the site.
- Does not significantly alter the approved functional (2D) road design, site access or circulation strategy.
- Does not result in any increase in overall construction vehicle movements beyond those originally contemplated within the State Significant Development Application.

4.2 Minimal environmental impact

Section 4.55(1A) of the EP&A Act states that a consent authority may modify a development consent if *"it is satisfied that the proposed modification is of minimal environmental impact"*. Under section 4.55(3) the consent authority must also take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

As set out in the following sections and the technical studies which accompany this Modification Application, and as summarised below, the consent authority may be satisfied that the proposed Modification Application will be of minimal environmental impact as it:

- Will result in significantly reduced construction impacts on the locality, including a reduced construction timeframe and a reduction in the intensity of construction activities (number of vehicular movements, noise generation levels) involved in the Bridge Road works, and therefore reduced environmental impacts compared to the approved development.
- Will result in a significant reduction in the impact of approved construction activities on the operation of the local and regional road network, both in terms of the severity and duration of disruption.
- Will not significantly alter the approved functional road design, and therefore will not result in any significant impacts in terms of traffic movements or road network performance from the approved development.
- Provides a safer experience and higher level of amenity for pedestrians and cyclists within the site by providing grade separation from the road carriageway and the approved shared path.
- Will not result in any difference between the visual relationship of land within Wentworth Park towards the new Sydney Fish Market building, and will reduce the potential for impact from roadworks on existing trees within Wentworth Park.
- Is not expected that the modification will result in any significant impact on post-development flood conditions from those under the approved development.

Overall, the proposed amendment will result in minor, positive impacts for the locality and will not result in any significant or major environmental impacts. Accordingly, the consent authority may be satisfied that the Modification Application is most appropriately dealt with under section 4.55(1A) of the EP&A Act.

4.3 Consistency with the Concept Approval

Section 4.24(2) of the EP&A Act requires that “*while any consent granted on the determination of a concept development application for a site remains in force, the determination of any further development application in respect of the site cannot be inconsistent with the consent for the concept proposals for the development of the site*” (our emphasis added).

As set out in **Section 1.2**, it is not proposed or necessary to amend Concept Proposal SSD-8924 as:

- The Concept SSDA Instrument of Approval makes only a general reference to ‘Bridge Road works,’ and does not specify design details for these works within Bridge Road (which are rightly dealt with instead under SSD-8925).
- There are no stamped engineering drawings that refer to the Bridge Road works referred to in Condition A1(d) of the Concept SSDA consent.
- There are no conditions within the consent that relate to the Bridge Road works.

As the Concept Proposal does not specify any design details or requirements in respect of the Bridge Road works, the amended works described in **Section 3.0** are not considered to be inconsistent with the Concept Proposal and therefore amendment of SSD-8924 is not required.

We further note that, when considering whether the development as amended would be ‘not inconsistent with’ the Concept Proposal, this must consider a holistic assessment of the development’s consistency with the Concept Proposal as a whole (i.e. the construction of the new Sydney Fish Market and all associated civil works), rather than for any individual element. As a whole, the development as amended remains substantially consistent with the Concept Proposal.

5.0 Community Engagement

Multiplex provides regular construction updates to the community in accordance with its Construction Environmental Management Plan and Community Communication Strategy.

Details of the proposed Modification Application were presented by Multiplex to the CCC established for the project at the next meeting which occurred 31 May 2023. The CCC were generally positive of the proposed modifications to the Bridge Road works.

Additionally, consultation is currently being undertaken with the Department of Planning and Environment, Transport for NSW and the City of Sydney, where feedback will be incorporated throughout the design development of the proposal.

The community and other stakeholders will have the opportunity to review the Modification Report and its attachments during the assessment of the Modification Application and provide feedback.

6.0 Environmental assessment

6.1 *Environmental Planning and Assessment Act 1979*

Section 4.42 of the EP&A Act stipulates that certain authorisations cannot be refused if they are necessary for carrying out our SSD and are substantially consistent with a SSD Consent. The proposed modification relates to works within public roads, including Bridge Road, Wattle Street and Wentworth Park Road, which requires approval Section 138 of the *Roads Act 1993*. Subject to the determination of this Modification Application, any approval under the s138 of the Roads Act is to be consistent with the SSD Consent as modified.

6.2 Compliance with environmental planning instruments

This Modification Application does not give rise to any change to the project's compliance with the principal environmental planning instruments relevant to the site. It is noted that the instruments considered at the time of the original SSD Application, have changed. Sydney Regional Environmental Plan No 26—City West has been consolidated into Chapter 4 of the State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021 and Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 has been consolidated into Chapter 6 of the State Environmental Planning Policy (Biodiversity and Conservation) 2021. Notwithstanding this, the project as modified remains consistent with the applicable provisions and does not alter the assessment from that set out in the original EIS.

SSD-8925 was subject to a competitive design process which resulted in the selection of the scheme by 3XN, BVN and Aspect Studios. In accordance with Condition B4 and B5 of SSD-8925, the proposed modification was presented to the Design Integrity Panel (DIP) on the 17 May 2023, which allowed for the Government Architects office to provide advice and recommendation to the alternative scheme of Bridge Road. The DIP was overall supportive of the alternative scheme and provided the following recommendations which have been incorporated into the proposed modification scheme:

- The safety audit should be reviewed and updated in response to the alternative scheme proposed. The audit should encompass the western intersection of the Bridge Road promenade as part of the finalization of the masterplan.
- The width of the stairs from the lower footpath to the main promenade should be maximised, but not so wide that it would require the introduction of a central handrail

6.3 Construction Impacts

The proposed modification to the Bridge Road works will reduce the impact of construction activities on Bridge Road users and the locality in two ways:

- Reduction in the duration of construction-related impacts
- Reduction in the severity of construction-related impacts, due to the reduced scope of construction activities

Ongoing consultation with Transport for NSW and the community during the finalisation of the approved design saw concerns raised of the construction and traffic impacts set to occur at and in the vicinity of the development. The proposed modification also negates the requirement to close two live traffic lanes during construction and therefore, further reduces disruption to the road network during the construction period.

The proposed modification will reduce the construction timeframe by approximately 22 weeks (as seen in **Figure 8**), which will provide relief to surrounding residential receivers and commuters who utilise Bridge Road by reducing the duration of impacts on the transport network and duration of construction impacts for the community.

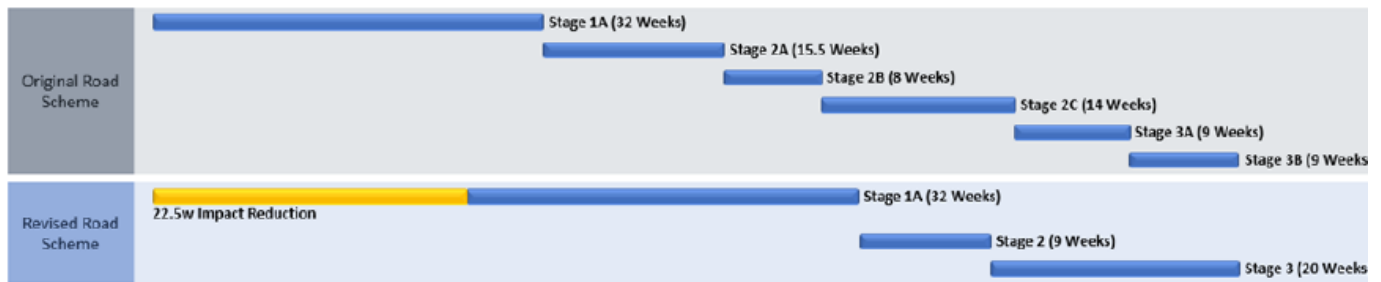


Figure 8 Indicative construction forecast comparison.

Source: Multiplex

6.4 Transport Impacts

A Traffic Impact Statement has been prepared for this Modification Application by PTC to assess the potential traffic impacts and arrangement as a result of the modification on Bridge Road. The following sections provide a summary of the impacts as a result of this proposed modification.

6.4.1 Intersection Configuration and Capacity

PTC confirms that the existing configuration of Bridge Road and Wattle Street intersection will be maintained as per the original approval whilst the Bridge Road and Wentworth Park Drive intersection will be upgraded as original approval, albeit at the existing road level. The modification includes retention of the northbound left-turn lane from Wattle Street into Bridge Road as the only substantive change. **Table 1** below provides the approved and modified intersection modelling for Bridge Road and Wattle Street

Table 1 Intersection Configuration and Capacity analysis at the Bridge Road and Wattle Street.

Intersection approach		Level of Service		Degree of Saturation		Max Queue (m)	
		Approved	Modified	Approved	Modified	Approved	Modified
AM Peak Hour	Bridge Road East	D	D	0.85	0.83	232	232
	Bridge Road West	B	C	0.84	0.84	86	116
	Wattle Street South	D	D	0.74	0.83	153	196
	Overall	C	D	0.85	0.84	232	232
PM Peak hour	Bridge Road East	D	D	0.85	0.80	247	235
	Bridge Road West	B	C	0.81	0.78	68	71
	Wattle Street South	D	D	0.80	0.81	211	197
	Overall	D	C	0.85	0.81	247	235

Intersection approach		Level of Service		Degree of Saturation		Max Queue (m)	
Saturday Peak Hour	<i>Bridge Road East</i>	E	E	0.90	0.90	245	242
	<i>Bridge Road West</i>	A	B	0.50	0.90	60	69
	<i>Wattle Street South</i>	E	C	0.90	0.73	213	165
	<i>Overall</i>	D	D	0.90	0.90	245	242

PTC confirms that the intersection modelling of the modified Bridge Road and Wattle Street intersection expects the intersection to operate at an acceptable level of service with no changes between the approved intersection layout and the proposed modified layout and therefore would have no detriment to the road network in the vicinity of the development.

6.5 Pickup and drop off bays

As outlined in **Section 3.2** the approved pick up and drop off bays are proposed to be separated into a 45m long coach bay and a 40m long taxi and rideshare bay to the east. PTC conducted two scenarios of capacity analysis in comparison to the original approval, being

- Independent movement to and from the bays (unmanaged)
- Head of the queue movements (first to come first to leave) to and from the bays. (managed).

Summary of the provision and capacity of the pickup and drop off bays is provided in **Table 2** below.

Table 2 Comparison of capacity analysis of the pick up and drop off bays.

	Approved Layout	Proposed Layout – Unmanaged	Proposed Layout - Managed
<i>Vehicles per hour (buses)</i>	6	8	8
<i>People per hour (buses)</i>	420	560	840
<i>Vehicles per hour (buses)</i>	100	120	150
<i>People per hour (buses)</i>	200	240	300
<i>People per hour (buses and taxis)</i>		800	1140

The proposed modification to the pickup and drop off bays allows for an increase in people per hour to be transported to and from the site for both taxis and buses. This revised arrangement also provides greater delineation between the shared path and the transport zone, therefore providing safer and better management arrangements between the shared path and the transport zone.

6.6 Flooding Impacts

The impact on flooding to the site for the approved development was assessed within Cardno's Flooding and Water Quality Assessment Report (dated 1 October 2019), which indicated that Bridge Road acts and will continue to act as a major overland flow path for upstream runoff on the site. Cardno's report. The Cardno 2019 report found that the

proposed flood conditions on Bridge Road (increased height) generally improved with flood levels decreasing up to 0.22m at the intersection with Wentworth Park Road.

Stantec have assessed the impacts of the proposed modification on flood conditions within the site and surrounds compared to the approved development (**Attachment D**). This assessment finds that for the 1% Annual Exceedance Probability (AEP) rainfall event, the Modification Application would result in water level reductions along Wattle Street and the western part of Bridge Road and Wentworth Park Road. In the central portion of Bridge Road adjacent to the new Sydney Fish Market building, there would be minor localised water level increases within the road reserve of less than 2 centimetres. These impacts would be localised affecting only a small section of Bridge Road, and are considered to be minor. These impacts would be wholly contained within the public road reserve of Bridge Road, and there would not be any adverse flood impacts on adjoining private properties during the 1% AEP event.

During the Probably Maximum Flood (PMF), the flood impacts of the modified Bridge Road design would not result in any change to flood hazard within and surrounding the site. Flood hazard within Bridge Road would continue to be Category H5 under the *Australian Rainfall & Runoff 2019* guidelines, which is unchanged from the approved development. During this severe and very infrequent flood event, Bridge Road is suitable for people or vehicles and a shelter-in-place approach is to be taken. The proposed modification does not change this from the approved development.

Minimum flood planning levels will continue to be achieved for the approved Sydney Fish Market building under the modified Bridge Road design.

Having regard to the above, the proposed modification will not result in any adverse environmental impacts in respect of flooding compared to the approved development.

6.7 Water Quality

AT&L have prepared a Stormwater Quality Assessment for the proposed modification, which is attached at **Attachment H**. AT&L's assessment notes that the overall stormwater management strategy and water management measures remain consistent with the approved development. MUSIC modelling has been prepared in accordance with the City of Sydney's *WSUD Technical Guidelines* which demonstrates that the amended design will continue to achieve or exceed the required average annual pollutant reduction targets. Due to the significantly reduced scope of works within Bridge Road and the reduced construction period associated with these works, there is also likely to be a minor reduction in potential water quality impacts during the construction phase. Accordingly, AT&L's assessment concludes that the proposed modification will not result in any adverse impacts on water quality.

6.8 Other Impacts

Table 3 below provides a summary of other environmental assessment matters arising from the proposed modification.

Table 3 Summary of other environmental issues

Issue	Summary
Accessibility	An Accessibility Statement has been prepared by MGAC and attached at Attachment G, detailing the modifications ability to meet the objectives and requirements of the DDA and DDA Premises Standards 2010. MGAC found that the accessibility requirements pertaining to site access, and common area access can be appropriately achieved as the design progresses.
Acoustic	A Noise Statement has been prepared by SLR Consulting and is attached at Attachment F, detailing the potential noise impacts resulting from the revised design of Bridge Road.

Issue	Summary
	As the proposed modification has removed the tree trimming activities and reduced the duration of the roadworks, SLR Consulting has confirmed that the proposed modification, would reduce the number of noise-generating activities required for the project and reduce the overall duration of the project. Therefore, from a noise impact, the proposed modification is a preferable option from an acoustic standpoint.
Heritage	The original approval required the pruning of the local heritage listed 'street trees' (item 816) as a result of the height increase to Bridge Road. Due to this modification, and Bridge Road being retained at the it's current level, the heritage streets will no longer require pruning and result in an overall better heritage image to the proposed trees and their heritage impact.

6.9 Reasons given for granting consent

Table 4 provides an assessment of the proposed modification against the original reasons for approval under SSD 8925.

Table 4 *Assessment of the approval against the original reasons for approval.*

Original reason for approval	Summary
The project would provide a range of benefits for the region and the State as a whole, including the creation 700 construction jobs and 725 on-going operational jobs, significant contribution to the economy and tourism through increased visitor numbers, and improved public domain including the creation of waterfront promenade and improved access to Blackwattle Bay, linking to surrounding areas;	The proposed modifications support the efficient delivery of the project and the realisation of the anticipated benefits identified through this approval.
The project is partially permissible with development consent, and is consistent with NSW Government policies and strategic direction of the Bays Precinct;	The development as modified will continue to be permissible with consent and consistent with the relevant statutory and strategic policies as outlined in Sections 2,4 and 6.
The impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, in accordance with applicable NSW Government policies and standards as identified in the Department's Assessment Report;	The proposed modification provides better community impacts through the overall reduced construction time, therefore reducing, construction noise and traffic impacts throughout development.
The issues raised by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent;	The proposed modification directly relates to issues concerning the community regarding construction noise and traffic and mitigates this through the reduced construction time as outlined in this modification. The Modification Application will better address matters raised by the community during both the original SSD Application assessment and also during post-approval consultation, by reducing the duration and severity of planned construction activities.

Original reason for approval	Summary
	Furthermore, the it is proposed to be modified will continue to include appropriate mitigation measures to manage potential adverse impacts associated with the construction phase.
Weighing all relevant considerations, the project is in the public interest.	The development as modified will continue to be in the public interest.

7.0 Justification of the modified project

The proposed modifications to the project will result in improved environmental and health outcomes and will not give rise to any significant additional environmental impacts. The new Sydney Fish Market project as modified will continue to provide for significant positive social, economic and environmental outcomes for Blackwattle Bay and the surrounding community.

Specifically, the approval of the proposed Modification Application is justified because it:

- Would significantly reduce the impact of construction on traffic flows, pedestrians and cyclists in terms of both the severity and duration of construction impacts;
- Would reduce noise and other construction impacts on local sensitive receivers, including residents and Blackwattle Bay Senior Campus;
- Would reduce the potential for impacts on adjacent trees within Wentworth Park and Wentworth Park Road by largely retaining existing surface levels, and as a consequence surface and groundwater flows;
- Would maintaining the visual relationship between the ground level of the new Sydney Fish and Wentworth Park, which will are not proposed to be altered;
- Provides an improved shared path interface along the Bridge Road promenade by better separating bus/taxi drop-off and pick-up activities from the east-west connection, based on Design Integrity Panel feedback;
- Improves pedestrian and cyclist safety by maintaining a level of grade separation between the shared path/promenade and the road carriageway; and
- Will not result in any significant difference in flood conditions.

8.0 Conclusion

The proposed modifications provide for the reduction of the approved road height level of Bridge Road (similar to existing road level) and subsequent amendments to the height of bus/taxi bays, and landscaping across the Bridge Road frontage of the new Sydney Fish Market. The proposed modifications will benefit the community through a reduced construction timeframe whilst also limiting noise and traffic impacts to surrounding residential receivers.

In accordance with section 4.55(1A) of the EP&A Act, the Minister may modify the consent as:

- the proposed modification is of minimal environmental impact; and
- substantially the same development as development for which the consent was granted.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request. Should you have any queries, please do not hesitate to contact the undersigned.

Yours sincerely,



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