

# Modification of Development Consent

Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin  
**Director**  
**Key Sites Assessments**

Sydney: 22 March 2022

## SCHEDULE 1

**Development consent:** **SSD 8925** granted by the Minister for Planning and Public Spaces on 12 June 2020

**For the following:** 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 26,751m<sup>2</sup> 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.

**Applicant:** Infrastructure NSW

**Consent Authority:** Minister for Planning and Public Spaces

**The Land:** 1A, 1B and 1C Bridge Road, Glebe (Lots 3, 4, 5 DP 1064339, Part of Lot 107 DP 1076596, Part of Lot 1 DP 835794, Part of Lot 3 DP 1018801)

**Modification:** **SSD 8925 MOD 6:** Modification to temporarily extend the boundary of the site to include the Sydney Secondary College, Blackwattle Bay Campus (SSC) car park at 1 Pyrmont Bridge Road. The SCC car

park is also proposed to be used for temporary site accommodation (site sheds and amenities) during the construction of the new Sydney Fish Market.

## SCHEDULE 2

1. Schedule 1, site description is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows

1A, 1B and 1C Bridge Road, Glebe (Lots 3, 4, 5 DP 1064339, Part of Lot 107 DP 1076596, Part of Lot 1 DP 835794, Part of Lot 3 DP 1018801), **and 1 Pyrmont Bridge Road (Part of Lot 3 DP 1018801)**

2. Schedule 2, Part A – Administrative Conditions – Condition A2 is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

A2. The development may only be carried out:

- (a) in compliance with the conditions of this consent;
- (b) in accordance with all written directions of the Planning Secretary;
- (c) in accordance with the EIS and Response to Submissions and additional information;
- (d) in accordance with the Modification Report entitled 'SSD DA 8925 Stage 2 DA Main Works Section 4.55(1A) Modification 3 Planning Report', and accompanying appendices prepared by BBC Consulting Planners (dated March 2021);
- (e) in accordance with the Modification Report entitled 'SSD DA 8924 Concept and Early Works SSD DA 8925 Stage 2 DA Main Works Section 4.55(1) Modification Planning Report', and accompanying appendices prepared by BBC Consulting Planners (dated December 2020) and Response to Submissions prepared by BBC Consulting Planners (dated February 2021);
- (f) in accordance with the Modification Report entitled 'SSD DA 8925 Stage 2 DA Main Works Section 4.55(1A) Modification 4 Planning Report' and accompanying appendices prepared by BBC Consulting Planners (dated April 2021) and Response to Submissions prepared by BBC Consulting Planners (dated June 2021); and
- (g) in accordance with the approved plans in the tables below: **Modification Report entitled 'SSD DA 8925 Stage 2 DA Main Works Section 4.55(1A) Modification 6 Planning Report' and accompanying appendices prepared by Ethos Urban (dated 19 November 2021) and Response to Submissions prepared by Ethos Urban (dated 27 January 2022); and**
- (h) **in accordance with the approved plans in the tables below:**

Architectural Drawings prepared by 3XN and BVN			
Drawing No.	Revision	Name of Plan	Date
S2-A00 AAA-01	K	Cover Sheet	01/12/20
S2-A20 AAA-01	H	Site survey	18/09/19
S2-A20 AAA-02	I	Locality/Context Plan	14/08/20
S2-A20 AAA-03	I	Site Plan	14/08/20
S2-A20 AAA-04	A	Public Domain	14/08/20
S2-A20 L01-01	H	Public Domain Ground	14/08/20
S2-A20 L02-01	H	Public Domain Upper Ground	14/08/20
S2-B10 L00-01	J	Floor Plan Ground	18/03/21
S2-B10 L01-01	I	Floor Plan Upper Ground	14/08/20
S2-B10 L02-01	I	Floor Plan Mezzanine	14/08/20
S2-B10 L03-01	I	Mezzanine Roof Plan	14/08/20
S2-B10 L10-01	H	Roof Plan	14/08/20
S2-B10 LB1-01	J	Floor Plan Basement	18/03/21
S2-C10 AAA-01	I	East and West Elevation	14/08/20
S2-C10 AAA-02	I	North and South Elevation	14/08/20
S2-D10 AAA-01	I	Cross Sections	14/08/20

S2-D10 AAA-02	I	Long Sections	14/08/20
S2-E43 AAA-01	I	Auction and Office Section	14/08/20
S2-E43 AAA-02	I	Food and Beverage Section	14/08/20
S2-E43 AAA-04	J	Wholesale and Catering Section	18/03/21
AR-S2-L10 AAA-01	H	GFA Measurement SREP 26	18/09/19
AR-S2-L10 AAA-02	J	GFA Standard Instrument	01/12/20

Subdivision Drawings prepared by Robert S Davidson			
Reference	Sheet No.	Name of Plan	Date
78527	1 of 2	Plan of Subdivision of Lots 3,4 & 5 D.P. 1064339, Lot 1 D.P. 835794 & Lot 107 D.P. 1076596	26/09/2019
78527	2 of 2	Plan of Subdivision of Lots 3,4 & 5 D.P. 1064339, Lot 1 D.P. 835794 & Lot 107 D.P. 1076596	26/09/2019
78527STRATUM	1 of 7	Plan of Subdivision of Proposed Lot 100	28/03/2021
78527STRATUM	2 of 7	Plan of Subdivision of Proposed Lot 100	28/03/2021
78527STRATUM	3 of 7	Plan of Subdivision of Proposed Lot 100 – Basement Floor	28/03/2021
78527STRATUM	4 of 7	Plan of Subdivision of Proposed Lot 100 – Ground Floor	28/03/2021
78527STRATUM	5 of 7	Plan of Subdivision of Proposed Lot 100 – Upper Ground Floor	28/03/2021
78527STRATUM	6 of 7	Plan of Subdivision of Proposed Lot 100 – Mezzanine Floor	28/03/2021
78527STRATUM	7 of 7	Plan of Subdivision of Proposed Lot 100 – Roof Level	28/03/2021

Stormwater Management Plan prepared by Mott Macdonald			
Drawing No.	Revision	Name of Plan	Date
MMD-385951-C-SK-CD-3000	P4	Sydney Fish Market – Stormwater Management Plan	27/09/19

Sydney Fish Market - Bridge Road Upgrade – From Wattle Street to Wentworth Park Road – Concept Design Drawings prepared by Mott Macdonald				
Drawing No.	Sheet No.	Issue No.	Name of Plan	Date
CI-GEO-A00 GE-0001	GE-0001	1	Cover Sheet and Index Sheet	25/09/19
CI-RD1-D10 RD-0011	RD-0011	1	Typical Cross Sections	25/09/19
CI-RD3-B20 RD-0301	RD-0301	1	Roadworks Plan Sheet 1 of 3	25/09/19
CI-RD3-B20 RD-0302	RD-0302	1	Roadworks Plan Sheet 2 of 3	25/09/19
CI-RD3-B20 RD-0303	RD-0303	1	Roadworks Plan Sheet 3 of 3	25/09/19
CI-RD3-D20 RD-0401	RD-0401	1	Roadworks Longitudinal Sections Sheet 1 of 3	25/09/19
CI-RD3-D20 RD-0402	RD-0402	1	Roadworks Longitudinal Sections Sheet 2 of 3	25/09/19
CI-RD3-D20 RD-0403	RD-0403	1	Roadworks Longitudinal Sections Sheet 3 of 3	25/09/19
CI-UT1-B00 UT-0011	UT-0011	1	Existing Utilities Legend	25/09/19
CI-UT1-B20 UT-0301	UT-0301	1	Drainage and Public Utilities Plan Sheet 1 of 3	25/09/19
CI-UT1-B20 UT-0302	UT-0302	1	Drainage and Public Utilities Plan Sheet 2 of 3	25/09/19
CI-UT1-B20 UT-0303	UT-0303	1	Drainage and Public Utilities Sheet 3 of 3	25/09/19
CI-PV1-B20 PV-0301	PV-0301	1	Pavement Plan Sheet 1 of 3	25/09/19
CI-PV1-B20 PV-0302	PV-0302	1	Pavement Plan Sheet 2 of 3	25/09/19
CI-PV1-B20 PV-0303	PV-0303	1	Pavement Plan Sheet 3 of 3	25/09/19

Temporary Site Accommodation Drawings				
Drawing No.	Revision	Name of Plan	Prepared by:	Date
A-001	H	Site Plan 1	Ausco	25/01/21
A-002	H	Site Plan 2	Ausco	25/01/21
A-003	H	Site Plan 3	Ausco	25/01/21
A-100	H	Ground Floor Plan	Ausco	25/01/21
A-102	H	First Floor Plan	Ausco	25/01/21
A-200	H	Elevations	Ausco	25/01/21
100	08	Site Plan	Alessi Consulting	14/01/22
101	04	Gantry Plan	Alessi Consulting	14/01/22
110	06	Elevation South	Alessi Consulting	14/01/22
111	05	Elevation East	Alessi Consulting	17/01/22
112	03	Elevation West	Alessi Consulting	17/01/22
120	05	Section	Alessi Consulting	14/01/22
121	05	Section	Alessi Consulting	17/01/22

3. Schedule 2, Part C – During Construction is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

#### **Temporary Site Accommodation**

- C65. Works associated with the temporary site accommodation shall be undertaken in consultation with Sydney Secondary College (SSC).**
- C66. Except during the construction/erection and removal of the temporary site accommodation, the temporary site accommodation shall not prevent the operation and use of the SSC car park.**
- C67. The use of the SSC car park is limited to persons associated with SSC. Except during construction/erection and removal of the site accommodation, the SSC car park cannot be used by personnel associated with the construction of the SFM.**
- C68. The pruning of trees 3, 4, 9 and 10 as identified in the Arboricultural Impact Assessment report, prepared by Tree Report, dated 25 January 2022, shall be undertaken in accordance with the pruning specifications as identified in Appendix 5 of the Arboricultural Impact Assessment report, prepared by Tree Report, dated 25 January 2022.**
- C69. The mitigation measures contained in the Addendum to Biodiversity Development Assessment Report, prepared by Ecological dated 20 January 2022 shall be implemented throughout the works and operation of the temporary site accommodation, including:**
- (a) use of sediment barriers to control sediment runoff**
  - (b) use of downward directional lighting to minimise light spill to adjacent Fig trees**
  - (c) implementation of an unanticipated finds procedure as set out in the CEMP**
- C70. The privacy mitigation measures contained in Section 3.6.1 of the Construction Management Plan (addendum) prepared by Multiplex, dated 25 January 2022 shall be implemented throughout the works and operation of the temporary site accommodation, including:**
- (a) provision of full height screens to all walkways facing SSC and residences along Bridge Road**

- (b) provision of blacked out/obscure glazing to all windows facing SSC and residences along Bridge Road**

4. Schedule 2, Part D – Prior to Occupation or Commencement of Use is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

**Temporary Site Accommodation**

- D46. Prior to occupation or the commencement of the use of the new Sydney Fish Market, the temporary site accommodation shall be removed.**

**Once the temporary site accommodation is removed, the Sydney Secondary College at 1 Pyrmont Bridge Road (Part of Lot 3 DP 1018801) is excluded from the subject site.**

- D47. Notwithstanding Condition D46, the temporary site accommodation may be retained beyond the date of occupation or the commencement of the use of the new Sydney Fish Market, only where a request is lodged with the Planning Secretary to retain the temporary site accommodation:**

- (a) not less than 30 days before the occupation or the commencement of the use of the new Sydney Fish Market**  
**(b) for a period deemed appropriate by the Planning Secretary**

**Unless otherwise agreed by the Planning Secretary, the temporary site accommodation shall be removed pursuant to Condition D46.**

5. Schedule 2, Part E – Post Occupation – During Operation is amended by the deletion of ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

**Temporary Site Accommodation**

- E34. Within 6 months of removal of the temporary site accommodation, offset replacement planting, to compensate for the loss of tree T8 (as identified in the Arboricultural Impact Assessment report, prepared by Tree Report, dated 25 January 2022) shall be provided.**

**Offset replacement planting shall consist of two trees, selected from the following tree species: callistemon viminalis, melaleuca quinquenervia, elaeocarpus reticulatus, banksia integrifolia or buckinghamia celsissima.**

**Details demonstrating compliance with this requirement are to be provided to the Certifier.**

End of modification  
(SSD 8925 MOD 6)