



Project Name: Modification 1 - Staging and Timing
Case ID: SSD-10412-Mod-1

Applicant Details

Project Owner Info

Title	Mr
First Name	Damien
Last name	Vella
Role/Position	CEO
Phone	0420890065
Email	damien@breen.com.au
Address	Level 16, 55 Clarence Street
	Sydney , New South Wales, 2000 , AUS

Company Info

Are you applying as a company/business?

Yes	
Company Name	BREEN RESOURCES PTY LTD
ABN	31615045497

Primary Contact Info

Are you the primary contact?

Yes		
Title	First Name	Last Name
Mr	Tim	Ward
Phone	Email	Role/Position
0450133453	tward@ethosurban.com	Director
Address		
173 Sussex Street		
Sydney, New South Wales 2000		
AUS		

Political Donations

Do you need to disclose a political donation?

No

Modification Details

Project Info

Project Name	Modification 1 - Staging and Timing
Additional Capital Investment Value(excl GST)	AUD0.00
Additional Operation Jobs	0
Additional Construction Jobs	0
Additional Dwellings	0

Modification Description
Modify Conditions A19 and A20 to extend specified timeframe.
Modify Conditions A14 and A15 to link specified date to the Planning Agreement.
Modify Condition B45 to refine hardstand requirements.
Modify Statement of Commitments to specify report reference.

How is the modification substantially the same as the original development?
The proposed modifications
• do not alter the approved development description.
• do not seek to amend the approved land use – as a resource recovery facility. With an associated landfill and parklands.
• would result in no change to the approved total GFA.
• would not increase the processing and handling capacity of the RRF or the or disposal capacity of the landfill.
• would result in no changes to staffing or traffic.
• would not result in no alteration in the appearance of the RRF.

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Site Details

Site Information

Site Name	Breen Resources Facility
Site Address (Street number and name)	330 Captain Cook Drive, Kurnell

Local Government Area

Local Government	District Name	Region Name	Primary Region
Sutherland Shire	South District	Sydney	☒

Landowner’s Consent

Is the applicant the sole owner of the land?
Yes
Does the modification application relate to land owned by a Local Aboriginal Land Council?
No

Statutory Context

Modification Type
Section 4.55(1A) – involving minimal environmental impact, where the development as originally approved remains substantially the same

Critical Habitat and Threatened Species

Is the land, or part of the land, critical habitat?
No
Is the development likely to significantly affect threatened species, populations or ecological communities, or their habitats?
No
Is the development biodiversity compliant? (refer to [section 28 of the Environmental Planning and Assessment Regulation 2021](#))
No

Sustainable Buildings SEPP

Is the development exempt from the [State Environmental Planning Policy \(Sustainable Buildings\) 2022 Chapter 3](#), relating to non-residential buildings?

- The DA was submitted on the NSW Planning Portal before 1st October 2023.
- The DA was submitted on the NSW Planning Portal on or after 1st October 2023 but was deemed exempt due to the reasons outlined in Chapter 3.1.

No
Have all the requirements of the [State Environmental Planning Policy \(Sustainable Buildings\) 2022](#) been met for the development that is the subject of this Modification Application?
Yes

Other Requirements

Is the modification application accompanied by a biodiversity development assessment report (BDAR)?
No
Does this modification application relate to a development for which the original development application was required to be accompanied (or in the case of BASIX optional development, was accompanied) by a BASIX certificate or BASIX certificates?
No

Approvals - Part1

A permit under [Section 201](#), [205](#) or [219](#) of the [Fisheries Management Act 1994](#)?^{*}
No
An approval under [Part 4](#), or an excavation permit under [Section 139](#), of the [Heritage Act 1977](#)?^{*}
No
An Aboriginal heritage impact permit under [Section 90](#) of the [National Parks and Wildlife Act 1974](#)?^{*}
No
A bush fire safety authority under [Section 100B](#) of the [Rural Fires Act 1997](#)?^{*}
No
A water use approval under [Section 89](#), a water management work approval under [Section 90](#) or an activity approval under [Section 91](#) of the [Water Management Act 2000](#)?^{*}
No

Approvals - Part2

Do you require any of the following approvals from [Section 4.42](#) of the Environmental Planning and Assessment Act 1979, in order to carry out the development:

An aquaculture permit under [Section 144](#) of the [Fisheries Management Act 1994](#)?^{*}
No
An approval under [Section 15](#) of the [Mine Subsidence Compensation Act 1961](#)?^{*}

No

A mining lease under the [Mining Act 1992](#)?

No

A petroleum production lease under the [Petroleum \(Onshore\) Act 1991](#)?

No

An environment protection licence under [Chapter 3](#) of the [Protection of the Environment Operations Act 1997](#) (for any of the purposes referred to in [Section 43](#) of that Act)?

Yes

A consent under [Section 138](#) of the [Roads Act 1993](#)?

Yes

A licence under the [Pipelines Act 1967](#)?

No

Modification Report and Attachments

Attachments

File Name	SSD10412 - Breen RRF - Mod 1 - Report
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