

Notice of decision

Section 2.22 and clause 20 of Schedule 1 of the *Environmental Planning and Assessment Act 1979*

Application type	State significant development
Application number and project name	SSD 10429 Crown Sydney Hotel Resort - Stratum Subdivision
Applicant	Crown Sydney Property Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Executive Director under delegation from the Minister for Planning and Public Spaces has, under section 4.38 of the *Environmental Planning and Assessment Act 1979* (**the Act**) granted consent to the development application subject to the recommended conditions.

A copy of the development consent and conditions is available here.

<https://www.planningportal.nsw.gov.au/major-projects/project/27076>

A copy of the Department of Planning and Environment's Assessment Report is available here.

<https://www.planningportal.nsw.gov.au/major-projects/project/27076>

Date of decision

30.10.20

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 of the Act and the additional matters listed in the statutory context section of the Department's Assessment Report;
- the prescribed matters under the *Environmental Planning and Assessment Regulation 2000*;
- the objects of the Act;
- all information submitted to the Department during the assessment of the development application
- the findings and recommendations in the Department's Assessment Report; and
- the views of the community about the project (see Attachment 1).

The findings and recommendations set out in the Department's Assessment Report were accepted and adopted as the reasons for making this decision. Additional reasons for making the decision are also recorded in the Department's Assessment Report.

The key reasons for granting consent to the development application are as follows:

- *Benefits* – [the project would provide a range of benefits for the region and the State as a whole, including the orderly development, occupation and operation of Crown Sydney Hotel Resort;
- *Consistent with NSW Government Policy* – the project is permissible with development consent, and is consistent with NSW Government policies including the Greater Sydney Region Plan, Eastern City District Plan and State Environmental Planning Policies
- *Impacts can be managed* - 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; and
- *Community views considered* - the issues raised by the community during consultation and in submissions have been considered and adequately addressed through the Response to Submissions Report
- *Public interest* – weighing all relevant considerations, the project is in the public interest as it would enable the operation, occupation and management of the approved uses at the Crown Sydney Hotel Resort.

Attachment 1 – Consideration of Community Views

The Department exhibited the Environmental Impact Statement for the project from 16 July 2020 until 12 August 2020 (28 days) and received five submissions, including one objection and four submissions making comment. The Department also placed a public exhibition notice in the Sydney Morning Herald and the Daily Telegraph on 15 July 2019.

The key issues raised by the community and considered in the Department's Assessment Report and by the decision maker include the necessity of the application, future easements and ensuring the car parking spaces are used for their intended purpose.

Issue	Consideration
Recommended conditions relating to restrictions on residential development, use of car spaces and storage spaces, parking on common property areas and easements for access (Council)	The Department considers the intent of the conditions recommended by Council are appropriate and have therefore included these in the conditions of consent. For consistency with previous stratum subdivisions at Barangaroo, Council's conditions have been slightly modified to note that the Planning Secretary is the relevant authority to modify or remove conditions relating to restrictions and easements.
Need for the stratum subdivision (Public issue)	The Department considers the development is acceptable as it would facilitate the orderly and logical use, ownership and management of the hotel and residential components of the CSHR. The Department's assessment therefore concludes the proposal is in the public interest and recommends the application be approved, subject to the recommended conditions.