

ASSESSMENT REPORT

One Carrington Street – Wynyard Station, Sydney SSD 5824 MOD 5

1. INTRODUCTION

This report is an assessment of an application seeking to modify the State Significant Development (SSD) approval for the Stage 1 mixed use retail and commercial development and upgrade of the eastern access ways to Wynyard Station at one Carrington Street, Sydney.

The application has been lodged by JBA Urban Planning Consultants Pty Ltd on behalf of Brookfield Property Partners (the Applicant) pursuant to section 96 (1) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). It seeks approval to correct the land description in the development consent.

2. SUBJECT SITE

The site (Stage 1) is located between Carrington and George Streets in the Sydney Central business district (see **Figure 1**). The site is 'L' shaped and has an area of 4,452 m². The site includes Shell House and the George Street pedestrian entrance and eastern access ways to Wynyard Station.

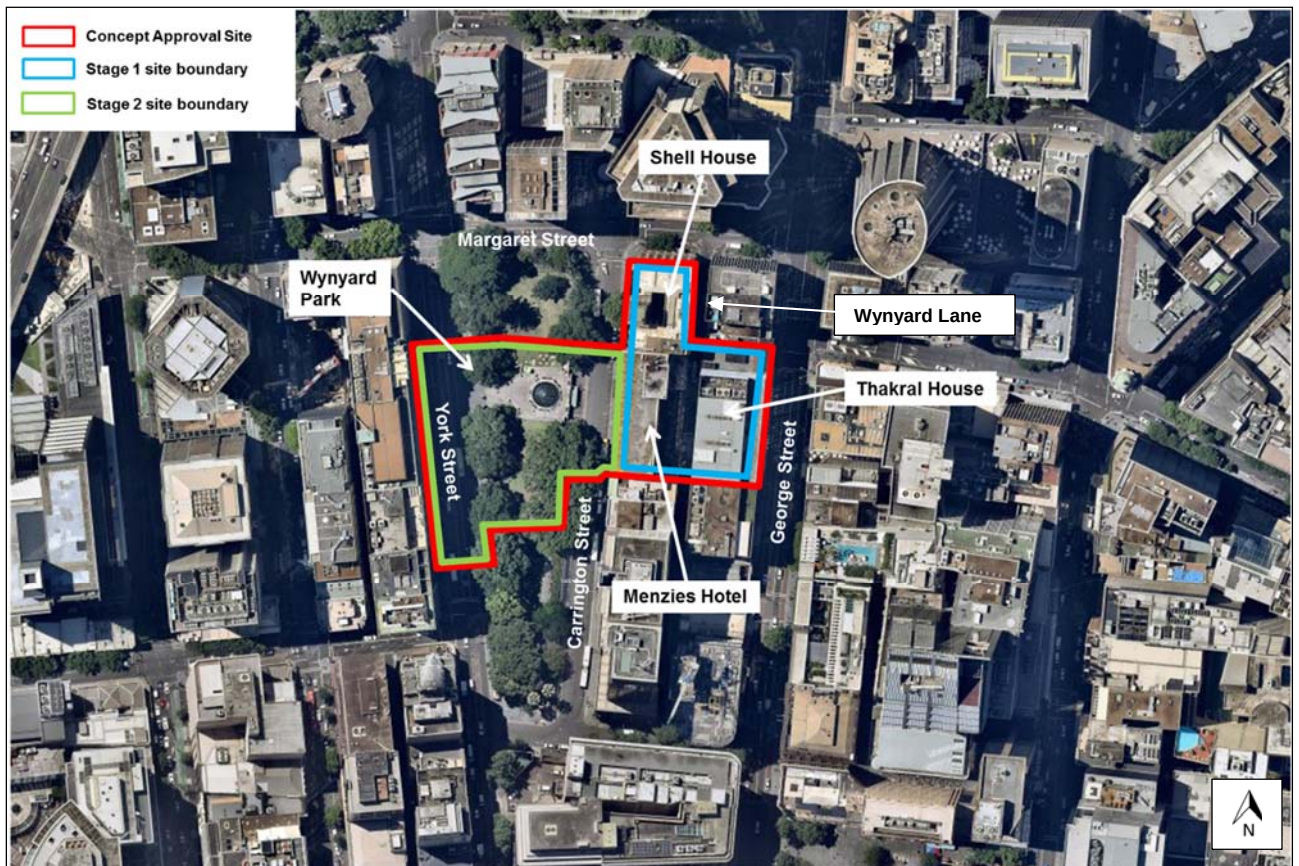


Figure 1: Site Location

3. APPROVAL HISTORY

On 25 September 2015, the Acting Executive Director, Infrastructure and Industry Assessments, granted SSD 5824 approval for the Stage 1 redevelopment of One Carrington Street comprising demolition works, upgrade of the eastern access ways to Wynyard Station, construction of a 27 storey commercial and retail building, refurbishment of Shell House and public domain works.

On 11 August 2016, Modification 1 (SSD 5824 MOD 1) was approved to make various internal and external amendments.

The Department is currently assessing three other modification applications including:

- SSD 5824 MOD 2 seeks approval to allow for stratum subdivision;
- SSD 5824 MOD 3 seeks to allow for additional demolition works within Shell House;
- SSD 5824 MOD 4 seeks to make various internal and external changes to the Carrington Street façade and entrance of Shell House.

4. PROPOSED MODIFICATION

On 28 September 2016, the Applicant lodged an application (SSD 5824 MOD 5) seeking approval to correct the land description in the development consent as follows:

*Lot 1 DP853331, Lot 2 DP853331, Lot 4 DP 853331, Lot 10 ~~DP 853331~~, DP595978
Lot 22 ~~DP59753~~ DP 56723 and Lot 23 DP59753*

5. STATUTORY CONSIDERATION

5.1 Modification of approval

Section 96 (1) of the EP&A Act allows a consent authority to modify a consent granted by the consent authority to correct a minor error, misdescription or miscalculation. Section 96(1) does not incorporate any specific requirements or matters for consideration in the assessment of a modification under this section.

The Department is satisfied the proposal is within the scope of Section 96(1) as it only seeks to correct a minor error to correct the land description in the development consent.

5.2 Environmental Planning Instruments

The Department undertook a comprehensive assessment of the redevelopment against all the relevant EPIs in its original assessment. The correction of the administrative error does not affect the proposal's consistency with the EPIs.

5.3 Approval Authority

The Minister for Planning is the approval authority for the application. However, the Director Modification Assessments, may determine the application under delegation as:

- the relevant local council has not made an objection; and
- a political disclosure statement has not been made; and
- there are no public submissions in the nature of objections.

6. CONSULTATION

The modification request was made publicly available on the Department's website. The Department also referred the application to the City of Sydney Council (Council). As the modification only seeks to correct a minor administrative error, the Department did not notify the proposal by any other means.

Council did not object to the modification and no public submissions were received.

7. ASSESSMENT

The proposal seeks approval to correct the land description in the development consent. The Applicant has submitted a survey plan which provides evidence of the correct lot and deposited plan numbers for the site.

The Department is satisfied the proposal is acceptable as the revised land description now refers to the correct lot and deposited plan numbers. Further, the proposal would not change the approved development or result in any additional impacts. Consequently, it is recommended that the modification be approved.

8. RECOMMENDATION

It is **RECOMMENDED** that the Director, Modification Assessments as delegate of the Minister for Planning:

- **considers** the findings and recommendations of this report;
- **approves** the application under section 96 (1), subject to conditions; and
- **signs** the notice of modification (**Appendix A**).

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29.10.2016

APPENDIX A: NOTICE OF MODIFICATION

The notice of modification can be found on the Department of Planning and Environment's website:

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7987

APPENDIX B: SUPPORTING INFORMATION

The following supporting documents and supporting information to this assessment report can be found on the Department of Planning and Environment's website as follows:

1. Modification request

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7987

2. Submissions

http://majorprojects.planning.nsw.gov.au/index.pl?action=view_job&job_id=7987