

# Notice of decision SSD 6513 (MOD 4)

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

Application type	4.55(2) Modification Application
Application number and project name	Extension of trial extended hours of operation at Barangaroo House, Barangaroo
Applicant	The Barangaroo Partnership
Consent Authority	Minister for Planning

### Decision

The Director, Key Sites Assessments, under delegation from the Minister for Planning has, under section 4.55(2) of the *Environmental Planning and Assessment Act 1979 (the Act)*, granted consent to the modification application with the modifications outlined in the instrument of consent.

A copy of the modification instrument and conditions is available [here](#).

A copy of the Department of Planning and Environment's Assessment Report is available [here](#).

### Date of decision

6.12.18

### 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 modification 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 modification application are as follows:

- Benefits – the project would enable the ongoing use of the site as a pub within an ongoing compliance management framework
- Consistent with NSW Government Policy
- Impacts can be managed – the noise impacts will be appropriately managed to an acceptable level, in accordance with NSW Government policies and standards.
- Community views considered – the issues raised by the community during consultation have been considered and adequately addressed in the assessment report and Attachment 1.
- Public Interest – weighing all relevant considerations, the project is in the public interest.

## Attachment 1 – Consideration of Community Views

The Department exhibited modification application proposal from 1 November 2018 until 14 November (14 days) and four submissions from government agencies confirming they had no comment. A submission was received by a member of the public raising concern about the noise impact of venues in Barangaroo to properties in Balmain.

Council also provided a submission confirming there was no history of non-compliance or complaints at the site. Council did not have any further comments.

The Department also undertook the following consultation activities:

- exhibition on the Department's website, at service NSW and at Council's offices
- advertised the proposal in the Central Courier on 31 October 2018

Issue	Consideration
<u>Acoustic impact</u>  Noise from premises at Barangaroo can sometimes be heard at residences in Balmain.	<ul style="list-style-type: none"><li>• A public submission was received raising concern that noise from the Barangaroo area could be heard from properties in Balmain.</li><li>• The Acoustic Impact Statement provided by the Applicant measured noise levels at the site and confirmed the noise contribution was less than the maximum levels stipulated in SSD 6513.</li><li>• The Department therefore concludes the noise impact to residents in Balmain would be negligible and not likely to result in any adverse impacts.</li><li>• The Department notes that extending the trial operating hours for a further two years would enable the operation of the pub within an ongoing compliance management framework.</li></ul>