

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 modification
Application number and project name	SSD-7484-Mod-4 - Design changes to the Lands Building, Sandstone Precinct
Applicant	Pontiac Land (Australia) Pty Ltd
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director, Key Sites Assessments, under delegation from the Minister for Planning and Public Spaces has, under 4.55(2) of the *Environmental Planning and Assessment Act 1979 (the Act)*, modified the consent subject to the recommended conditions.

A copy of the instrument of modification and conditions is available at <https://www.planningportal.nsw.gov.au/major-projects/project/12896>.

A copy of the Department of Planning & Environment's assessment report is available at <https://www.planningportal.nsw.gov.au/major-projects/project/12896>.

Date of decision

18 December 2019

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 with the modification application during the assessment and information considered in the Department's Assessment Report;
- the findings and recommendations in the Department's Assessment Report; and
- the submissions made concerning the modification.

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

The decision maker was satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted was modified.

The key reasons for granting the modification are as follows:

- the consent authority considers that the development consent, as modified, remains consistent with the relevant Environmental Planning Instruments
- the modification would continue to provide a range of benefits for the region and the State as a whole, including the revitalisation of the Sandstone Precinct, increased public access to the heritage buildings, new hotel accommodation and employment opportunities including an estimated 240 construction jobs and 300 operational jobs;
- the modification is permissible with consent, and is consistent with NSW Government policies including the Greater Sydney Region Plan and Eastern City District Plan;
- the impacts on the community and the environment can be appropriately minimised, managed or offset to an acceptable level, subject to the recommended conditions of consent;
- the issues raised in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent; and
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 18 July until 7 August 2019 (21 days) and received one submission from the City of Sydney Council. No public submissions were received. Comments were also received from seven public authorities.

The key issues raised by Council and considered in the Department's Assessment Report and by the decision maker include the heritage impacts of the amended proposal and waste management.

Other issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Heritage</i> • impact of the amended roof design to heritage fabric, including ceilings and trusses • retention of courtyard ironwork and toilet structures.	<i>Assessment</i> • Additional information was provided by the Applicant advising there were no heritage ceilings affected by the amended roof design and roof truss elements removed will be recorded in situ, salvaged and stored in accordance with the Salvage Methodology Report approved by Heritage NSW. • The proposal was amended to retain a portion of the iron work gangways in the north and south courtyards, to be interpreted in their original position, and the toilet structures will be re-interpreted in the paving pattern in the courtyard. • Council was satisfied the amendments to the proposal addressed the heritage concerns raised. <i>Conditions</i> • the works will need to be carried out in accordance with the documents submitted with the application • A condition is recommended for detail drawings of the amended roof works.
<i>Waste</i> • Development conditions should refer to Council's guidelines for waste management.	<i>Assessment</i> • The Applicant has provided a new Operational Waste Management Plan (OWMP) for the Lands Building to reflect the design and operational changes • The OWMP references Council's guidelines for waste management <i>Conditions</i> • It is recommended the relevant conditions are updated to reflect the new OWMP.