

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-7 Internal and external design changes to the Education Building, Sandstone Precinct
Applicant	Pontiac Land (Australia) Pty. Ltd.
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director, 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/26951>

A copy of the Department of Planning & Environment's assessment report is available at <https://www.planningportal.nsw.gov.au/major-projects/project/26951>

Date of decision

4 June 2020

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 development consent, as modified, remains consistent with the relevant Environmental Planning Instruments;
- the modification would 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;
- 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, in accordance with applicable NSW Government policies and standards;
- 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 12 February until 10 March (28 days) and received one submission from City of Sydney Council. No public submissions were received. Comments were also received from three government agencies.

The key comment raised by Council and considered in the Department's Assessment Report and by the decision maker is the heritage impacts of the amended proposal.

Council did not object to the modification application and commented that the works have been designed to minimise heritage impacts and are acceptable. They also commented about the new balustrade, which the Applicant has confirmed is for safe and regular maintenance of the landscaped green roof. No additional conditions were considered necessary.