

Notice of decision SSD 8529 MOD 3

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 8529 Mod 3 Barangaroo - C1 Commercial Building Mod 3
Applicant	Lendlease (Millers Point) Pty Limited
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director of 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 is available at:
<https://www.planningportal.nsw.gov.au/major-projects/project/25251>

A copy of the Department of Planning & Environment's assessment report is available at:
<https://www.planningportal.nsw.gov.au/major-projects/project/25251>

Date of decision

24.6.20

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 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;
- the submissions made concerning the modification; 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.

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:

- *Benefits* - the development would provide a range of benefits for the region including sustainable on-site energy source for the Barangaroo South area
- *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
- *Community views considered* – the Department received no submissions from the proposal. The issues raised by Council during the consultation have been considered and adequately addresses through the recommended conditions of consent
- *Public interest* – weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 3 October 2019 until 16 October 2019 including a submission from Council. The submission is noted in the Department's Assessment Report. Other issues are addressed in detail in the Department's assessment report.

<i>Issue</i>	<i>Consideration</i>
<i>Council Submission</i> • Council raised concern with the air quality health impacts to the child care centre near the site.	• The Applicant provided an Air Quality Assessment Addendum to confirm there would not be any adverse air quality health impacts to the child-care centre. • Council provided correspondence to the Department to confirm their initial concerns had been resolved. <i>Conditions</i> • The Applicant is required to secure a Resource Recovery Order / Resource Recovery Exemption from the EPA prior to operation of the co-generator.