

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-8636-Mod-1 The University of Sydney Engineering and Technology Precinct Stage 1 – Modification 1
Applicant	The University of Sydney
Consent Authority	Minister for Planning and Public Spaces

Decision

The Director, Social and Infrastructure Assessments, under delegation from the Minister for Planning and Public Spaces has, under 4.55(1A) of the *Environmental Planning and Assessment Act 1979 (the Act)* modified the consent subject to the recommended amended conditions.

A copy of the instrument of modification and conditions is available at <https://www.planningportal.nsw.gov.au/major-projects/project/35051>.

A copy of the Department of Planning & Environment's assessment report is available at <https://www.planningportal.nsw.gov.au/major-projects/project/35051>.

Date of decision

1 September 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 reasons given by the consent authority for the grant of the original consent;
- the objects of the Act;
- the considerations under s 7.14(2), 7.16(3) and 7.17(2) of the Biodiversity Conservation Act 2016 (NSW);
- 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 modification is of minimal environmental impact and 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 modification would provide a range of benefits for the region and the State as a whole, including approximately \$116 million capital investment and 150 construction jobs.
- the modification is permissible with consent, and is consistent with NSW Government policies including the 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 by the community during consultation and in submissions have been considered and adequately addressed through changes to the project and the recommended conditions of consent.
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 3 July 2020 to 16 July 2020 (14 days) and received five submissions, including three community objections and comments from the EPA and Council.

The key issues raised by the community (including in submissions) and considered in the Department's Assessment Report and by the decision maker include noise and amenity impacts from the proposed extended construction hours. These issues are addressed in detail in the Department's Assessment Report.

<i>Issue</i>	<i>Consideration</i>
<i>Noise</i> - Noise management levels (NMLs) exceeding those outlined in the Interim Noise Construction Guideline (INCG). - Cumulative impacts of the modification and other construction projects in the locality. - Lack of information provided to the community	<i>Assessment</i> - The noise assessment undertaken for the modification indicates no exceedances of the NMLs at any of the nearby sensitive receivers. Previously proposed external façade installation works have been removed from the application. Internal works are now only proposed. - The proposed extended construction hours will allow the development to be finished in a shorter timeline, thereby reducing the duration of any amenity impacts on the locality. - The local community was notified of the proposed modification application by the Department and given 14 days to comment. <i>Conditions</i> Conditions include: - Out of hours works restricted to internal service installation and fitout only. - In the event a complaint is received regarding the extended hours of work, works must cease and appropriate mitigation measures are to be identified. The Department and complainant are to be informed of the measures, with a revised Construction Noise and Vibration Management Plan (CNVMP) prepared and submitted to the Department, Certifying Authority and Council prior to the recommencement of works.