

Modification of Minister's Approval

Section 75W of the *Environmental Planning & Assessment Act 1979*

As delegate of the Minister for Planning and Infrastructure under delegation effective on 1 October 2011, I approve the modification of the project application referred to in Schedule 1, subject to the amendments to conditions in Schedule 2.



**Director
Metropolitan & Regional Projects North**

Sydney

18 February

2013

SCHEDULE 1

Application No.:	MP11_0044
Proponent:	Lend Lease (Millers Point) Pty Limited
Approval Authority:	Minister for Planning and Infrastructure
Land:	Lot 5 in DP 876514
Project:	Construction of Commercial Building C3, allocation of car parking spaces, public domain works and remediation and associated works.
Modification Number:	MP11_0044 MOD 1
Modifications:	Amendment to Condition A7 relating to the timing of a site audit statement.

SCHEDULE 2

AMENDMENTS TO CONDITIONS

1. In Part A, delete Condition A7 in its entirety and insert the following amended condition:

A7 REMEDIATION ACTION PLAN (RAP) AND HUMAN HEALTH ECOLOGICAL RISK ASSESSMENT (HHERA)

- (1) All remediation works are to be undertaken in accordance with the following Remedial Action Plan (RAP) and Human Health Ecological Risk Assessments (HHERA):
- (a) 'Human Health and Ecological Risk Assessment, Declaration Site (Development Works) Remediation Works Area – Barangaroo', prepared by AECOM Australia Pty Limited, dated 9 June 2011
 - (b) 'Human Health and Ecological Risk Assessment Addendum, Other Remediation Works (South) Barangaroo', prepared by AECOM Australia Pty Limited, dated 4 July 2011
 - (c) 'Amended Remedial Action Plan, Barangaroo – ORWS Area', prepared by AECOM Australia Pty Limited, dated 7 July 2011, and as approved by the Minister for Planning and Infrastructure on 17 August 2011.
- (2) The Proponent shall progressively validate the relevant remediation works to the satisfaction of the site auditor. Interim advice letters from a NSW EPA accredited site auditor must be submitted to the Director-General, City of Sydney Council and the EPA on completion of each staged sign-off in line with the letter from Environ referred AS121111 and dated 7 November 2012.
- (3) Within 6 months of the completion of the remediation works within the project site, and prior to the issue of any Occupation Certificate, the proponent shall submit a detailed Site Audit Summary report and Site Audit Statement and Validation Report to the EPA, the Director-General, the Certifying Authority, and City of Sydney Council.
- (4) The site audit must be prepared in accordance with the *Contaminated Land Management Act 1997* and completed by a site auditor accredited by the EPA to issue site audit statements. The site audit must verify that the land is suitable for the proposed uses.
- (5) The site auditor must also verify that any excavated material for use or disposal offsite, including but not limited to the Headland Park at Barangaroo, is managed appropriately and in compliance with the relevant legislation and any relevant approved materials management plans.
- (6) On completion of remediation works, the relevant requirements of clauses 17 and 18 of SEPP 55 - *Remediation of Land*, being notification to the Council, shall be complied with.

END OF MODIFICATIONS – MP11_0044 MOD 1