

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 5175 Mod 4 - Modify the concept approval including the stormwater drainage system and a new roundabout.
Applicant	Frasers Property Australia
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/10936>

A copy of the Department of Planning & Environment's assessment report is available at <https://www.planningportal.nsw.gov.au/major-projects/project/10936>

Date of decision

18 July 2019

Reasons for decision

The following matters were taken into consideration in making this decision:

- the relevant matters listed in section 4.15 and section 4.55 (3) 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 views of key stakeholders 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:

- the modification is consistent with the approved development and continues to provide a range of benefits including growth in jobs close to existing residential areas, increased business activity and provides a source of funding for the Western Sydney Parklands;
- the modification is permissible with consent, and is consistent with NSW Government policies including the Greater Sydney Region Plan and Central 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 consent authority has imposed conditions to minimise adverse amenity impacts and require a high-quality built environment;
- no issues were raised by the community during exhibition of the proposal; and
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 22 November until 5 December 2018 (14 days) and received 12 submissions from government agencies and Blacktown City Council (Council). Council requested design amendments to the stormwater design. The Environment, Energy and Science Group (EESG) of the Department (formerly Office of Environment and Heritage) requested clarification about the location of offset areas and the proposed works. Transport for NSW (RMS) (formerly Roads and Maritime Services) requested additional modelling to demonstrate the roundabout would not affect the operation of the signalised intersection at Rooty Hill Road South. Jemena and Endeavour Energy advised they do not object to the application. Department of Industry, Environmental Protection Authority, Heritage Division of the Department of Premier and Cabinet (formerly the Heritage Council), Rural Fire Service, Transport for NSW, TransGrid and Water NSW advised they had no comments on the application.

There were no public submissions.

The stormwater design issues raised by Council have been resolved through amended stormwater plans to the satisfaction of Council, as detailed in the Department's Assessment Report.

The concerns about the roundabout raised by Transport for NSW (RMS) have been addressed by providing an entry only access to Lot 2 from the roundabout and are addressed in detail in the Department's Assessment Report.

The comments from EESG are addressed in detail in the Department's Assessment Report.

There were no community views required to be taken into consideration in making this decision. No issues were raised by the community and no public submissions were received during the exhibition period.