

Notice of decision SSD 6513 MOD 5

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 6513 Mod 5 - Building R1, Barangaroo South
Applicant	The Trustee for Barangaroo Trust & The Trustee for the Mash Barangaroo Trust
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 [here](#)

A copy of the Department of Planning, Industry and Environment's assessment report is available [here](#)

Date of decision

9 December 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;
- 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 project would enable the ongoing use of the site as a pub and restaurant within an ongoing compliance management framework
- *Impacts can be managed* - the impacts on the community and the environment can be appropriately minimised and managed to an acceptable level
- *Community views considered* – no submissions raised concerns about the modification
- *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 Monday 16 November 2020 until Sunday 29 November 2020 (14 days) and received one submission from City of Sydney (Council). No public submissions were received.

Council confirmed that they had reviewed Council's records and that the development does not have any current or outstanding orders or any history of non-compliance.

The Department also undertook the following consultation activities:

- advertised the application on the Department's website
- notified previous submitters, adjoining landholders and relevant government agencies in writing.