

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 dated 14 September 2011, I approve the modification of the application referred to in Schedule 1, subject to the conditions in Schedule 2.


Richard Pearson
Deputy Director-General
Development Assessment and Systems Performance

Sydney 15th November 2011.

SCHEDULE 1

Project Approval: 09_0039 granted by the Minister for Planning on 22 December 2009 as amended by Modification No. 1 granted on 25 February 2011.

For the following: A Project Application for the construction of an 18 storey mixed-use development comprising retail, RSL, commercial and residential use.

Modification 2:

- amendment to the layout of ground floor retail space to provide a pedestrian connection to the adjoining site;
- amendment to the stratum subdivision to create 4 stratum lots, including an 89 residential strata, instead of 3 stratum lots;
- conversion of a 3 bedroom unit to 2 x 1 bedroom units on Level 13;
- amendment to the smoking enclosure screens to the RSL club terrace on Level 2;
- roofing part of a terrace to office space on Level 3; and
- amendment to the period for finalisation of a planning agreement.

SCHEDULE 2

CONDITIONS

Modify Condition A2, as follows:

A2 Development in Accordance with Plans and Documentation

The development shall be in accordance with the following plans, documentation and recommendations made therein:

A. Environmental Assessment report for Redfern RSL prepared by Ludvik & Associates P/L dated July 2009 including appendices and Preferred Project Report prepared by Ludvik & Associates P/L dated 9 October 2009 including appendices.			
A1. Modification Application No. 2 and accompanying submission prepared by Ludvik & Associates P/L dated 12 August 2011. Letter prepared by Nordon Jago Architects P/L dated 2 September 2011. Letter prepared by Mosca Pserras Architects dated 5 September 2011.			
B. Statement of Commitments prepared by Ludvik & Associates P/L contained in Schedule 3			
C. Draft Strata Plan prepared by Daw & Walton P/L with surveyor reference 750-09 (RES) - Sheets 1 to 18, dated October 2010 August 2011 and the draft Stratum Subdivision Plan prepared by Daw & Walton P/L with surveyor reference 750-09DP - Sheets 1 to 6, dated June 2011.			
D. Architectural Drawings prepared by dated Nordon Jago Architects, and itemised as follows:			
Drawing No	Revision	Name of Plan	Date
DA 050 D	D	Existing Shadow diagrams June 21 (winter solstice)	
DA 053 A	A	Proposed shadow diagrams June 21 (winter solstice)	12/10/09
DA 053 B	B	Proposed shadow diagrams June 21 (winter solstice)	19/10/10
DA 054 A	A	Proposed shadow diagrams March 21 (equinox)	12/10/09
DA 054 B	B	Proposed shadow diagrams March 21 (equinox)	12/10/10
DA 055 A	A	Proposed shadow diagrams September 21 (equinox)	12/10/09
DA 055 B	B	Proposed shadow diagrams September 21 (equinox)	19/10/10
DA 200 H	H	Section 01	12/10/09
DA 200 K	K	Section 01	12/08/11
DA 201 G	G	Section 02	12/10/09
DA 201 H	H	Section 02	19/10/10
DA 300 F	F	North and East Elevations	12/10/09
DA 300 G	G	North and East Elevations	19/10/10
DA 301 F	F	South and West Elevations	12/10/09
DA 301 G	G	South and West Elevations	12/10/09
DA 301 J	J	South and West Elevations	31/08/11
DA 005 C	C	Planning Areas (GFA)	09/10/09

DA 005 D	D	Planning Areas (GFA)	09/10/09
DA 090 G	G	Basement 5 Plan	09/10/09
DA 090 H	H	Basement 5 Plan	09/10/09
DA 091 G	G	Basement 4 Plan	09/10/09
DA 092 H	H	Basement 3 Plan	09/10/09
DA 093 H	H	Basement 2 Plan	09/10/09
DA 094 G	G	Basement 1 Plan	09/10/09
DA 094 H	H	Basement 1 Plan	09/10/10
DA 100 G	G	Level 1 (Ground)	09/10/09
DA 100 H	H	Level 1 (Ground)	19/10/10
DA 100 J	J	Level 1 (Ground)	15/07/11
DA 101 H	H	Level 2 (RSL)	09/10/09
DA 101 K	K	Level 2 (RSL)	31/08/11
DA 102 H	H	Level 3 (Office)	09/10/09
DA 102 J	J	Level 3 (Office)	12/08/11
DA 103 H	H	Level 4 (Office)	09/10/09
DA 110 K	K	Level 5 (Residential)	09/10/09
DA 110 L	L	Level 5 (Residential)	09/10/09
DA 111 H	H	Levels 6 to 12	09/10/10
DA 111 J	J	Levels 6 to 12	09/10/10
DA 112 H	H	Levels 13 to 16 (Residential)	09/10/09
DA 112 J	J	Levels 13 to 16 (Residential)	19/10/10
DA 112 K	K	Level 13 (Residential)	12/08/11
DA 113 H	H	Level 17 (Residential)	09/10/09
DA 113 J	J	Level 14 to 17 (Residential)	09/10/09
DA 114 H	H	Level 18 (Residential)	09/10/09
DA 114 J	J	Level 18 (Residential)	19/10/10
DA 120 H	H	Level 19 (Roof Terrace)	09/10/09
DA 120 J	J	Level 19 (Roof Terrace)	19/10/10
DA 121 H	H	Roof	09/10/09
DA 121 J	J	Roof	19/10/10
DA165A	A	Mall Link Plan (Combined)	15/7/11
DA 900 E	E	Materials and Finishes	12/10/09

Modify Condition A6, as follows:

A6 Development Contribution

The proponent must pay a levy of 2% of the cost of carrying out the development in accordance with the RWA Contributions Plan 2006 (Plan) prior to the issuing of the first strata subdivision certificate.

The proposed cost of carrying out the development was determined in accordance with the Plan as \$25,128,000.00 on 01/07/09.

The proposed cost of carrying out the development is to be indexed from the above date until the date that payment is required in accordance with clause 10 of the Plan.

This condition does not apply if a planning agreement is entered into between the proponent, the RWA and Council within **6 24** months of the date of this determination and the agreement specifies that it is intended to exclude the obligations imposed by this condition.

End of section