

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-32275057-Mod-2 Redfern Mixed Use Co-living Development-Mod-2
Applicant	The Trustee for Scape JV3 Eveleigh Property Trust
Consent Authority	Minister for Planning and Public Spaces

Decision

The Team Leader, under delegation from the Independent Planning Commission, has, under 4.55(1A) 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, Housing and Infrastructure's (the Department) assessment report is available [here](#).

Date of decision

26 May 2026

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 2021;
- 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 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 the original approval's \$38 Million of capital investment, 45 operation jobs and 105 construction jobs;
- the modification is permissible with consent, and is consistent with NSW Government policies
- 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; and
- 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. Engagement on the project is considered to be in line with the *Undertaking Engagement Guidelines for State Significant Projects*, including the community participation objectives outlined in these guidelines.
- weighing all relevant considerations, the modification is in the public interest.

Attachment 1 – Consideration of Community Views

The Department exhibited the modification from 3 March until 16 March 2026 (14 days) and received two submissions, primarily from residents living within 27 kilometres of the site.

The key issues raised by the community (including in submissions) and considered in the Department's assessment report and by the decision maker include changes to community/multi-purpose space, street frontage activation, internal building separation and visual privacy, and the through-site link resident access and landscaping. Other issues are addressed in detail in the Department's assessment report.

<i>Issue</i>	<i>Consideration</i>
<i>Community multi-purpose space</i> Removing the community multipurpose room and replacing it with reception area is inconsistent with the public and social benefit offer of original approval	The Department notes the revised Ground Floor Level plan show a dedicated community multipurpose room with a fixed wall separating it from the café tenancy. It will provide a dedicated multi-purpose space with direct access from Eveleigh Street, opportunities for the relocation of the existing indigenous public art and creation of Indigenous inspired artwork, and flexible use of space and access to Indigenous groups without time restrictions.
<i>Public amenities</i> Include public toilets and water bubblers	The Department notes the Modification Plans show facilities and amenities that are available for public and community use at the Ground Floor Level, including the public toilets next to the Woodburn Street entry to the through site link, the courtyard area, the visitor bicycle racks and the community multipurpose space.
<i>Street frontage activation</i> - The following changes result too poorer streetscape outcome: - removal of windows along Woodburn Street - relocation of hydrant booster along Cleveland Street frontage - relocation of roof plant enclosure closer to Cleveland Street - new reference of "or similar" to approved external materials	The Department notes that: - the amended plans address issues on street frontage activation, including reinstating windows where possible along Woodburn Street and Cleveland Street. - there will be limited visual impacts given that the relocated booster assembly is located behind proposed landscaping works while at the roof top level, the approved screening design and facade materials remain the same. - the approved external materials and finishes, façade design and articulation of the original approval are retained. The Department is therefore satisfied that the proposal will have minimal impact to the presentation of the building at street level.
<i>Internal building separation and visual privacy</i> - Changes to rooms at the northern end of the courtyard result to non-compliance on 12m minimum building separation of the ADG - Condition B3 on privacy treatments for courtyard and street facing rooms must be shown on the plans	The Department notes that the amended plans include dimensions showing majority of the co-living rooms achieve the required minimum separation distances of the ADG, except those where the Applicant proposes the inclusion of privacy screens and obscure window glazing. The Department is satisfied that Condition B3 Design Modifications-Privacy Treatments of the development consent will continue to apply in requiring the Applicant to submit revised plans to the satisfaction of the Certifier demonstrating operable external privacy treatments for courtyard facing rooms and lowest level rooms facing Cleveland/Eveleigh/Woodburn Streets.
<i>Through site link</i> - Resident safety concerns on revised stair access arrangements at the entry through Eveleigh Street - Submit updated landscape plans to showing maximised landscaping, additional planting at Woodburn Street entry, minimum 1m soil depth and deletion of planting on areas with limited access	The Department notes that: - the amended plans address resident access safety by showing an amended Eveleigh Street entry width and stair access arrangement with the security gate relocated further inside the through site link - the proposal retains the same quantity of approved landscaped areas and bicycle parking spaces. The Department is satisfied that Condition B15 Landscaping will continue to apply in requiring the Applicant to prepare detailed landscaping plans in consultation with Council to be submitted prior to issue of construction certificate.
<i>Waste collection</i> - Redesign the basement layout for Council standard domestic waste collection vehicle - Waste storage areas are inadequate	The Department acknowledges Council's advice and preference for the basement level to accommodate Council's waste collection service. However, the Department accepts that the proposed modifications at the basement level does not include changes to approved waste collection arrangements, noting constraints in respect to rail corridor protection and headroom and access restrictions.