

# Modification of Development Consent

Section 96 (1A) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning, I modify the consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin  
**Director**  
**Modification Assessments**

Sydney 29 January 2018

## SCHEDULE 1

**Development consent:** **SSD 5249** granted by the Minister for Planning on 18 December 2014

**For the following:** **Additions and alterations to the two existing 12 storey office towers to create an 18 storey mixed use development comprising:**

- retail and commercial uses at the ground floor of both towers and at levels 1-5 of the western tower;
- 156 residential units;
- basement car and bicycle parking; and
- public domain works.

**Applicant:** Lawson Square Pty Ltd

**Consent Authority:** Minister for Planning

**The Land:** Lawson Square, Redfern (Lot 18 Section C, DP 7328)

**Modification:** **SSD 5249 MOD 4:** the modification includes amendments to the apartment mix and reconfiguration of some residential levels in both towers to create an additional seven apartments, increasing the total number of apartments from 174 to 181, and increase the total gross floor area by 60sqm to 12,973sqm.

## SCHEDULE 2

The consent is modified as follows:

- (a) Schedule A – Administrative and Development Contributions Conditions – Condition A3 is to be amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~struckout~~ words/numbers as follows:

### Development Description

A3 The Applicant shall carry out the project generally in accordance with the:

- a) Environmental Impact Statement (EIS) prepared by SJB Planning, dated February 2013;
- b) Response to Submissions (RtS) prepared by SJB Planning, dated 12 September 2013 and Revised RtS prepared by SJB planning, dated 14 April 2014;
- c) As amended by the Section 96(1A) Modification prepared by JBA, dated 11 September 2015; and
- d) As amended by the Section 96(1A) Modification prepared by JBA Urban Planning Consultants, dated 7 December 2015, and supporting letters prepared by Candalepas Associates dated 29 February 2016 and 3 March 2016;
- e) As amended by the Section 96(2) Modification prepared by JBA Urban Planning Consultants dated 16 March 2017 and Attachments;
- f) **As amended by the Section 96(1A) Modification prepared by Ethos Urban dated 26 September 2017 and RtS prepared by Ethos Urban, dated 7 November 2017, with the exception of references to stratum subdivision;**
- g) following drawings as set out in the table below, except for:
  - (i) any modifications which are Exempt' or Complying Development;
  - (ii) otherwise provided by the conditions of this consent.

Drawing No.	Issue	Name of Plan	Date
S96-1001	G	Site Context Analysis	09.03.17
S96-1002	G	Streetscape Elevation	09.03.17
S96-1101	G	Site Plan	09.03.17
S96-1102	G	Basement & Ground Floor Plan	09.03.17
S96-1103	G	Level 1 & Level 2 – 4 Plans	09.03.17
S96-1104	<del>G</del> <b><u>I</u></b>	<del>Typical Levels 3-5 &amp; Typical Level 6-11 Plans</del>	<del>09.03.17</del> <b><u>09.11.17</u></b>
S96-1105	<del>G</del> <b><u>I</u></b>	Level 12 & Level 13-14 Plans	<del>09.03.17</del> <b><u>09.11.17</u></b>
S96-1106	<del>G</del> <b><u>I</u></b>	Level 15 & Level 16-17 Plans	<del>09.03.17</del> <b><u>09.11.17</u></b>
S96-1107	<del>G</del> <b><u>I</u></b>	<b><u>Level 17 &amp; Roof Plans</u></b>	<del>09.03.17</del> <b><u>09.11.17</u></b>
S96-1201	<del>H</del> <b><u>I</u></b>	Sections - Sheet 1 Sections AA & BB	<del>09.03.17</del> <b><u>09.11.17</u></b>
S96-1202	<del>H</del> <b><u>I</u></b>	Sections - Sheet 2 Section CC	<del>09.03.17</del> <b><u>09.11.17</u></b>

S96-1301	G	Elevations Sheet 1 North Elevation	09.03.17
S96-1302	G	Elevations Sheet 2 Tower 1 - East & West Elevations	09.03.17
S96-1303	G	Elevations Sheet 3 Tower 2 - East & West Elevations	09.03.17
S96-1304	G	Elevations Sheet 4 South Elevation	09.03.17
S96-1401	<del>G</del> <b>K</b>	Area Calculations	<del>09.03.17</del> <b>16.01.18</b>
S96-1501	<del>G</del> <b>I</b>	Unit Solar Study	<del>09.03.17</del> <b>09.11.17</b>
S96-1502	G	Solar & Shadow Studies	09.03.17
S96-1503	G	Overshadowing Analysis – Sheet 1	09.03.17
S96-1504	G	Overshadowing Analysis – Sheet 2	09.03.17
S96-1851	G	Waste Management Plan	09.03.17
<b>Civil Infrastructure Drawings prepared by ARUP</b>			
<b>Drawing No.</b>	<b>Issue</b>	<b>Name of Plan</b>	<b>Date</b>
222747-CDR-DRG-0401	C	Concept Stormwater Drainage Plan	10.12.12
222747-CDR-DRG-0402	A	Erosion & Sediment Control Details	28.11.12

### **Redfern-Waterloo Authority Contributions**

- B8** To meet the demand for additional public facilities and infrastructure generated by the development on the site, contributions will be as required based on the *Redfern-Waterloo Authority Contributions Plan 2006*.

The levy is to be calculated as 2% of the proposed cost of development, indexed between the date of determination and the date the levy is required to be paid in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 and clause 10 of Redfern-Waterloo Authority Contributions Plan 2006. Pursuant to the Redfern-Waterloo Authority Contributions Plan 2006, a contribution in the amount of \$710,000 plus indexation between the date of approval and date of payment, in accordance with Consumer Price Index (All Groups Index) for Sydney, is to be paid via bank cheque for deposit into the Redfern-Waterloo Fund (towards the cost of one or more of the public facilities set out in the Works Schedule to that Plan).

Proof of payment of this contribution to the UGDC shall be provided to the Certifying Authority prior to the issue of a Construction Certificate (or other timing in accordance with the Contributions Plan). If the amount is not to be paid prior to Construction Certificate, written verification of this should be provided by UrbanGrowth NSW Development Corporation and provided to the Certifier. No deferred or periodic payments are permitted.

Phone ~~9209 4432~~ **9841 8600** for email [info@ugdc.nsw.gov.au](mailto:info@ugdc.nsw.gov.au) to confirm indexed amount of the contribution, prior to preparation of a bank cheque made out to the UrbanGrowth NSW Development Corporation.

A copy of Redfern-Waterloo Authority Contributions Plan 2006 is available for inspection at the offices of UGDC, ~~Suite 103 International Business Centre, 2 Cornwallis Street, Eveleigh NSW 2015~~ **Level 12, MLC Centre, 19 Martin Place, Sydney NSW 2000** or from the website [www.ugdc.nsw.gov.au](http://www.ugdc.nsw.gov.au).

- B9 To contribute to the provision or refurbishment of affordable housing within the Redfern-Waterloo Operational Area, contributions are required in accordance with the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006.

In accordance with Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006 the levy is 1.25% of the additional total gross floor area of the proposed development and is calculated at \$84.60 per square metre (being the rate at 1 July 2017). Between the date of determination and the date the levy is required to be paid, the levy is indexed in accordance with the Building Price Index, Sydney as published in Rawlinson's Australian Construction Handbook. This is in accordance with clause 25J(4) of the Environmental Planning and Assessment Regulation 2000 and clause 9 of the Redfern-Waterloo Authority Affordable Housing Contributions Plan 2006.

Pursuant to the Redfern-Waterloo Affordable Contributions Plan 2006, a contribution in the amount of ~~\$78,449.80~~ **\$83,525.80** (valid until 30 June 2018) plus indexation in accordance with the Building Price Index is to be paid via bank cheque or deposit into the Redfern-Waterloo Fund (towards the provision of affordable housing within the Redfern Waterloo area).

Proof of payment of this contribution and calculation of any indexing shall be provided to the Certifying Authority prior to the issue of a Construction Certificate. No deferred or periodic payments are permitted.

Phone ~~9209 4432~~ **9841 8600** or email [info@ugdc.nsw.gov.au](mailto:info@ugdc.nsw.gov.au) to confirm indexed amount of the contribution, prior to preparation of a bank cheque made out to the UrbanGrowth NSW Development Corporation.

A copy of Redfern-Waterloo Affordable Housing Contributions Plan 2006 is available for inspection at the offices of UGDC, ~~Suite 103, International Business Centre, 2 Cornwallis Street, Eveleigh NSW 2015~~ **Level 12, MLC Centre, 19 Martin Place, Sydney NSW 2000** or from the website [www.ugdc.nsw.gov.au](http://www.ugdc.nsw.gov.au).

**End of modification**

**(SSD 5249 MOD 4)**