

9 July 2019  
2190278

Jim Betts  
Secretary  
NSW Department of Planning and Environment  
320 Pitt Street,  
Sydney NSW 2000

Dear Mr Betts,

## **Request for Secretary's Environmental Assessment Requirements Mixed-use commercial and residential tower | 1 Lawson Square, Redfern**

We write to you on behalf of the proponent, Lawson Square Pty Ltd requesting that the Secretary issue requirements for the preparation of an Environmental Impact Statement (EIS) to accompany a State Significant Development Application (SSDA) for alterations and additions for a mixed-use commercial and residential tower to be known as 'Tower 1' at 1 Lawson Square, Redfern (the site).

Under Schedule 2 of State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP) development identified within the Redfern Waterloo area with a capital investment value (CIV) of more than \$10 million is identified as State Significant Development (SSD) pursuant to section 4.36(2) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). As the proposed development of 1 Lawson Square, Redfern will have a CIV of approximately \$25,000,000, the proposal is classified as SSD.

The purpose of this letter is to request the Secretary's Environmental Assessment Requirements (SEARs) for the preparation of an EIS for the proposed development. To support the request for the SEARs this letter provides an overview of the proposed development, sets out the statutory context, and identifies the key likely environmental and planning issues associated with the proposal. This letter is accompanied by a set of Indicative Architectural Drawings prepared by Candalepas Associates (**Attachment A**).

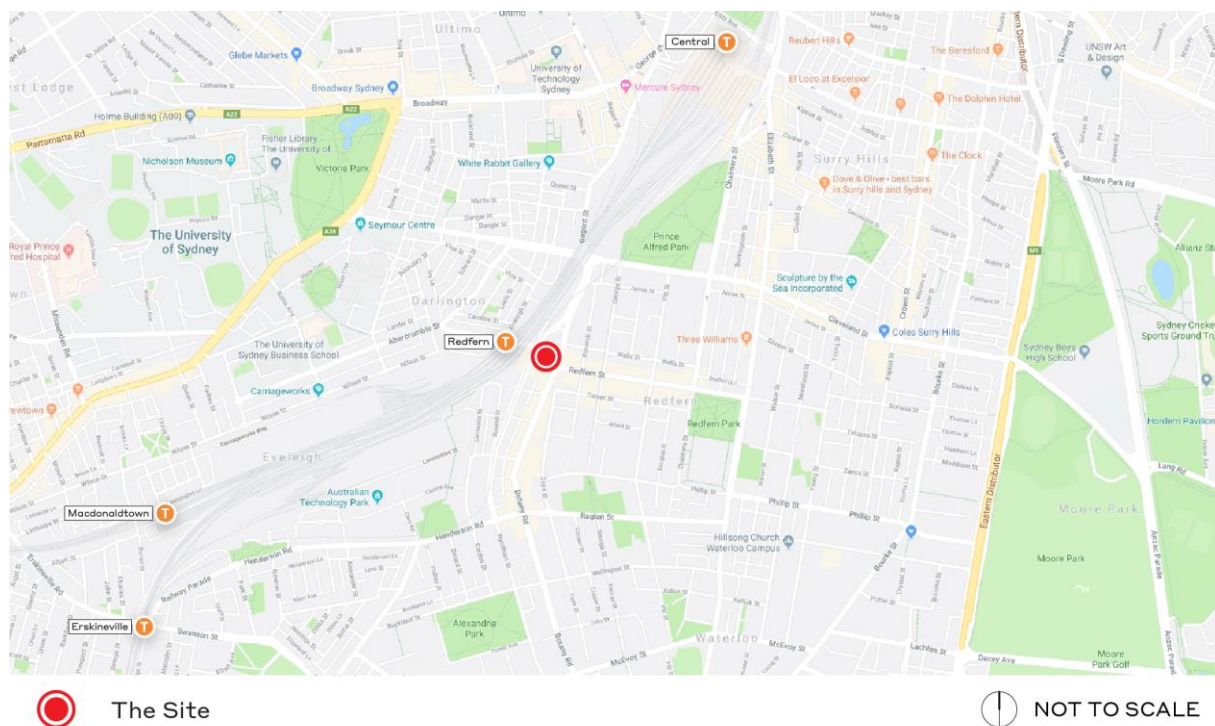
## **1.0 The site**

### **1.1 Site Description**

The site is located at 1 Lawson Square, Redfern within the City of Sydney Local Government Area (LGA). The site is situated at the corner of Gibbons Street and Lawson Square and directly across the road from Redfern Railway Station.

The site is legally described as Lots 1, 2 and 4 in DP1245695 and has a site area of approximately 857m<sup>2</sup>. The site is currently occupied by a tower comprised of predominantly commercial uses. The site adjoins Tower 2 to the east, which has been recently refurbished for commercial and residential uses in accordance with SSD 5249.

The location of the site and an aerial image are provided at **Figure 1** and **2**.



**Figure 1 Site context**

Source: Ethos Urban



**Figure 2 Site aerial**

Source: Ethos Urban

## 1.2 Surrounding Development

The area is characterised by a mix of uses including medium to high density residential, commercial and retail buildings.

Immediately to the south of the subject site is a mixed use development with a commercial/retail podium below a residential tower, and a two-storey brick rendered building that is used as a pub (The Regent Redfern). Further south along Regent Street is the 18-storey Iglu student accommodation development and a recently constructed 18-storey mixed use development at 7-9 Gibbons Street comprising retail and commercial uses, a supermarket and 135 residential apartments.

To the north, on the opposite side of Lawson Square existing development is generally four storeys and comprises a mix of retail, commercial and residential uses.

To the east of the site, along Redfern Street, there are a number of retail and commercial premises generally at a one to two storey level.

To the west of the site, on the opposite side of Gibbons Street, is Redfern Railway Station, which is situated approximately 35m from the site, on the western edge of Gibbons Street.

## 1.3 Development History

The site is subject to an existing SSD approval (SSD 5249). SSD 5249 permitted:

*'Alterations and additions to the two existing towers (while maintaining the existing building) and construction of additional levels to form an 18 storey mixed use development comprising retail / commercial and residential uses; retention of the NSW Policy tenancy; basement car parking; retention of existing allocated parking; and public domain works'.*

There have been six subsequent modifications submitted in relation to SSD 5249 (five approved, one withdrawn). The modifications have resulted in changes to the location and number of residential and commercial floors and related changes to apartment mix, external materials and façade treatments.

## 2.0 Description of proposed development

The proposed development seeks approval for alterations and additions to the existing Tower 1 building for a mixed use residential and commercial tower. Specifically, the SSDA seeks approval for:

- Partial demolition of the existing building.
- Ground floor public domain plaza, retail premises and entry lobbies.
- 1 x 18 storey + plant tower with a GFA of approximately 7,346m<sup>2</sup> and comprising:
  - 6 storeys of commercial floorspace and ground floor retail.
  - 12 storeys of residential apartments, totalling approximately 70 dwellings.
  - Rooftop plant and communal open space.
- Basement for car parking, bicycle parking and plant.

Draft Architectural Drawings prepared by Candalepas have been provided (see **Attachment A**).



### 3.0 Planning context

#### 3.1 State Environmental Planning Policy (State and Regional Development) 2011

The *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP) identifies development which is declared to be State Significant. Clause 2(g) of Schedule 2 of the SRD SEPP states that development on land identified as the Redfern-Waterloo Authority Sites with a CIV of more than \$10 million is SSD.

As the proposal is situated within the Redfern-Waterloo Sites and has an estimated Capital Investment Value of \$25 million, it is considered to be SSD.

#### 3.2 Environmental Planning and Assessment Act 1979

The EP&A Act establishes the assessment framework for SSD. Under Section 4.38 of the EP&A Act, the Minister for Planning is the consent authority for SSD. Section 4.12(8) requires that a development application for SSD is to be accompanied by an EIS in the form prescribed by the *Environmental Planning and Assessment Regulation 2000* (the Regulations).

#### 3.3 State Environmental Planning Policy (State Significant Precincts) 2005

##### Permissibility

The site is located within the area identified as the Redfern-Waterloo Authority Sites under the State Environmental Planning Policy (State Significant Precincts) 2005 (State Significant Precincts SEPP). The specific controls applying to this area (including the site) are set out in Schedule 3 – Part 5 of the State Significant Precincts SEPP.

The site is zoned – Zone E – Business – Commercial Core, which permits residential flat buildings and commercial uses with development consent. The proposal is consistent with the objectives of the Business – Commercial Core zone in that it:

- Will provide an increase in business and office tenancies, thereby encouraging employment generating activities;
- Will provide a mix of commercial and residential apartments in a form that will not adversely impact the commercial development;
- Is within the immediate vicinity of Redfern Railway Station and will support public transport patronage and encourage active modes of transport such as walking and cycling; and
- The proposal has been designed by the architects Candalepas Associates. The Candalepas Associates design will result in a building that exhibits a high standard of architectural design.

##### Development Standards

Pursuant to Clause 21 within Part 5 of Schedule 3 of the State Significant Precincts SEPP, the site has a maximum permissible central height of 18 storeys (with reduced street wall heights of two storeys to Redfern and Gibbons Streets and five storeys to Gibbons Street and Lawson Square). It also stipulates that the site's maximum FSR is 7:1. The preliminary scheme for the site indicates that the height and FSR will be exceeded and a SEPP 1 objection to development standards will be required.

##### Design Excellence

The proposal seeks approval for alterations and additions to an existing building. The proposal is designed by Candalepas Associates, an architectural firm recognised for its ability to design high quality buildings that demonstrate design excellence. For these reasons, a design competition is not necessary.

#### 3.4 State Environmental Planning Policy (Infrastructure) 2007

The subject site is located adjacent to a classified road (Regent Street) and is located adjacent to the rail corridor and therefore must consider the following provisions of *State Environmental Planning Policy (Infrastructure) 2007* (SEPP Infrastructure):

- Clause 101 – development with a frontage to a classified road.
- Clause 85 – development adjacent to the rail corridor.

### 3.5 Other planning policies

In addition to the above, the following planning policies apply to the site and will need to be considered as part of the SSDA:

- State Environmental Planning Policy No. 1 – Development Standards.
- State Environmental Planning Policy No. 55 Remediation of Land (SEPP 55).
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development.
- State Environmental Planning Policy BASIX.

## 4.0 Overview of likely environmental and planning issues

Based on our preliminary environmental assessment, the following are the key environmental assessment issues that will need to be considered as part of the future SSDA.

### 4.1 Land Use

The proposed mix of uses are permissible with consent on the site and details of how the two uses will be managed will be submitted with the EIS. Potential noise and vibration impacts from the adjoining roads and rail corridor will also be considered as part of the assessment.

### 4.2 Height and FSR

The development proposes a height of 18 storeys + plant, which exceeds the maximum height control by one storey, and an FSR of approximately 8.57:1, which exceeds the maximum of 7:1. The proposed scale of the building will be consistent with the approved Tower 2, however will require a SEPP 1 objection to demonstrate that the development standard is *'unreasonable or unnecessary in the circumstances of the case'*.

### 4.3 Urban Design, Built Form and Landscaping

The Candalepas Associates proposal will provide a landmark addition to the Sydney skyline. It will stand adjacent the recently completed Tower 2 at 1 Lawson Square and form part of a compelling architectural gateway at this important and prominent location. The EIS will include an assessment of the proposed building design and will outline how the proposed building achieves design excellence (in accordance with the requirements of the State Significant Precincts SEPP). It will include an Architectural Design Statement, SEPP 65 Design Verification Statement, architectural plans, landscaping plans and photomontages as attachments to the EIS.

### 4.4 Residential amenity

The residential component of the development will be assessed against SEPP 65 and the Apartment Design Guide (ADG) to ensure that a high level of residential amenity is achieved.

### 4.5 Overshadowing and Solar Access Impacts

The proposed development will cast additional shadows over the surrounding area due to the increase in height and floorspace. The EIS will include shadow diagrams which show the shadowing impacts of the proposed alterations and additions to Tower 1. The EIS will also include an assessment of any additional shadow impact.

#### **4.6 View Impact**

The increase in floorspace will likely impact on private views from the neighbouring apartment buildings at 159 – 161 Redfern Street. A view impact analysis will accompany the EIS.

#### **4.7 Accessibility**

The proposed development will be designed to provide universal access to all publicly accessible areas. An Access Statement prepared by a qualified accessibility consultant will accompany the EIS.

#### **4.8 Safety and Security**

A Crime Prevention Through Environmental Design report will accompany the application addressing crime prevention and safety.

#### **4.9 Acoustic and Vibration Impact**

An Acoustic and Vibration Impact Assessment will be prepared as part of the EIS. It is anticipated that the majority of the noise and vibration emanating from the site and its surrounds will be from the rail corridor and road traffic. The potential acoustic and vibration impacts created by the proposed development will also be considered in the EIS.

#### **4.10 Traffic, Access and Parking**

A Traffic and Parking Plan, Traffic Impact Assessment and Traffic Management Plan will all accompany the application and will detail the accessibility of the site, and the suitability of servicing facilities that are available for access to the proposed development.

#### **4.11 Infrastructure**

The proposed development will require the servicing of the additional floor space, including water, sewer, stormwater, telecommunications, electricity and gas services. The EIS will assess these services in further detail and will contain a stormwater concept plan.

#### **4.12 Wind**

The EIS will provide a detailed assessment of the wind impacts that will arise as a result of the development. It will be accompanied by a Wind Environment Report.

#### **4.13 Contamination**

Contamination will be considered in the EIS and a Contamination Report will accompany the application. It is noted that contamination has been assessed in previous applications for the site.

#### **4.14 Reflectivity**

Reflectivity from the proposed development and its impact on the surrounding area will be considered in the EIS and will be accompanied by a Reflectivity Report.

#### **4.15 Vertical Transport**

Vertical transport is a matter that will be considered to provide universal accessibility to the additional level at Tower 1. The EIS will include a Vertical Transport Report as an attachment to further detail this matter.

#### **4.16 Heritage**

The site is located close to Redfern Railway Station, which is a State heritage item. A Heritage Impact Statement will be prepared to demonstrate that the proposed development will not adversely impact the significance of the heritage item.

#### **4.17 Services Plan and Details**

Information on the proposed site services will be provided which will confirm that the existing site services can be suitably augmented to accommodate the proposed development.

#### **4.18 ESD**

An ESD Report and Section J Report will accompany the application. This report as well as the EIS will consider the relevant ESD principles, as well as meet any applicable standards or codes.

#### **4.19 Waste Management**

A Waste Management Plan will be prepared as part of the EIS. The plan will indicate collection points and methods of removal from the site, including the various waste streams from the different uses proposed. The report will include details of the waste storage and collection arrangements for the residential and commercial uses.

#### **4.20 BCA Compliance**

The EIS will include a BCA Report, confirming that the proposal can or is capable of complying with the relevant provisions of the BCA.

#### **4.21 Construction Management**

A preliminary Construction and Environmental Management Plan will be submitted with the application outlining the key management measures to be implemented during construction of the proposed development.

#### **4.22 BASIX**

The EIS will be accompanied by a BASIX Certificate and Thermal Comfort Statement demonstrating compliance of the development with the BASIX requirements.

#### **4.23 Social and Economic Impacts**

The social and economic impacts that stem from the proposed development will be assessed in the EIS.

#### **4.24 Site Suitability and Public Interest**

The EIS will consider the elements of the proposed development that render the site suitable for the proposal and in the public interest.

### **5.0 Conclusion**


The purpose of this letter is to request the SEARs for the preparation of an EIS for the proposed alterations and additions to Tower 1 at 1 Lawson Square, Redfern. It includes a description of the proposed development and an outline of what are considered to be the key issues for the assessment of the SSDA.

We trust that the information detailed in this letter is sufficient to enable the Secretary to issue the SEARs for the preparation of the EIS. Should you have any queries about this matter, please do not hesitate to contact me on 02 9956 6962 or at [jmurray@ethosurban.com](mailto:jmurray@ethosurban.com).

Yours sincerely,



**Frances Mehrtens**  
Senior Urbanist, Planning  
9956 6962  
fmehrtens@ethosurban.com



**Jim Murray**  
Associate Director  
9956 6962  
jmurray@ethosurban.com