

# Modification of Minister's Approval

Section 75W of the *Environmental Planning and Assessment Act 1979*

As delegate of the Minister for Planning and Public Spaces, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Anthony Witherdin  
**Director**  
**Key Sites Assessments**

Sydney

22 September 2020

## SCHEDULE 1

- Development consent:** **MP06\_0101** granted by the delegate of the Minister for Planning on 30 June 2009
- For the following:** Concept approval for the redevelopment of the site for commercial, retail, residential and community uses.
- Applicant:** Deicorp Ltd
- Consent Authority:** Minister for Planning and Public Spaces
- The Land:** Pemulwuy Precinct comprising land bound generally by Louis Street, Vine Street, Eveleigh Street, the railway line and Lawson Street, Redfern. Land to which this approval applies also includes:
- airspace to the north of the existing railway overbridge and north of Lawson Street
  - Eveleigh Lane
  - that part of Caroline Lane to the east of Lot A DP 4393511 (108 Lawson Street Redfern)
  - Eveleigh Street (between Caroline Street and Lawson Street)
  - Caroline Street (between Louis Street and Eveleigh Street).

The site comprises the following properties:

| Street   | House No. | Lot No(s) | DP     |
|----------|-----------|-----------|--------|
| Louis    | 1-5       | 21        | 434387 |
|          | 7 -33     | 1-14      | 33299  |
|          | 35-37     | 1-2       | 206799 |
|          | 39-59     | 1-11      | 33106  |
| Caroline | 2-10      | 1-5       | 33107  |

|                                    |         |          |        |
|------------------------------------|---------|----------|--------|
| Eveleigh                           |         | 29       | 374    |
|                                    |         | 1        | 975453 |
|                                    | 44-48   | 3130     | 975455 |
|                                    | 50      | 321      | 131476 |
|                                    | 52      | 1        | 525094 |
|                                    | 54      | 322      | 131476 |
|                                    | 56-58   | B & A    | 75111  |
|                                    | 60-64   | A, B & C | 107218 |
|                                    | 66-68   | Y & X    | 440163 |
|                                    | 70-74   | A, B & C | 437340 |
|                                    | 76      | 1        | 981953 |
|                                    | 78      | 1        | 906105 |
|                                    | 80-84   | X, Y & Z | 107216 |
|                                    | 86      | 1        | 981953 |
|                                    | 88-90   | A & B    | 444916 |
|                                    | 92-100  | E – A    | 441990 |
|                                    | 102     | 1        | 10425  |
| Vine                               | 1-11    | 6-1      | 436836 |
| Caroline<br>(south side)           | 1-15    | A-H      | 33204  |
| Eveleigh<br>(south of<br>Caroline) | 104-106 | A-B      | 438843 |
|                                    | 108     | 1        | 653482 |
|                                    | 110     | 1        | 583847 |
|                                    | 112     | 1        | 113726 |
| Lawson                             | 104     | 104      | 131639 |
|                                    | 106     | B        | 439351 |
| Eveleigh (East<br>Side)            | 49      | 1        | 709305 |
|                                    | 51-57   | A-D      | 437614 |
|                                    | 59      | 2        | 907002 |
|                                    | 61      | B        | 906776 |
|                                    | 63      | 188      | 77816  |
|                                    | 65-69   | 1-3      | 438267 |
|                                    | 71-75   | A-C      | 437987 |
|                                    | 77-79   | 1        | 996782 |
|                                    | 81-83   | B        | 326761 |
|                                    | 85      | B        | 81200  |
|                                    | 87      | 1        | 996783 |
|                                    | 89      | 1        | 741715 |
|                                    | 91      | 1        | 779120 |
|                                    | 93-95   | A-B      | 439127 |
|                                    | 97      | 1        | 797845 |
|                                    | 99      | 1        | 94785  |
|                                    | 101-105 | 1        | 88846  |
|                                    | 107     | 1        | 708931 |
|                                    | 109     | 1        | 996784 |
|                                    | 111-119 | 1-5      | 230305 |
|                                    | 121     | 1        | 995857 |
|                                    | 123     | 1        | 803299 |

**Modification:**

**MP 06\_0101 MOD 3:** Modification to:

- amend layout of eight car parking spaces on Caroline Street
- modify land to be dedicated to Council.

## SCHEDULE 2

### PART A – TERMS OF APPROVAL

- (a) Schedule 2 Part A – Terms of Approval A1 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold and struckout**~~ words/numbers as follows:

#### A1 Development Description

Concept approval is granted only to the carrying out of development within the land as described in-Schedule 1, including:

- (1) The redevelopment of the site for a mix of commercial, retail, cultural, community and residential uses involving a maximum of 26,935 m<sup>2</sup> of GFA comprised of:
  - a) 1,215 m<sup>2</sup> of retail/commercial GFA
  - b) 23,870 m<sup>2</sup> of residential GFA including student housing
  - c) 1,850 m<sup>2</sup> cultural/community GFA including a gymnasium/fitness centre, 60 place child care centre, a gallery and offices for the AHC.
- (2) Landscaped open space areas as identified in Drawing No. 0DA070 Issue J.
- (3) Maximum building heights and floor space ratios within Precincts 1, 2 and 3 as identified below and as shown on Drawing No. 0DA012 Issue J:

| Precinct | Maximum GFA           | Maximum FSR | Maximum Height |
|----------|-----------------------|-------------|----------------|
| 1        | 8,585 m <sup>2</sup>  | 1.29:1      | 2-6 storeys    |
| 2        | 1,820 m <sup>2</sup>  | 1.40:1      | 3 storeys      |
| 3        | 16,530 m <sup>2</sup> | 6.95:1      | 3-24 storeys   |

- (4) A basement car park with 115 car parking spaces (including 10 accessible spaces) to service the mix of uses and with the following allocation of spaces:
    - a) Residential Townhouses and Apartments -73 spaces
    - b) Retail – 16 spaces
    - c) Commercial – 13 spaces
    - d) Gymnasium – 6 spaces
    - e) Childcare Centre – 4 spaces
    - f) Gallery – 3 spaces
  - (5) Eight (8) at grade ~~90° angle~~ car parking spaces **to be located on the northern side of in the Shared Zone in** Caroline Street **between Eveleigh Street and Louis Street within Precinct 1.**
  - (6) Landscaping and public domain improvements works.
- (b) Schedule 2 Part A – Terms of Approval A2 is amended by the insertion of the **bold and underlined** words / numbers and deletion of the ~~**bold and struckout**~~ words/numbers as follows:

#### A2 Development in Accordance with Plans and Documentation

The development shall be generally in accordance with:

- a) MP 06\_0101 and the Environmental Assessment, prepared by Cracknell & Lonergan Architects and Heritage Consultants dated 26 March 2009 (as amended by modification applications at b) below)

- b) the following section 75W modification applications (including appendices):
- i) MP06\_0101 MOD 1, prepared by Ludvik and Associates Pty Ltd dated December 2011, as amended by the Preferred Project Report dated August 2012
  - ii) MP06\_0101 MOD 2, prepared by Ludvik and Associates Pty Ltd dated September 2017, as amended by the Response to Submissions Preferred Project Report dated May 2018 and letter prepared by Deicorp Ltd dated 10 July 2018
  - iii) MP06\_0101 MOD 3, prepared by Ludvik and Associates Pty Ltd dated 23 July 2020 and Additional Information dated 4 September 2020 prepared by Deicorp**
- c) the Statement of Commitments at Schedule 3
- d) the Terms of Approval, Modifications and Future Assessment and Application Requirements of this consent
- e) all written directions of the Planning Secretary
- f) the drawings as set out in the table below:

| Drawing No.   | Revision       | Name of Plan                                 | Date                                 |
|---|----------------|--|--------------------------------------|
| <b>Concept drawings prepared by Nordon Jago Architects</b>  |                |  |                                      |
| 0DA011  | <del>H</del> J | Proposed Site Plan                           | <del>06.07.18</del><br>04.09.20      |
| 0DA012  | J              | FSR & Building Heights                       | 06.07.18                             |
| 0DA013  | C              | Laneways                                     |                                      |
| 0DA070  | <del>J</del> M | Public Domain Areas                          | <del>06.07.18</del><br>03.09.20      |
| 0DA300  | E              | Streetscape Elevations                       | 06.07.18                             |
| 0DA600  | F              | Massing View                                 | 06.07.18                             |
| <b>Concept landscape drawings (Public Domain + Public Art Strategy, Rev D dated 02 May 2018) prepared by Scott Carver Pty Ltd</b> |                |  |                                      |
| 20170005  |                | 3.2 Pedestrian + Vehicular Movement          | June 2017                            |
| 20170005  |                | 3.3 Public Domain + Connections              | June 2017                            |
| 20170005  |                | 3.4 Materials Strategy                       | June 2017                            |
| 20170005  |                | 3.5 Programme + Activation                   | June 2017                            |
| 20170005  |                | 3.6 Public Art Strategy                      | June 2017                            |
| <del>20170005</del><br><b>LD CD600</b>  | <del>A</del>   | 3.9 Land Dedication to Council               | <del>June 2017</del><br>03.09.2020   |
| <del>20170005</del><br><b>LD CD100</b>  | <del>A</del>   | 4.2 Pemulwuy Precinct – The Wider Masterplan | <del>June 2017</del><br>20 July 2020 |
| 20170005  |                | Indicative Materials Palette                 | June 2017                            |
| 20170005  |                | Indicative Planting Palette                  | June 2017                            |

**End of modification  
(MP06\_0101 MOD 3)**