

Modification of Development Consent

Section 4.55(2) of the *Environmental Planning and Assessment Act 1979*

As delegate of the Independent Planning Commission, I approve the modification of the development consent referred to in Schedule 1, subject to the conditions in Schedule 2.



Paulina Wythes
Director
Social and Diverse Housing Assessments

Sydney

31 July 2025

SCHEDULE 1

Development consent:	SSD-34919690 granted by the Independent Planning Commission on 5 April 2024
For the following:	The construction of a 34-storey mixed use building comprising of: • 210 build-to-rent apartments on level 3 through to level 33 • 3 basement levels and 2 mezzanine levels consisting of basement carparking, bike parking, end of trip facilities, • storage and service areas • retail and commercial uses on ground level, level 1 and 2 • residential amenities on levels 2, 7 and 32, including a pool, dog run, co-working area, lounge and private dining area • landscaping and public domain works • flood mitigation measures • remediation.
Applicant:	Perpetual Corporate Trust Limited as custodian for Aliro Trusco 1 Pty Ltd as trustee for Harris Street Sub Trust (Novus)
Consent Authority:	Independent Planning Commission
The Land:	Lot 1 DP 633851 and Lot A DP 366506, 39-43 Hassall Street, Parramatta
Modification:	SSD-34919690 MOD 2 seeking to provide an additional 23 units within the approved building envelope, revision of communal open space areas, relocation of infrastructure and facade amendments.

SCHEDULE 2

This consent is modified as follows:

In Description of the Approved Development

- The description of the approved development is amended by the deletion of the ~~struck-out~~ words and the insertion of **bold and underlined** words as follows:

The construction of a 34-storey mixed use building comprising of:

- ~~240~~ **233** build-to-rent apartments on level 3 through to level ~~33~~ **34**
- 3 basement levels and 2 mezzanine levels consisting of basement carparking, bike parking, end of trip facilities,
- storage and service areas
- retail and commercial uses on ground level, level 1, ~~and level 2,~~ **and level 32 including a co-working area**
- residential amenities on levels 2, 7 and 32, including a pool, dog run, ~~co-working area, lounge and private dining area~~
- landscaping and public domain works
- flood mitigation measures
- remediation.

In Schedule 1 Definitions

- Modify the following definition by the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words and numbers:

Above ground works	All development above the ground floor levels nominated on the drawing DA01.06 (Rev. JL) RL 7.360m but excluding site establishment and enabling works.
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- Insert the following definitions by the insertion of the **bold and underlined** words in alphabetical order:

<u>MOD 2</u>	<u>Section 4.55(2) modification application SSD-34919690 MOD 2 and accompanying appendices and additional information including documentation prepared by Think Planners dated April 2025, Stantec dated 20 October 2024, Stantec dated 7 April 2025, Water Technology Pty Ltd dated 7 April 2025, NOVUS dated 7 May 2025.</u>
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In Schedule 2: Part A Administrative Conditions

- Condition A2 is amended by the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words/numbers as follows:

TERMS OF CONSENT

- A2. The development may only be carried out:
- in compliance with the conditions of this consent;
 - in accordance with all written directions of the Planning Secretary;
 - generally in accordance with the EIS, Response to Submissions and Response to Request for Information, ~~and MOD 1~~ **and MOD 2;** and
 - in accordance with the approved plans in the table below:

Architectural drawings prepared by Rothelowman Architects			
Drawing No.	Rev	Name of Plan	Date
DA-00-01	K <u>M</u>	Development Summary	6/12/24 <u>21/05/25</u>
DA-00-02	G <u>H</u>	Site Plan	6/12/24 <u>13/03/25</u>
DA01-00	E <u>F</u>	GA – Lift Pit	6/12/24 <u>13/03/25</u>
DA01-01	H <u>J</u>	GA – Basement 3	6/12/24 <u>13/03/25</u>
DA01-02	H <u>J</u>	GA – Basement 2	6/12/24 <u>13/03/25</u>
DA01-03	J <u>K</u>	GA – Basement 1	6/12/24 <u>13/03/25</u>
DA01-04	H <u>J</u>	GA – Mezzanine – Lower	6/12/24 <u>13/03/25</u>

DA01-05	J <u>K</u>	GA – Mezzanine – Upper	6/12/24 <u>13/03/25</u>
DA01-06	J <u>L</u>	GA – Ground	6/12/24 <u>5/05/2025</u>
DA01-07	H <u>J</u>	GA – Level 1	6/12/24 <u>13/03/25</u>
DA01-08	H <u>J</u>	GA – Level 2	6/12/24 <u>13/03/25</u>
DA01-09	H <u>J</u>	GA – Level 3	6/12/24 <u>13/03/25</u>
DA01-10	G <u>H</u>	GA – Level 4 – 6	6/12/24 <u>13/03/25</u>
DA01-13	G <u>H</u>	GA – Level 7	6/12/24 <u>13/03/25</u>
DA01-14	G <u>H</u>	GA – Level 8 – 34 <u>25</u>	6/12/24 <u>13/03/25</u>
<u>DA01-32</u>	<u>B</u>	<u>GA – Levels 26-31</u>	<u>13/03/25</u>
DA01-38	G <u>J</u>	GA – Level 32	6/12/24 <u>21/05/25</u>
DA01-39	H <u>J</u>	GA – Level 33	6/12/24 <u>13/03/25</u>
DA01-40	G <u>H</u>	GA – Level 34	6/12/24 <u>13/03/25</u>
DA01-42	G <u>H</u>	GA – Roof	6/12/24 <u>13/03/25</u>
DA02.01	H <u>J</u>	North Elevation	6/12/24 <u>13/03/25</u>
DA02.02	H <u>J</u>	South Elevation	6/12/24 <u>13/03/25</u>
DA02.03	G <u>H</u>	East Elevation	6/12/24 <u>13/03/25</u>
DA02.04	G <u>H</u>	West Elevation	6/12/24 <u>13/03/25</u>
DA03.01	H <u>J</u>	Section A	6/12/24 <u>13/03/25</u>
DA03.02	H <u>J</u>	Section B	6/12/24 <u>13/03/25</u>
DA03.10	G <u>H</u>	Ramp Sections	6/12/24 <u>13/03/25</u>
DA06.01	E <u>F</u>	Adaptable Apartment – Type 2A	6/12/24 <u>13/03/25</u>
DA06.02	E <u>F</u>	Adaptable Apartment – Type 2B	6/12/24 <u>13/03/25</u>
DA06.03	G <u>H</u>	Storage Plans and Schedule	6/12/24 <u>13/03/25</u>
DA06.13	E <u>N</u>	GFA Plans	6/12/24 <u>21/05/25</u>
DA06.14	H <u>J</u>	Deep Soil & Landscape Planting Compliance	6/12/24 <u>13/03/25</u>
DA06.15	G <u>J</u>	Communal Open Space Compliance	6/12/24 <u>21/05/25</u>
DA06.20	G <u>H</u>	LHA Apartments	6/12/24 <u>13/03/25</u>
Landscape Plans prepared by Land FX			
	D4 <u>G</u>	Landscape Development Application Report	14/02/25 <u>06/05/25</u>
Civil Drawings prepared by Mott MacDonald			

	P7	Site Stormwater Drainage Plan	11/7/23
	P7	Stormwater Drainage Long Section	11/7/23

In Schedule 2: Part B Prior to the Issue of a Construction Certificate

5. Condition B2 is amended by the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words/numbers as follows:

GROSS FLOOR AREA CERTIFICATION

- B2. The gross floor area of the development must not exceed ~~16,656.3m²~~ **16,650.3m²**. Details confirming compliance with this condition must be submitted to the Certifier prior to the issue of a Construction Certificate for above ground works.
6. Condition B28 is amended by the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words/numbers as follows:

CAR PARKING AND SERVICE VEHICLE LAYOUT

- B28. Prior to the issue of a Construction Certificate for basement areas, the Applicant must submit to the Certifier, plans or evidence demonstrating compliance with the following traffic and parking requirements:
- (a) all vehicles can enter and leave the Site in a forward direction;
 - (b) ~~a minimum of 73~~ **74** on-site car parking spaces (including car share spaces) are included for use during operation of the development and designed in accordance with the latest versions of AS 2890.1 and AS 2890.6;
 - (c) the swept path of the longest vehicle entering and exiting the Site in association with the new work, as well as manoeuvrability through the Site, are in accordance with the latest version of AS 2890.2;
 - (d) provision of convex mirror, signage and flashing lights to warn pedestrians of vehicle movements; and
 - (e) provision for four (4) electric vehicles (EV) charging parking spaces and 18 EV ready parking spaces to be located within the ~~73~~ **74** car parking spaces, of which two (2) EV charging spaces must be allocated to the carshare spaces identified in plans under Condition A2.
7. Condition B29 is amended by the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words/numbers as follows:

BICYCLE PARKING AND END-OF-TRIP FACILITIES

- B29. Prior to the issue of a Construction Certificate for basement areas, the following design details in relation to the secure bicycle parking and end-of-trip facilities must be submitted to the Certifier for approval:
- (a) the provision of a minimum ~~446~~ **117** bicycle parking spaces, including 6 spaces for the commercial premises, as outlined in plans listed in condition A2;
 - (b) compliance of the layout, design and security of bicycle facilities with the minimum requirements of the latest version of AS 2890.3:2015 Parking facilities - Bicycle parking; and
 - (c) the provision of a minimum of 1 end-of-trip facility shall be provided with 6 personal lockers, one shower and change cubicle.

In Schedule 2: Part E Prior to the Issue of an Occupation Certificate/Commencement of Operation

8. Condition E4 is amended by the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words/numbers as follows:
- E4. Prior to the issue of an Occupation Certificate, a restriction is to be registered against the title of the property on which development is to be carried out, in accordance with section 88E of the Conveyancing Act 1919, requiring all ~~240~~ **233** dwellings within the approved development to be used for the purposes of build-to-rent housing for the life of the development. The restriction must specifically nominate that the residential component of the building:
- (a) will not be subdivided into separate lots, and
 - (b) will be owned and controlled by 1 person, and
 - (c) will be operated by 1 managing agent, who provides on-site management.
9. Condition E9 is amended by the insertion of the **bold and underlined** words and deletion of the ~~struck-out~~ words/numbers as follows:

GFA, BUILDING HEIGHT AND OVERSHADOWING OF EXPERIMENT FARM CERTIFICATION

- E9. A Registered Surveyor is to certify that the development does not exceed the approved gross floor area (~~16,656.30.3m²~~) and building height (RL 121.275m AHD), and that the proposal does not result in any additional overshadowing of Experiment Farm between 10am and 2pm on 21 June. Details shall be provided to the Certifier demonstrating compliance with this condition prior to the issue of an Occupation Certificate.
10. Condition F17 is added by the insertion of the bold and underlined words as follows:
- F17. **During operation, the lounge on level 32 is to be used by tenants and guests of the commercial premises only.**

End of modification
(SSD 34919690 MOD 2)