

17 February 2026

2250476

Aditi Coomar
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Housing and Key Sites Assessment
Department of Planning, Housing and Infrastructure

Dear Ms Coomar,

Section 4.55(1A) Modification Application – SSD-67175465 177 Walker Street, North Sydney

This Modification Application has been prepared by Colliers Urban Planning on behalf of East Walker 88 Development Pty Ltd (The Applicant), pursuant to Section 4.55(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The application seeks to modify Development Consent SSD-67175465 that relates to the site at 177 Walker Street, North Sydney (the site).

The proposed modifications relate to:

- Relocation of the stormwater diversion alignment along Hampden Street to be within the site boundary.
- Amendments to the design of the stormwater pit along Walker Street as a result of further design development.
- Minor reorientation of the substation kiosks that facilitates the relocation of the stormwater diversion into the site, as the substation kiosks cannot be located over the stormwater line.
- Minor reduction to the footprint of Building B2 resulting in a minor increased setback to Hampden Street to accommodate the reorientation of the substation kiosks.
- Amendments to Conditions B7(a) and E44 of the development consent to reference an updated set of civil drawings for the stormwater diversion.
- Amendment to Condition B3 to reflect the substation kiosk design which does not contain doors.

This application identifies the consent, describes the proposed modifications and provides an assessment of the relevant matters prescribed under section 4.55(1A) of the EP&A Act. The application is supported by the following documentation:

- Amended Architectural Plans prepared by Rothelowman (**Attachment A**);
- Statement of Changes prepared by Rothelowman (**Attachment B**);
- Amended Civil Plans prepared by TTW Civil (**Attachment C**); and
- Civil Engineering Statement prepared by TTW Civil (**Attachment D**).

1.0 Site Description

The site is located at the corner of 'lower' Walker Street and 'lower' Hampden Street and has a primary street frontage of 81m to Hampden Street, which is also known as 'lower' Walker Street, to the west (including the splay), and a 54m frontage to 'lower' Hampden Street to the north. The site is legally described as Lot 1 DP1318635 and is located at 177 Walker Street, North Sydney. Refer to **Figure 1**.

The site is cleared of buildings and vegetation subject to the approval of SSD-67175465.

The topography of the site is characterised by an east-sloping landform that declines by approximately 9m from the western site boundary (RL 57) to the eastern site boundary (RL 48).



Figure 1 Site aerial

Source: Nearmap, edits by Colliers Urban Planning

2.0 Consent to be Modified

SSD-67175465 was approved by the Minister for Planning and Public Spaces on the 1st April 2025 for the proposed development of demolition of existing dwellings and structures, early works, excavation and construction of a residential development with infill affordable housing, comprising:

- Two residential flat buildings (12 and 30 storeys);
- 239 apartments (including 78 affordable housing apartments)
- One four-storey resident amenity and services building;
- Four levels of basement with 218 car spaces;
- Vehicular access from Walker Street;
- Landscaping works, consolidation of existing lot.

The approved site plan is shown at **Figure 2**.

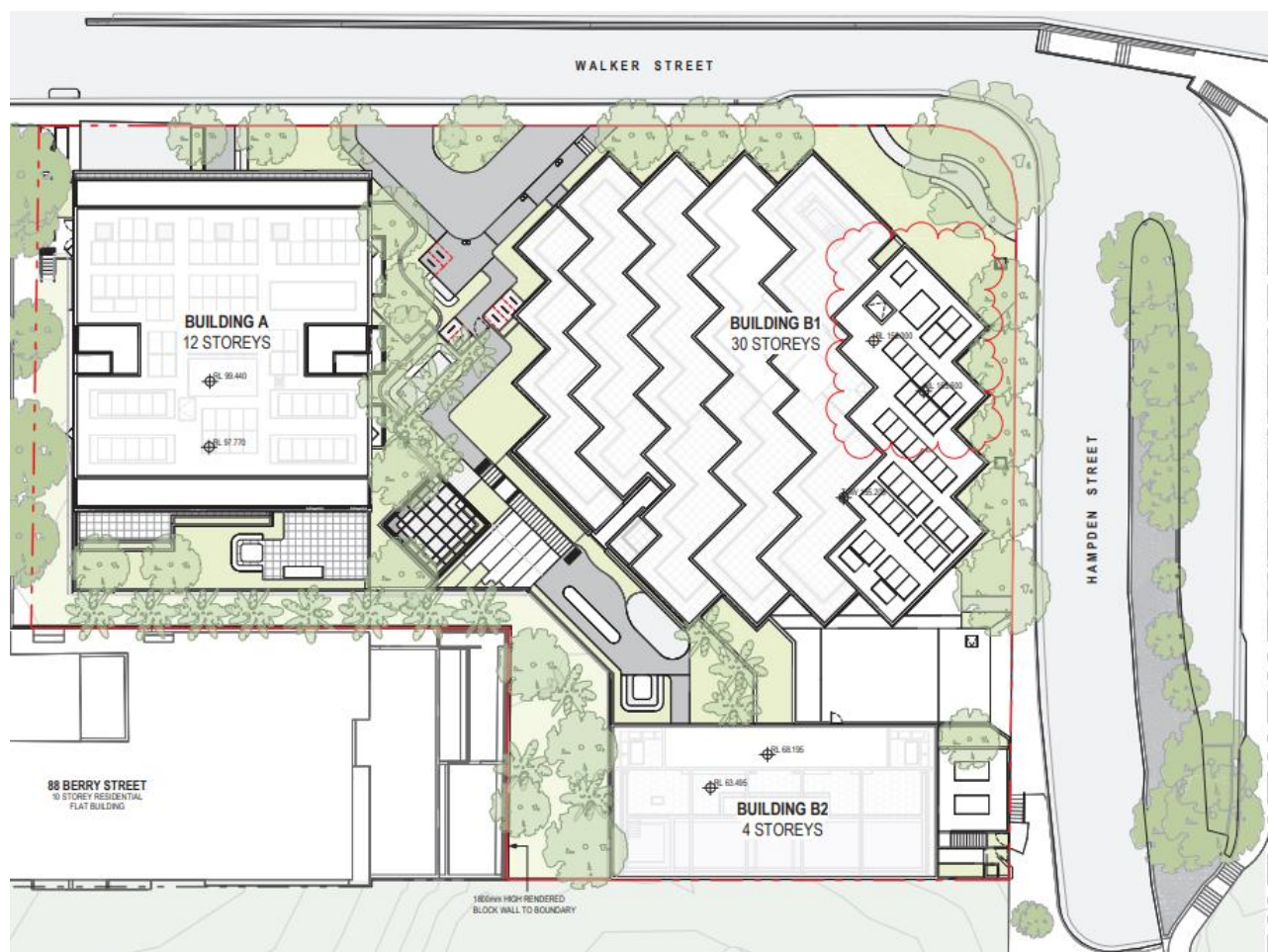


Figure 2 Approved site plan for East Walker Street

Source: Rothelowman

SSD-67175465 has previously been modified twice. Refer to **Table 1** for a summary of the previous modifications.

Table 1 Summary of previous modification applications to SSD-67175465

Application Number	Description of Modification	Date Approved
SSD-67175465-Mod-1	Related to minor drafting errors to Condition A8 of SSD-67175465 to amend the wording of the current condition. It also seeks to amend Condition D20 of SSD-67175465 as it requires a separate approval from the Environment Protection Authority (EPA) which the EPA has confirmed it does not have a statutory role to approve.	Approved 21/10/2025
SSD-67175465-Mod-2	Related to minor design development driven amendments including revised floor to floor heights on Level 1 to Level 26 and minor layout changes to Level 2 to Level 25.	Approved 9/12/2025

3.0 Background to this Modification

Approval was granted for the relocation of the existing stormwater infrastructure under SSD-67175465, which originally traversed the centre of the site. Under the approval of SSD-67175465, the stormwater pipe was approved to be diverted beneath Hampden Street. This stormwater design was preliminary in nature and was prepared prior to the Applicant's acquisition of the site and prior to the appointment of the current builder.

Following the Applicant's purchase of the site and the commencement of detailed design and establishment of construction methodologies, it became evident that the approved stormwater alignment within Hampden Street would present substantial constructability constraints due to clashes with the following infrastructure in the Hampden Street road reserve:

- Ausgrid high and low voltage cables.
- Telstra telecommunication infrastructure.
- Sydney Water potable water services.

To address these issues uncovered in the detailed design process, the Applicant has formulated the proposed amendment to the stormwater diversion that results in the following improvements to constructability, construction and amenity impacts, and future maintenance:

- Removing clashes with existing essential infrastructure, and associated relocation and coordination processes with third-party service authorities. This reduces potential for delays associated with approvals which would have been required for relocating those existing services. This also removes outages and service interruptions to electricity, potable water and telecommunications.
- Eliminating increased utility/drainage congestion within Hampden Street maximises capacity in the Hampden Street road reserve for other infrastructure and reduces risk of conflict to those services during future maintenance.
- Avoiding excavation into the Hampden Street road reserve will result in a substantial reduction in construction noise, particularly benefiting nearby residents who are already experiencing construction fatigue due to multiple concurrent developments and major infrastructure works in the vicinity including the Western Harbour Tunnel and Warringah Freeway upgrade works. It also avoids having to excavate into the Hampden Street road reserve should future maintenance be required.
- A corresponding reduction in the requirement for night works, as construction within the site boundary can be undertaken during standard daytime hours without the traffic and safety constraints associated with road occupation.
- Reduced vibration, dust, and traffic disruption within the public road reserve, improving pedestrian safety and amenity along Hampden Street.

As a consequence of the revised stormwater alignment, minor amendments are required to the approved substation layout in the north-eastern corner of the site. Council requires that there is no built form above the stormwater alignment. Accordingly, the approved substations are required to be rotated 90 degrees to ensure they are not located above the stormwater alignment. To accommodate the reorientation of the substations and associated clearances, the setback of Building B2 to Hampdens Street is required to be increased by 46.5cm. These design amendments are described in further detail in the following sections of this report.

4.0 Proposed Modifications to the Consent

The proposed modification to the development consent comprises:

- Relocation of the stormwater diversion alignment along Hampden Street to be within the site boundary.
- Amendments to the design of the stormwater pit along Walker Street as a result of further design development.
- Minor reorientation of the substation kiosks that facilitates the relocation of the stormwater diversion into the site, as the substation kiosks cannot be located over the stormwater line.
- Minor reduction to the footprint of Building B2 resulting in a minor increased setback to Hampden Street to accommodate the reorientation of the substation kiosks.
- Amendments to Conditions B7(a) and E44 of the development consent to reference an updated set of civil drawings for the stormwater diversion.
- Amendment to Condition B3 to reflect the substation kiosk design which does not contain doors.

The proposed modifications are described in more detail below.

4.1 Modifications to the Development

4.1.1 Relocation of Stormwater Diversion

The stormwater diversion alignment along Hampden Street is proposed to be relocated to be within the site boundary. The stormwater diversion is proposed to be contained fully within the site to facilitate the following benefits:

- Reducing complexities that would otherwise arise from the proximity between the approved stormwater diversion alignment and existing services in Hampden Street. This will reduce delays involved with obtaining a range of approvals from various agencies, and subsequently accelerate delivery of the development including affordable housing to address the urgency of NSW's housing crisis.
- As a result of the above, removing the need for multiple significant power outages during construction, which reduces construction-related impacts on neighbours.
- Reducing disruption to traffic along Hampden Street during construction.
- Improving ease of future maintenance as access to the stormwater infrastructure will not necessitate substantial roadworks.

Refer to **Figure 3** for the approved stormwater diversion and **Figure 4** for the proposed stormwater diversion.

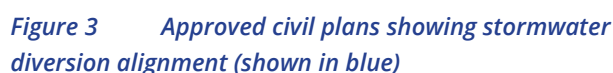


Figure 4 Proposed civil plans showing stormwater diversion alignment (shown in red cloud)

Source: TTW

There are amendments proposed to the stormwater pit (7A) along Walker Street to support the stormwater diversion realignment. The stormwater pit is proposed to be relocated further north towards Hampden Street and will be adjacent the existing stormwater pipe under Walker Street. Stormwater pit (6A) is also proposed to be revised as a result of the amendments to the 7A stormwater pit. Stormwater pit 6A has been adjusted to suit the updated pit and pipe arrangements. This amendment is as a result of further design development and to ensure the continuity of the stormwater system and appropriate pipe alignments are retained.

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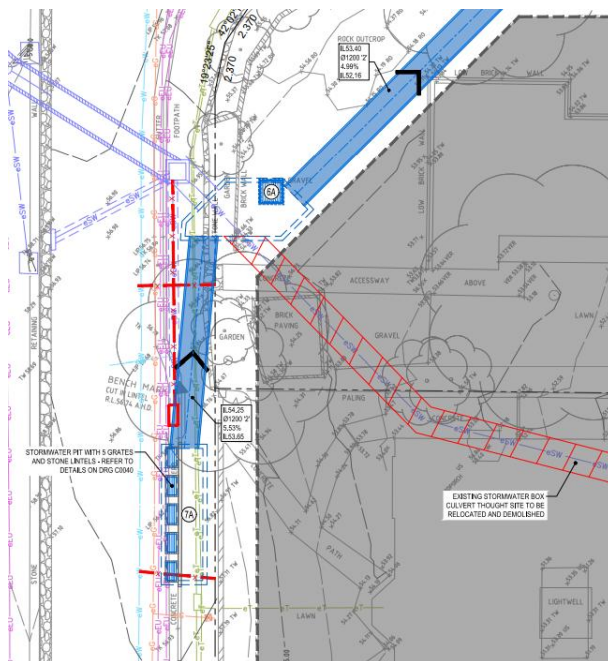


Figure 5 Approved location of the stormwater pits

Source: TTW

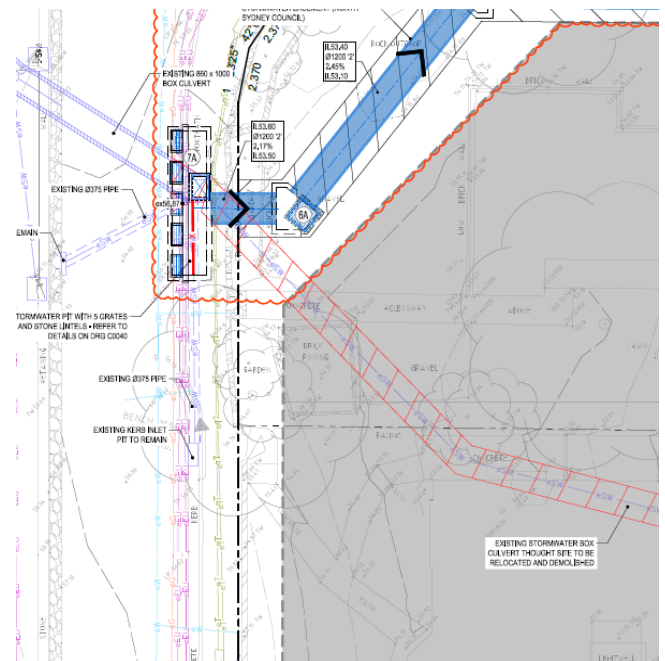


Figure 6 Proposed location of the stormwater pits

Source: TTW

4.1.3 Amendment to Siltation Fence

As a result of detailed design coordination, the siltation fence alongside the southern boundary of the site is proposed to be extended to surround the stormwater connection to the adjacent site to the east.

4.1.4 Reorientation of Substation Kiosks

A minor reorientation of the substation kiosks is proposed on the northeast corner of the site to facilitate the relocation of the stormwater diversion into the site. This is because the substation kiosks cannot be located above the stormwater alignment.

4.1.5 Reduction in Building B2 Footprint

There is a minor reduction in the Building B2 footprint proposed. The Building B2 setback to Hampden Street is proposed to be increased by 46.5cm to accommodate the reorientation of the substation kiosks. This reduction does not affect overall gross floor area.

4.2 Modifications to Conditions

The proposed modification to Development Consent SSD-67175465 seeks only to amend Conditions B7(a) and E44, as well as update the Approved Plans.

It is relevant to note that Section 4.55(5) of the EP&A Act clarifies that a consent authority may modify a development consent under subsections (1A) or (2), even where the modification relates solely to a condition of consent and does not alter the approved development.

The proposed amendments to the consent conditions which are identified below. Words proposed to be deleted are shown in ~~**bold strike through**~~ and words to be inserted are shown in ***bold italics***.

A1. The Development must be carried out:

(a) in compliance with the conditions of this consent;

(b) in accordance with the EIS, the Applicant's response to submissions, and the Applicant's response to requests for further information; and

(c) in accordance with the approved plans in the table below, as modified by the conditions of this consent:

Architectural drawings prepared by Rothe Lowman			
Drawing Number	Rev	Name of Plan	Date
DA00.00	E F	Cover Sheet	03/10/2025 05/02/2026
DA00.01	D	Development summary	19/12/2024
DA00.04	C	Site plan – existing	18/10/2024
DA00.05	C	Demolition plan	18/10/2024
DA00.06	D E	Site plan – proposed	10/03/2025 05/02/2026
DA00.07	C D	Setback plan	18/10/2024 05/02/2026
DA01.03	C	Basement 4	18/10/2024
DA01.04	C D	Basement 3	18/10/2024 05/02/2026
DA01.05	C D	Basement 2	18/10/2024 05/02/2026
DA01.06	C D	Basement 1	18/10/2024 05/02/2026
DA01.07	C D	Basement 1 upper	18/10/2024 05/02/2026
DA01.08	C D	Ground floor	18/10/2024 05/02/2026
DA01.09 DA01.12 -DA01.19	D	Level 2 Level 5 - Level 12	03/10/2025
DA01.09	D E	Level 2	03/10/2025 05/02/2026
DA01.10	E	Level 3	05/02/2026
DA01.11	E	Level 4	05/02/2026
DA01.20	E	Level 13	03/10/2025
DA01.21-DA01.32	D	Level 14 – Level 25	03/10/2025 05/02/2026
DA01.33-DA01.37	C	Level 26 – Level 30	18/10/2024

DA01.38	D	Roof Plan	10/03/2025
DA02.01	C E	Elevations (north)	03/10/2025 05/02/2026
DA02.02 DA02.03-DA02.05	D	Elevations (east , south, west and internal)	03/10/2025
DA02.02	D F	Elevations (east)	05/02/2026
DA02.11	C	Building A glazing elevations	10/03/2025
DA02.12-DA02.13	C	Building B glazing elevations	03/10/2025
DA03.01	C	Sections 01	10/03/2025
DA03.02-DA03.04	C	Sections (02-04)	03/10/2025
DA03.05	D	Sections 05	03/10/2025
DA03.06	B C	Sections 06	18/10/2024 05/02/2026
DA03.50	B	Bonus height sections	18/10/2024
DA03.51	B	Detailed height bonus	18/10/2024
DA04.01	C	Detailed façade sections (Building A)	10/03/2025
DA04.02	B	Detailed façade sections (Building A)	18/10/2024
DA04.03-DA04.06	B	Detailed façade sections (Building B1)	18/10/2024
DA04.07	B	Detailed façade sections (Building B2)	18/10/2024
DA06.01	C	Adaptable plans	18/10/2024
DA06.02	B	Typical apartment types	18/10/2024
DA06.03-DA06.09	A	Building B – Typical Apartment Types	18/10/2024
DA06.10-DA06.11	C	Solar compliance	18/10/2024
DA06.12-DA06.13	C	Cross vent compliance	18/10/2024
DA06.15	D	Site compliance summary	19/12/2024
DA06.16	A	Communal space details	18/10/2024
DA06.20-DA06.21	C	GFA	18/10/2024
DA06.30-DA06.31	C	Storage plans	18/10/2024
DA07.02	B	Height plane diagram	18/10/2024
DA10.01	A	Materials schedule (Building A)	19/12/2024
DA10.02	A	Materials schedule (Building B1)	19/12/2024
DA10.03	A	Materials schedule (Building B2)	19/12/2024

Reason: This condition is required to be updated to reflect the revised design amendments as proposed by this modification application.

SUBSTATION AND FIRE STAIR DESIGN

B3. Prior to the issue of the first Construction Certificate for above ground works, the Applicant must provide evidence to the Certifier that ~~any doors to the two substations on the northern boundary and the~~ fire escape stairs located along the western boundary of the site have been designed to open inward, within the property boundary.

Reason: Following detailed design, the substations to be installed are a kiosk type without doors. Therefore, the parts of this condition relating to substation doors are not longer applicable.

STORMWATER MANAGEMENT SYSTEM

B7. Prior to the issue of the first Construction Certificate for stormwater management works (excluding demolition and excavation works), the Applicant must submit to the Certifier details of an operational stormwater management system for the Development designed by a suitably qualified and experienced person(s):

(a) generally in accordance with the stormwater plans titled the early works – stormwater diversions civil works prepared by TTW, dated ~~11 December 2024~~ **2 February 2026** and any Council stormwater requirements and specifications which are consistent with that conceptual design;

(b) including the pipe diversion and high-capacity inlet pits as recommended in the SSDA Flood Study prepared by TTW, dated 17 December 2024;

(c) in accordance with applicable Australian Standards; and

(d) with a system capacity designed in accordance with Australian Rainfall and Runoff (Engineers Australia, 2016) and Managing Urban Stormwater: Council Handbook (EPA, 1997) guidelines

Reason: This condition is required to be amended to reflect the updated date of the amended Stormwater Plans.

REGISTRATION OF EASEMENTS

E44. An easement under section 88A and/or restriction or public positive covenant under section 88E of the Conveyancing Act 1919 naming Council as the prescribed authority, which can only be revoked, varied or modified with the consent of Council, and which provides for public access within and through the stormwater pipeline, shown on the early works – stormwater diversions civil works plans submitted with the Additional Information dated ~~11 December 2024~~ **2 February 2026**, must be registered on title prior to the issue of occupation certificate.

Reason: This condition is required to be amended to reflect the updated date of the amended Stormwater Plans.

5.0 Substantially the Same Development

Section 4.55(1A)(b) of the EP&A Act states that a consent authority may modify a development consent if “it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which the consent was originally granted and before that consent as originally granted was modified (if at all)”.

The development, as proposed to be modified, is substantially the same development as that originally approved in that it:

- The development continues to relate and operate under the description of development outlined in **Section 2.0**
- The proposed modifications relate to refinements in response to further detailed design development, and do not change the overall approved design.
- The proposed modifications do not alter the key components of the approved development, including the delivery of affordable and market dwellings.
- No changes to the approved total gross floor area (GFA) or building height are proposed in this modification application.
- The amendments to the stormwater diversion alignment and resulting amendments will not result in any additional environmental impacts.
- Overall, the proposed amendments will not compromise the original design intent of the building.

6.0 Engagement

6.1 Engagement with North Sydney Council

East Walker 88 Development Pty Ltd have undertaken engagement with North Sydney Council’s development engineering team. In response to feedback from North Sydney Council, the design avoids any structures above the stormwater alignment. It is expected that engagement with North Sydney Council will continue in the referral process during assessment. Consultation undertaken with North Sydney Council is shown in **Table 2** below.

Table 2 Consultation undertaken with North Sydney Council

Date Consultation was Undertaken	Actions Undertaken / Consultation Outcomes
24/03/2025	Prior to the Applicant’s ownership of the site, Logic Projects, acting on behalf of the then-owner, CBUS Property R3 Pty Ltd, initiated contact with Council to introduce the incoming owner, being the Applicant. They requested a meeting to discuss the proposed realignment of the temporary stormwater diversion. During this process, Logic Projects also identified a discrepancy between the approved stormwater documentation and the corresponding Council approval letter and sought clarification on this matter.
14/07/2025	A follow up email was sent to council as no response had been received to the email from 24/03/2025.
15/07/2025 – 16/07/2025	Throughout the email correspondence between Logic Projects and Council, Council staff were reluctant to attend an in-person meeting or online meeting as they considered it was not necessary.
26/08/2025	Council sought confirmation as to whether any draft plans had been prepared for the revised stormwater design. The Applicant subsequently responded and provided the requested plans, explaining that through the design development phase, an opportunity had arisen to amend the stormwater diversion design in a way that results in a simpler outcome than the existing approval which requires sophisticated

	coordination between multiple services authorities whilst also causing longer and ongoing disruption to the local community. Following its review, Council issued several queries regarding elements of the proposed design, to which the Applicant supplied further clarification. Council later provided additional feedback, advising that the proposed design did not represent an acceptable outcome, stating that all Council stormwater pipes and assets are to be clear of structures.
27/10/2025	The Applicant submitted an amended stormwater design package to Council.
29/10/2025	Council advised that the proposal was not acceptable due to the stormwater pipeline's location beneath proposed structures. The Applicant requested a meeting with Council's engineer for clarification but this request was declined. The Applicant provided additional queries via email seeking design guidance and requested Council's stormwater design standards and easement requirements. Council provided a brief response, but did not supply any formal documents stating their stormwater design standards and easement requirements.
27/11/2025	The Applicant provided Council with an updated design that ensured that there was no structure above the proposed stormwater pipe realignment. The Applicant requested a meeting with Council to confirm applicable design requirements. Council responded requesting updated architectural plans and did not offer the opportunity for a meeting.
01/12/2025	Following a discussion with a North Sydney Council Manager, the Applicant requested available meeting times to discuss stormwater matters via Teams or in person.
03/12/2025	The Applicant provided updated architectural plans incorporating the amended stormwater design showing that no structure is proposed above the stormwater alignment. A meeting with Council was requested.
04/12/2025	Council issued additional design requirements which were not previously provided. Council did not offer to meet with the Applicant.
09/12/2025	The Applicant requested a meeting with Council and expressed concern regarding the lack of engagement and clarity in Council's stormwater requirements.
Various — 04/12/2025, 27/10/2025, 17/09/2025	Multiple phone calls were made between representatives of the Applicant and Council to attempt to arrange a meeting and obtain clarity on Council's stormwater design requirements, no meeting was secured. During phone conversations, Council requested additional amendments to the design based on requirements that contradicted the specifications in the currently approved stormwater alignment and Council's previous advice.

The Applicant has sought to meet Council's requirements to the best of its ability, though the summary of engagement above demonstrates that there has been a lack of clarity and consistency in Council's requirements for stormwater design. Notwithstanding inconsistencies in Council's feedback, the design has been advanced and resolved as much as possible at this stage.

Specifically, this process has been difficult because:

- Despite sustained efforts by the Applicant and its consultants to progress the stormwater design, through repeated correspondence, submissions and requests for meetings, opportunities for detailed conversations with Council were limited. Feedback has been limited and inconsistent.
- To date, Council has not provided any Council-endorsed guidelines and policies regarding stormwater alignment to provide the required clarity and consistency to progress and resolve the design.

6.2 Engagement with Ausgrid

The project's Accredited Service Provider (ASP) has undertaken engagement with Ausgrid on the proposed substation design under project reference AN-23104.

The proposed reorientation has been reviewed from an ASP perspective to ensure:

- No conflicts with existing or proposed Ausgrid infrastructure;
- Compliance with required electrical clearances and access zones;
- Adequate provision for operation, maintenance and future asset access; and
- No adverse impact to the distribution network.

From an ASP/Ausgrid compliance standpoint, there are no technical objections, network or compliance issues relating to the proposed reorientation of the two kiosk substations, subject to detailed design certification and final approval through Ausgrid's standard design review and construction process.

7.0 Environmental Assessment

Section 4.55(1A)(a) of the EP&A Act states that a consent authority may modify a development consent *if "it is satisfied that the proposed modification is of minimal environmental impact"*. Under section 4.55(3) the consent authority must also take into consideration the relevant matters to the application referred to in section 4.15(1) of the EP&A Act and the reasons given by the consent authority for the grant of the original consent.

The following assessment considers the relevant matters under section 4.15(1) and demonstrates that the development, as proposed to be modified, will be of minimal environmental impact.

7.1 Statutory Requirements

7.1.1 State Environmental Planning Policies

The proposed modifications have been assessed against the relevant provisions of the applicable State Environmental Planning Policies (SEPP) and it has been determined that the original proposal's compliance with the applicable SEPPs remain unchanged.

7.1.2 North Sydney Local Environmental Plan 2013

The proposed modifications have been assessed against the relevant provisions of the North Sydney Local Environmental Plan 2013 (North Sydney LEP) and it has been determined that the original proposal's compliance with the applicable provisions of the North Sydney LEP remains unchanged.

7.1.3 North Sydney Development Control Plan 2013

There is no change to the development's consistency with the applicable controls of the North Sydney DCP remains unchanged. It is noted that development control plans are not a matter for consideration in the assessment of SSDAs by virtue of Clause 2.10 of the *State Environmental Planning Policy (Planning Systems) 2021*.

7.2 Key Issues

7.2.1 Stormwater

A Civil Engineering Statement has been prepared and is provided at **Attachment D**. The letter supports the modification in describing the changes to the civil engineering design for the diversion of existing trunk stormwater services owned by North Sydney Council. The amendments proposed to the development are discussed in **Section 4.1**.

The modifications proposed are as a result of the stormwater diversion realignment to be contained within the site. This will avoid known clashes with existing infrastructure within the public road reserve and remove the complex coordination that would be required if the stormwater diversion alignment was to remain as approved (beyond the site boundary). The modifications will remove the requirement to undertake Ausgrid high voltage and low voltage cable relocations on Hampden Street, as well as reduce the impacts the approved design would have on Telstra telecommunications. Additionally, the amendments will significantly reduce impacts on Sydney Water's potable water by minimising disruptions and reducing the likelihood of service outages.

Replacement of the kerb inlet pipes will allow for an equivalent or greater hydraulic capacity compared to the approved design. The constructability is improved by reducing the excavation depth and minimising opportunities for conflicts with existing underground services. This will ultimately lower the likelihood of service relocations and disruptions or outages to live services. This outcome will support the uninterrupted operation of surrounding developments and infrastructure projects, such as the Warringah Freeway upgrade, by aligning with Council's objectives to reduce cumulative construction impacts.

The relocation will eliminate an increase in utility and drainage congestion within Hampden Street, allowing opportunities for future expansion in the area.

The Civil Engineering Statement concludes that the stormwater diversion and associated stormwater works proposed under this modification will improve constructability, reduce interface risks with existing infrastructure and minimise the impacts on surrounding assets, while maintaining the hydraulic performance and overall intent of the original and approved design. Ultimately, the relocation of the stormwater diversion and associated amendments to stormwater design and pipes presents a more sustainable, safer and less disruptive outcome.

TTW has confirmed that the amended design maintains compliance with all relevant engineering and hydraulic requirements of North Sydney Council.

TTW has confirmed that the proposed stormwater design matches the hydraulic capacity of the approved stormwater design. Therefore, TTW has confirmed that the proposed design is not expected to change the flooding outcomes as detailed in TTW's Flood Impact and Risk Assessment Report and Flood Emergency Response Plan approved under SSD-67175465.

Refer to the Civil Statement at **Attachment D** for further detail.

8.0 Conclusion

This modification application relates to amendments arising from detailed design development and the amendments to the stormwater diversion alignment, namely:

- Relocation of the stormwater diversion alignment along Hampden Street to be within the site boundary.
- Amendments to the design of the stormwater pit along Walker Street as a result of further design development.
- Minor reorientation of the substation kiosks that facilitates the relocation of the stormwater diversion into the site, as the substation kiosks cannot be located over the stormwater line.
- Minor reduction to the footprint of Building B2 resulting in a minor increased setback to Hampden Street to accommodate the reorientation of the substation kiosks.
- Amendments to Conditions B7(a) and E44 of the development consent to reference an updated set of civil drawings for the stormwater diversion.
- Amendment to Condition B3 to reflect the substation kiosk design which does not contain doors.

In accordance with section 4.55(1A) of the EP&A Act, the consent authority may modify the consent as:

- The proposed modification will not result in any additional adverse environmental impacts;
- The proposal remains generally consistent with the relevant plans, and consistent with the relevant policies and controls;
- The proposed modification will not result in any adverse unreasonable impacts to the amenity of surrounding land uses;
- The proposed modification is of minimal environmental impact; and
- Substantially the same development as development for which the consent was granted.

We trust that this information is sufficient to enable a prompt assessment of the proposed modification request.

Sincerely,



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